

As Passed by the Senate

**130th General Assembly
Regular Session
2013-2014**

Sub. S. B. No. 47

Senator Seitz

Cosponsors: Senators Eklund, Coley, Burke

—

A B I L L

To amend sections 3.02, 302.09, 305.02, 503.24, 1
733.31, 1901.10, 2301.02, 3501.301, 3501.38, 2
3503.06, 3503.14, 3503.16, 3503.19, 3503.28, 3
3505.13, 3505.18, 3505.181, 3505.182, 3505.183, 4
3509.03, 3509.04, 3509.05, 3511.02, 3511.05, 5
3511.09, 3513.04, 3513.262, 3513.263, 3513.30, 6
3513.31, 3519.05, and 3519.16 and to enact section 7
3501.302 of the Revised Code to revise the 8
Election Law. 9

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3.02, 302.09, 305.02, 503.24, 10
733.31, 1901.10, 2301.02, 3501.301, 3501.38, 3503.06, 3503.14, 11
3503.16, 3503.19, 3503.28, 3505.13, 3505.18, 3505.181, 3505.182, 12
3505.183, 3509.03, 3509.04, 3509.05, 3511.02, 3511.05, 3511.09, 13
3513.04, 3513.262, 3513.263, 3513.30, 3513.31, 3519.05, and 14
3519.16 be amended and section 3501.302 of the Revised Code be 15
enacted to read as follows: 16

Sec. 3.02. (A) When an elective office becomes vacant and is 17
filled by appointment, such appointee shall hold the office until 18
the appointee's successor is elected and qualified; and such 19

successor shall be elected for the unexpired term, at the first 20
general election for the office which is vacant that occurs more 21
than ~~fifty-six~~ forty days after the vacancy has occurred; provided 22
that when the unexpired term ends within one year immediately 23
following the date of such general election, an election to fill 24
such unexpired term shall not be held and the appointment shall be 25
for such unexpired term. 26

(B) When an elective office becomes vacant and is filled by 27
appointment, the appointing authority shall, immediately but no 28
later than seven days after making the appointment, certify it to 29
the board of elections and to the secretary of state. The board of 30
elections or, in the case of an appointment to a statewide office, 31
the secretary of state shall issue a certificate of appointment to 32
the appointee. Certificates of appointment shall be in such form 33
as the secretary of state shall prescribe. 34

(C) When an elected candidate fails to qualify for the office 35
to which the candidate has been elected, the office shall be 36
filled as in the case of a vacancy. Until so filled, the incumbent 37
officer shall continue to hold office. This section does not 38
postpone the time for such election beyond that at which it would 39
have been held had no such vacancy occurred, or affect the 40
official term, or the time for the commencement thereof, of any 41
person elected to such office before the occurrence of such 42
vacancy. 43

Sec. 302.09. When a vacancy occurs in the board of county 44
commissioners or in the office of county auditor, county 45
treasurer, prosecuting attorney, clerk of the court of common 46
pleas, sheriff, county recorder, county engineer, or coroner more 47
than ~~fifty-six~~ forty days before the next general election for 48
state and county officers, the vacancy shall be filled as provided 49
for in divisions (A) and (B) of section 305.02 of the Revised 50

Code. 51

Sec. 305.02. (A) If a vacancy in the office of county 52
commissioner, prosecuting attorney, county auditor, county 53
treasurer, clerk of the court of common pleas, sheriff, county 54
recorder, county engineer, or coroner occurs more than ~~fifty-six~~ 55
forty days before the next general election for state and county 56
officers, a successor shall be elected at such election for the 57
unexpired term unless such term expires within one year 58
immediately following the date of such general election. 59

In either event, the vacancy shall be filled as provided in 60
this section and the appointee shall hold office until a successor 61
is elected and qualified. 62

(B) If a vacancy occurs from any cause in any of the offices 63
named in division (A) of this section, the county central 64
committee of the political party with which the last occupant of 65
the office was affiliated shall appoint a person to hold the 66
office and to perform the duties thereof until a successor is 67
elected and has qualified, except that if such vacancy occurs 68
because of the death, resignation, or inability to take the office 69
of an officer-elect whose term has not yet begun, an appointment 70
to take such office at the beginning of the term shall be made by 71
the central committee of the political party with which such 72
officer-elect was affiliated. 73

(C) Not less than five nor more than forty-five days after a 74
vacancy occurs, the county central committee shall meet for the 75
purpose of making an appointment under this section. Not less than 76
four days before the date of such meeting the chairperson or 77
secretary of such central committee shall send by first class mail 78
to every member of such central committee a written notice which 79
shall state the time and place of such meeting and the purpose 80
thereof. A majority of the members of the central committee 81

present at such meeting may make the appointment. 82

(D) If the last occupant of the office or the officer-elect 83
was elected as an independent candidate, the board of county 84
commissioners shall make such appointment at the time when the 85
vacancy occurs, except where the vacancy is in the office of 86
county commissioner, in which case the prosecuting attorney and 87
the remaining commissioners or a majority of them shall make the 88
appointment. 89

(E) Appointments made under this section shall be certified 90
by the appointing county central committee or by the board of 91
county commissioners to the county board of elections and to the 92
secretary of state, and the persons so appointed and certified 93
shall be entitled to all remuneration provided by law for the 94
offices to which they are appointed. 95

(F) The board of county commissioners may appoint a person to 96
hold any of the offices named in division (A) of this section as 97
an acting officer and to perform the duties thereof between the 98
occurrence of the vacancy and the time when the officer appointed 99
by the central committee qualifies and takes the office. 100

(G) A person appointed prosecuting attorney or assistant 101
prosecuting attorney shall give bond and take the oath of office 102
prescribed by section 309.03 of the Revised Code for the 103
prosecuting attorney. 104

Sec. 503.24. If there is a vacancy by reason of the 105
nonacceptance, death, or removal of a person chosen to an office 106
in any township at the regular election, or if there is a vacancy 107
from any other cause, the board of township trustees shall appoint 108
a person having the qualifications of an elector to fill such 109
vacancy for the unexpired term or until a successor is elected. 110

If a township is without a board or if no appointment is made 111

within thirty days after the occurrence of a vacancy, a majority
of the persons designated as the committee of five on the
last-filed nominating petition of the township officer whose
vacancy is to be filled who are residents of the township shall
appoint a person having the qualifications of an elector to fill
the vacancy for the unexpired term or until a successor is
elected. If at least three of the committee members who are
residents of the township cannot be found, or if that number of
such members fails to make an appointment within ten days after
the thirty-day period in which the board of township trustees is
authorized to make an appointment, then the presiding probate
judge of the county shall appoint a suitable person having the
qualifications of an elector in the township to fill the vacancy
for the unexpired term or until a successor is elected.

If a vacancy occurs in a township elective office more than
~~fifty-six~~ forty days before the next general election for
municipal and township officers a successor shall be chosen at
that election to fill the unexpired term, provided the term does
not expire within one year from the day of the election. If the
term expires within one year from the day of the next general
election for municipal and township officers, a successor
appointed pursuant to this section shall serve out the unexpired
term.

Sec. 733.31. (A) Unless otherwise provided by law, vacancies
arising in appointive and elective offices of villages shall be
filled by appointment by the mayor for the remainder of the
unexpired term, provided that:

(1) Vacancies in the office of mayor shall be filled in the
manner provided by section 733.25 of the Revised Code;

(2) Vacancies in the membership of the legislative authority
shall be filled in the manner provided by section 731.43 of the

Revised Code; 143

(3) Vacancies in the office of president pro tempore of a 144
village legislative authority shall be filled in the manner 145
provided by section 731.11 of the Revised Code. 146

In the event of a vacancy in the office of village clerk or 147
treasurer, the mayor may appoint a person to serve as an acting 148
officer to perform the duties of the office until a permanent 149
officer is appointed to fill the vacancy. 150

(B) Unless otherwise provided by law, vacancies arising in 151
appointive offices of cities shall be filled by appointment by the 152
mayor for the remainder of the unexpired term. 153

(C) A vacancy in the office of president of the legislative 154
authority of a city shall be filled in the same manner as provided 155
in division (D) of this section. Vacancies in the office of mayor 156
of a city shall be filled in the manner provided in section 733.08 157
of the Revised Code. Vacancies in the membership of the 158
legislative authority of a city shall be filled in the manner 159
provided in section 731.43 of the Revised Code. 160

(D) In case of the death, resignation, removal, or disability 161
of the director of law, auditor, or treasurer of a city and such 162
vacancy occurs more than ~~fifty-six~~ forty days before the next 163
general election for such office, a successor shall be elected at 164
such election for the unexpired term unless such term expires 165
within one year immediately following the date of such general 166
election. In either event, the vacancy shall be filled as provided 167
in this section and the appointee shall hold office until a 168
successor is elected and qualified. 169

(1) The county central committee of the political party with 170
which the last occupant of the office was affiliated, acting 171
through its members who reside in the city where the vacancy 172
occurs, shall appoint a person to hold the office and to perform 173

the duties thereof until a successor is elected and has qualified, 174
except that if such vacancy occurs because of the death, 175
resignation, or inability to take the office of an officer-elect 176
whose term has not yet begun, an appointment to take such office 177
at the beginning of the term shall be made by the members of the 178
central committee who reside in the city where the vacancy occurs. 179

(2) Not less than five nor more than forty-five days after a 180
vacancy occurs, the county central committee, acting through its 181
members who reside in the city where the vacancy occurs, shall 182
meet for the purpose of making an appointment. Not less than four 183
days before the date of the meeting the chairperson or secretary 184
of the central committee shall send by first class mail to every 185
member of such central committee who resides in the city where the 186
vacancy occurs a written notice which shall state the time and 187
place of such meeting and the purpose thereof. A majority of the 188
members of the central committee present at such meeting may make 189
the appointment. 190

(E) If the last occupant of the office or the officer-elect, 191
as provided in division (D) of this section, was elected as an 192
independent candidate, the mayor of the city shall make the 193
appointment at the time the vacancy occurs. 194

(F) Appointments made under this section shall be certified 195
by the appointing county central committee or by the mayor of the 196
municipal corporation to the county board of elections and to the 197
secretary of state. The persons so appointed and certified shall 198
be entitled to all remuneration provided by law for the offices to 199
which they are appointed. 200

(G) The mayor of the city may appoint a person to hold the 201
city office of director of law, auditor, or treasurer as an acting 202
officer and to perform the duties thereof between the occurrence 203
of the vacancy and the time when the person appointed by the 204
central committee qualifies and takes the office. 205

Sec. 1901.10. (A)(1)(a) The judges of the municipal court and
officers of the court shall take an oath of office as provided in
section 3.23 of the Revised Code. The office of judge of the
municipal court is subject to forfeiture, and the judge may be
removed from office, for the causes and by the procedure provided
in sections 3.07 to 3.10 of the Revised Code. A vacancy in the
office of judge exists upon the death, resignation, forfeiture,
removal from office, or absence from official duties for a period
of six consecutive months, as determined under this section, of
the judge and also by reason of the expiration of the term of an
incumbent when no successor has been elected or qualified. The
chief justice of the supreme court may designate a judge of
another municipal court to act until that vacancy is filled in
accordance with section 107.08 of the Revised Code. A vacancy
resulting from the absence of a judge from official duties for a
period of six consecutive months shall be determined and declared
by the legislative authority.

(b) If a vacancy occurs in the office of judge or clerk of
the municipal court after the one-hundredth day before the first
Tuesday after the first Monday in May and prior to the ~~fifty-sixth~~
fortieth day before the day of the general election, all
candidates for election to the unexpired term of the judge or
clerk shall file nominating petitions with the board of elections
not later than four p.m. on the tenth day following the day on
which the vacancy occurs, except that, when the vacancy occurs
fewer than ~~four~~ six days before the ~~fifty-sixth~~ fortieth day
before the general election, the deadline for filing shall be four
p.m. on the ~~fiftieth~~ thirty-sixth day before the day of the
general election.

(c) Each nominating petition referred to in division
(A)(1)(b) of this section shall be in the form prescribed in
section 3513.261 of the Revised Code and shall be signed by at

least fifty qualified electors of the territory of the municipal 238
court. No nominating petition shall be accepted for filing or 239
filed if it appears on its face to contain signatures aggregating 240
in number more than twice the minimum aggregate number of 241
signatures required by this section. 242

(2) If a judge of a municipal court that has only one judge 243
is temporarily absent, incapacitated, or otherwise unavailable, 244
the judge may appoint a substitute who has the qualifications 245
required by section 1901.06 of the Revised Code or a retired judge 246
of a court of record who is a qualified elector and a resident of 247
the territory of the court. If the judge is unable to make the 248
appointment, the chief justice of the supreme court shall appoint 249
a substitute. The appointee shall serve during the absence, 250
incapacity, or unavailability of the incumbent, shall have the 251
jurisdiction and powers conferred upon the judge of the municipal 252
court, and shall be styled "acting judge." During that time of 253
service, the acting judge shall sign all process and records and 254
shall perform all acts pertaining to the office, except that of 255
removal and appointment of officers of the court. All courts shall 256
take judicial notice of the selection and powers of the acting 257
judge. The incumbent judge shall establish the amount of 258
compensation of an acting judge upon either a per diem, hourly, or 259
other basis, but the rate of pay shall not exceed the per diem 260
amount received by the incumbent judge. 261

(B) When the volume of cases pending in any municipal court 262
necessitates an additional judge, the chief justice of the supreme 263
court, upon the written request of the judge or presiding judge of 264
that municipal court, may designate a judge of another municipal 265
court or county court to serve for any period of time that the 266
chief justice may prescribe. The compensation of a judge so 267
designated shall be paid from the city treasury or, in the case of 268
a county-operated municipal court, from the county treasury. In 269

addition to the annual salary provided for in section 1901.11 of 270
the Revised Code and in addition to any compensation under 271
division (A)(5) or (6) of section 141.04 of the Revised Code to 272
which the judge is entitled in connection with the judge's own 273
court, a full-time or part-time judge while holding court outside 274
the judge's territory on the designation of the chief justice 275
shall receive actual and necessary expenses and compensation as 276
follows: 277

(1) A full-time judge shall receive thirty dollars for each 278
day of the assignment. 279

(2) A part-time judge shall receive for each day of the 280
assignment the per diem compensation of the judges of the court to 281
which the judge is assigned, less the per diem amount paid to 282
those judges pursuant to section 141.04 of the Revised Code, 283
calculated on the basis of two hundred fifty working days per 284
year. 285

If a request is made by a judge or the presiding judge of a 286
municipal court to designate a judge of another municipal court 287
because of the volume of cases in the court for which the request 288
is made and the chief justice reports, in writing, that no 289
municipal or county court judge is available to serve by 290
designation, the judges of the court requesting the designation 291
may appoint a substitute as provided in division (A)(2) of this 292
section, who may serve for any period of time that is prescribed 293
by the chief justice. The substitute judge shall be paid in the 294
same manner and at the same rate as the incumbent judges, except 295
that, if the substitute judge is entitled to compensation under 296
division (A)(5) or (6) of section 141.04 of the Revised Code, then 297
section 1901.121 of the Revised Code shall govern its payment. 298

Sec. 2301.02. The number of judges of the court of common 299
pleas for each county, the time for the next election of the 300

judges in the several counties, and the beginning of their terms 301
shall be as follows: 302

(A) In Adams, Ashland, Fayette, and Pike counties, one judge, 303
elected in 1956, term to begin February 9, 1957; 304

In Brown, Crawford, Defiance, Highland, Holmes, Morgan, 305
Ottawa, and Union counties, one judge, to be elected in 1954, term 306
to begin February 9, 1955; 307

In Auglaize county, one judge, to be elected in 1956, term to 308
begin January 9, 1957; 309

In Coshocton, Darke, Fulton, Gallia, Guernsey, Hardin, 310
Jackson, Knox, Madison, Mercer, Monroe, Paulding, Vinton, and 311
Wyandot counties, one judge, to be elected in 1956, term to begin 312
January 1, 1957; 313

In Morrow county, two judges, one to be elected in 1956, term 314
to begin January 1, 1957, and one to be elected in 2006, term to 315
begin January 1, 2007; 316

In Logan county, two judges, one to be elected in 1956, term 317
to begin January 1, 1957, and one to be elected in 2004, term to 318
begin January 2, 2005; 319

In Carroll, Clinton, Hocking, Meigs, Pickaway, Preble, 320
Shelby, Van Wert, and Williams counties, one judge, to be elected 321
in 1952, term to begin January 1, 1953; 322

In Champaign county, two judges, one to be elected in 1952, 323
term to begin January 1, 1953, and one to be elected in 2008, term 324
to begin February 10, 2009; 325

In Harrison and Noble counties, one judge, to be elected in 326
1954, term to begin April 18, 1955; 327

In Henry county, two judges, one to be elected in 1956, term 328
to begin May 9, 1957, and one to be elected in 2004, term to begin 329
January 1, 2005; 330

In Putnam county, one judge, to be elected in 1956, term to	331
begin May 9, 1957;	332
In Huron county, one judge, to be elected in 1952, term to	333
begin May 14, 1953;	334
In Perry county, one judge, to be elected in 1954, term to	335
begin July 6, 1956;	336
In Sandusky county, two judges, one to be elected in 1954,	337
term to begin February 10, 1955, and one to be elected in 1978,	338
term to begin January 1, 1979+.	339
(B) In Allen county, three judges, one to be elected in 1956,	340
term to begin February 9, 1957, the second to be elected in 1958,	341
term to begin January 1, 1959, and the third to be elected in	342
1992, term to begin January 1, 1993;	343
In Ashtabula county, three judges, one to be elected in 1954,	344
term to begin February 9, 1955, one to be elected in 1960, term to	345
begin January 1, 1961, and one to be elected in 1978, term to	346
begin January 2, 1979;	347
In Athens county, two judges, one to be elected in 1954, term	348
to begin February 9, 1955, and one to be elected in 1990, term to	349
begin July 1, 1991;	350
In Erie county, four judges, one to be elected in 1956, term	351
to begin January 1, 1957, the second to be elected in 1970, term	352
to begin January 2, 1971, the third to be elected in 2004, term to	353
begin January 2, 2005, and the fourth to be elected in 2008, term	354
to begin February 9, 2009;	355
In Fairfield county, three judges, one to be elected in 1954,	356
term to begin February 9, 1955, the second to be elected in 1970,	357
term to begin January 1, 1971, and the third to be elected in	358
1994, term to begin January 2, 1995;	359
In Geauga county, two judges, one to be elected in 1956, term	360

to begin January 1, 1957, and the second to be elected in 1976, 361
term to begin January 6, 1977; 362

In Greene county, four judges, one to be elected in 1956, 363
term to begin February 9, 1957, the second to be elected in 1960, 364
term to begin January 1, 1961, the third to be elected in 1978, 365
term to begin January 2, 1979, and the fourth to be elected in 366
1994, term to begin January 1, 1995; 367

In Hancock county, two judges, one to be elected in 1952, 368
term to begin January 1, 1953, and the second to be elected in 369
1978, term to begin January 1, 1979; 370

In Lawrence county, two judges, one to be elected in 1954, 371
term to begin February 9, 1955, and the second to be elected in 372
1976, term to begin January 1, 1977; 373

In Marion county, three judges, one to be elected in 1952, 374
term to begin January 1, 1953, the second to be elected in 1976, 375
term to begin January 2, 1977, and the third to be elected in 376
1998, term to begin February 9, 1999; 377

In Medina county, three judges, one to be elected in 1956, 378
term to begin January 1, 1957, the second to be elected in 1966, 379
term to begin January 1, 1967, and the third to be elected in 380
1994, term to begin January 1, 1995; 381

In Miami county, two judges, one to be elected in 1954, term 382
to begin February 9, 1955, and one to be elected in 1970, term to 383
begin on January 1, 1971; 384

In Muskingum county, three judges, one to be elected in 1968, 385
term to begin August 9, 1969, one to be elected in 1978, term to 386
begin January 1, 1979, and one to be elected in 2002, term to 387
begin January 2, 2003; 388

In Portage county, three judges, one to be elected in 1956, 389
term to begin January 1, 1957, the second to be elected in 1960, 390

term to begin January 1, 1961, and the third to be elected in 391
1986, term to begin January 2, 1987; 392

In Ross county, two judges, one to be elected in 1956, term 393
to begin February 9, 1957, and the second to be elected in 1976, 394
term to begin January 1, 1977; 395

In Scioto county, three judges, one to be elected in 1954, 396
term to begin February 10, 1955, the second to be elected in 1960, 397
term to begin January 1, 1961, and the third to be elected in 398
1994, term to begin January 2, 1995; 399

In Seneca county, two judges, one to be elected in 1956, term 400
to begin January 1, 1957, and the second to be elected in 1986, 401
term to begin January 2, 1987; 402

In Warren county, four judges, one to be elected in 1954, 403
term to begin February 9, 1955, the second to be elected in 1970, 404
term to begin January 1, 1971, the third to be elected in 1986, 405
term to begin January 1, 1987, and the fourth to be elected in 406
2004, term to begin January 2, 2005; 407

In Washington county, two judges, one to be elected in 1952, 408
term to begin January 1, 1953, and one to be elected in 1986, term 409
to begin January 1, 1987; 410

In Wood county, three judges, one to be elected in 1968, term 411
beginning January 1, 1969, the second to be elected in 1970, term 412
to begin January 2, 1971, and the third to be elected in 1990, 413
term to begin January 1, 1991; 414

In Belmont and Jefferson counties, two judges, to be elected 415
in 1954, terms to begin January 1, 1955, and February 9, 1955, 416
respectively; 417

In Clark county, four judges, one to be elected in 1952, term 418
to begin January 1, 1953, the second to be elected in 1956, term 419
to begin January 2, 1957, the third to be elected in 1986, term to 420

begin January 3, 1987, and the fourth to be elected in 1994, term 421
to begin January 2, 1995-; 422

In Clermont county, five judges, one to be elected in 1956, 423
term to begin January 1, 1957, the second to be elected in 1964, 424
term to begin January 1, 1965, the third to be elected in 1982, 425
term to begin January 2, 1983, the fourth to be elected in 1986, 426
term to begin January 2, 1987+, and the fifth to be elected in 427
2006, term to begin January 3, 2007; 428

In Columbiana county, two judges, one to be elected in 1952, 429
term to begin January 1, 1953, and the second to be elected in 430
1956, term to begin January 1, 1957; 431

In Delaware county, two judges, one to be elected in 1990, 432
term to begin February 9, 1991, the second to be elected in 1994, 433
term to begin January 1, 1995; 434

In Lake county, six judges, one to be elected in 1958, term 435
to begin January 1, 1959, the second to be elected in 1960, term 436
to begin January 2, 1961, the third to be elected in 1964, term to 437
begin January 3, 1965, the fourth and fifth to be elected in 1978, 438
terms to begin January 4, 1979, and January 5, 1979, respectively, 439
and the sixth to be elected in 2000, term to begin January 6, 440
2001; 441

In Licking county, four judges, one to be elected in 1954, 442
term to begin February 9, 1955, one to be elected in 1964, term to 443
begin January 1, 1965, one to be elected in 1990, term to begin 444
January 1, 1991, and one to be elected in 2004, term to begin 445
January 1, 2005; 446

In Lorain county, nine judges, two to be elected in 1952, 447
terms to begin January 1, 1953, and January 2, 1953, respectively, 448
one to be elected in 1958, term to begin January 3, 1959, one to 449
be elected in 1968, term to begin January 1, 1969, two to be 450
elected in 1988, terms to begin January 4, 1989, and January 5, 451

1989, respectively, two to be elected in 1998, terms to begin 452
January 2, 1999, and January 3, 1999, respectively; and one to be 453
elected in 2006, term to begin January 6, 2007; 454

In Butler county, eleven judges, one to be elected in 1956, 455
term to begin January 1, 1957; two to be elected in 1954, terms to 456
begin January 1, 1955, and February 9, 1955, respectively; one to 457
be elected in 1968, term to begin January 2, 1969; one to be 458
elected in 1986, term to begin January 3, 1987; two to be elected 459
in 1988, terms to begin January 1, 1989, and January 2, 1989, 460
respectively; one to be elected in 1992, term to begin January 4, 461
1993; two to be elected in 2002, terms to begin January 2, 2003, 462
and January 3, 2003, respectively; and one to be elected in 2006, 463
term to begin January 3, 2007; 464

In Richland county, four judges, one to be elected in 1956, 465
term to begin January 1, 1957, the second to be elected in 1960, 466
term to begin February 9, 1961, the third to be elected in 1968, 467
term to begin January 2, 1969, and the fourth to be elected in 468
2004, term to begin January 3, 2005; 469

In Tuscarawas county, two judges, one to be elected in 1956, 470
term to begin January 1, 1957, and the second to be elected in 471
1960, term to begin January 2, 1961; 472

In Wayne county, two judges, one to be elected in 1956, term 473
beginning January 1, 1957, and one to be elected in 1968, term to 474
begin January 2, 1969; 475

In Trumbull county, six judges, one to be elected in 1952, 476
term to begin January 1, 1953, the second to be elected in 1954, 477
term to begin January 1, 1955, the third to be elected in 1956, 478
term to begin January 1, 1957, the fourth to be elected in 1964, 479
term to begin January 1, 1965, the fifth to be elected in 1976, 480
term to begin January 2, 1977, and the sixth to be elected in 481
1994, term to begin January 3, 1995; 482

(C) In Cuyahoga county, thirty-nine judges; eight to be 483
elected in 1954, terms to begin on successive days beginning from 484
January 1, 1955, to January 7, 1955, and February 9, 1955, 485
respectively; eight to be elected in 1956, terms to begin on 486
successive days beginning from January 1, 1957, to January 8, 487
1957; three to be elected in 1952, terms to begin from January 1, 488
1953, to January 3, 1953; two to be elected in 1960, terms to 489
begin on January 8, 1961, and January 9, 1961, respectively; two 490
to be elected in 1964, terms to begin January 4, 1965, and January 491
5, 1965, respectively; one to be elected in 1966, term to begin on 492
January 10, 1967; four to be elected in 1968, terms to begin on 493
successive days beginning from January 9, 1969, to January 12, 494
1969; two to be elected in 1974, terms to begin on January 18, 495
1975, and January 19, 1975, respectively; five to be elected in 496
1976, terms to begin on successive days beginning January 6, 1977, 497
to January 10, 1977; two to be elected in 1982, terms to begin 498
January 11, 1983, and January 12, 1983, respectively; and two to 499
be elected in 1986, terms to begin January 13, 1987, and January 500
14, 1987, respectively; 501

In Franklin county, twenty-two judges; two to be elected in 502
1954, terms to begin January 1, 1955, and February 9, 1955, 503
respectively; four to be elected in 1956, terms to begin January 504
1, 1957, to January 4, 1957; four to be elected in 1958, terms to 505
begin January 1, 1959, to January 4, 1959; three to be elected in 506
1968, terms to begin January 5, 1969, to January 7, 1969; three to 507
be elected in 1976, terms to begin on successive days beginning 508
January 5, 1977, to January 7, 1977; one to be elected in 1982, 509
term to begin January 8, 1983; one to be elected in 1986, term to 510
begin January 9, 1987; two to be elected in 1990, terms to begin 511
July 1, 1991, and July 2, 1991, respectively; one to be elected in 512
1996, term to begin January 2, 1997; and one to be elected in 513
2004, term to begin July 1, 2005; 514

In Hamilton county, twenty-one judges; eight to be elected in 1966, terms to begin January 1, 1967, January 2, 1967, and from February 9, 1967, to February 14, 1967, respectively; five to be elected in 1956, terms to begin from January 1, 1957, to January 5, 1957; one to be elected in 1964, term to begin January 1, 1965; one to be elected in 1974, term to begin January 15, 1975; one to be elected in 1980, term to begin January 16, 1981; two to be elected at large in the general election in 1982, terms to begin April 1, 1983; one to be elected in 1990, term to begin July 1, 1991; and two to be elected in 1996, terms to begin January 3, 1997, and January 4, 1997, respectively;

In Lucas county, fourteen judges; two to be elected in 1954, terms to begin January 1, 1955, and February 9, 1955, respectively; two to be elected in 1956, terms to begin January 1, 1957, and October 29, 1957, respectively; two to be elected in 1952, terms to begin January 1, 1953, and January 2, 1953, respectively; one to be elected in 1964, term to begin January 3, 1965; one to be elected in 1968, term to begin January 4, 1969; two to be elected in 1976, terms to begin January 4, 1977, and January 5, 1977, respectively; one to be elected in 1982, term to begin January 6, 1983; one to be elected in 1988, term to begin January 7, 1989; one to be elected in 1990, term to begin January 2, 1991; and one to be elected in 1992, term to begin January 2, 1993;

In Mahoning county, seven judges; three to be elected in 1954, terms to begin January 1, 1955, January 2, 1955, and February 9, 1955, respectively; one to be elected in 1956, term to begin January 1, 1957; one to be elected in 1952, term to begin January 1, 1953; one to be elected in 1968, term to begin January 2, 1969; and one to be elected in 1990, term to begin July 1, 1991;

In Montgomery county, fifteen judges; three to be elected in

1954, terms to begin January 1, 1955, January 2, 1955, and January 547
3, 1955, respectively; four to be elected in 1952, terms to begin 548
January 1, 1953, January 2, 1953, July 1, 1953, and July 2, 1953, 549
respectively; one to be elected in 1964, term to begin January 3, 550
1965; one to be elected in 1968, term to begin January 3, 1969; 551
three to be elected in 1976, terms to begin on successive days 552
beginning January 4, 1977, to January 6, 1977; two to be elected 553
in 1990, terms to begin July 1, 1991, and July 2, 1991, 554
respectively; and one to be elected in 1992, term to begin January 555
1, 1993-; 556

In Stark county, eight judges; one to be elected in 1958, 557
term to begin on January 2, 1959; two to be elected in 1954, terms 558
to begin on January 1, 1955, and February 9, 1955, respectively; 559
two to be elected in 1952, terms to begin January 1, 1953, and 560
April 16, 1953, respectively; one to be elected in 1966, term to 561
begin on January 4, 1967; and two to be elected in 1992, terms to 562
begin January 1, 1993, and January 2, 1993, respectively; 563

In Summit county, thirteen judges; four to be elected in 564
1954, terms to begin January 1, 1955, January 2, 1955, January 3, 565
1955, and February 9, 1955, respectively; three to be elected in 566
1958, terms to begin January 1, 1959, January 2, 1959, and May 17, 567
1959, respectively; one to be elected in 1966, term to begin 568
January 4, 1967; one to be elected in 1968, term to begin January 569
5, 1969; one to be elected in 1990, term to begin May 1, 1991; one 570
to be elected in 1992, term to begin January 6, 1993; and two to 571
be elected in 2008, terms to begin January 5, 2009, and January 6, 572
2009, respectively. 573

Notwithstanding the foregoing provisions, in any county 574
having two or more judges of the court of common pleas, in which 575
more than one-third of the judges plus one were previously elected 576
at the same election, if the office of one of those judges so 577
elected becomes vacant more than ~~fifty-six~~ forty days prior to the 578

second general election preceding the expiration of that judge's 579
term, the office that that judge had filled shall be abolished as 580
of the date of the next general election, and a new office of 581
judge of the court of common pleas shall be created. The judge who 582
is to fill that new office shall be elected for a six-year term at 583
the next general election, and the term of that judge shall 584
commence on the first day of the year following that general 585
election, on which day no other judge's term begins, so that the 586
number of judges that the county shall elect shall not be reduced. 587

Judges of the probate division of the court of common pleas 588
are judges of the court of common pleas but shall be elected 589
pursuant to sections 2101.02 and 2101.021 of the Revised Code, 590
except in Adams, Harrison, Henry, Morgan, Noble, and Wyandot 591
counties in which the judge of the court of common pleas elected 592
pursuant to this section also shall serve as judge of the probate 593
division, except in Lorain county in which the judges of the 594
domestic relations division of the Lorain county court of common 595
pleas elected pursuant to this section also shall perform the 596
duties and functions of the judge of the probate division from 597
February 9, 2009, through September 28, 2009, and except in Morrow 598
county in which the judges of the court of common pleas elected 599
pursuant to this section also shall perform the duties and 600
functions of the judge of the probate division. 601

Sec. 3501.301. A contract involving a cost in excess of ~~ten~~ 602
twenty-five thousand dollars for printing and furnishing the 603
supplies, other than the official ballots, required in section 604
3501.30 of the Revised Code, shall not be let until the board of 605
elections has caused notice to be published once in a newspaper of 606
general circulation within the county or upon notice given by 607
mail, addressed to the responsible suppliers within the state. The 608
board of elections may require that each bid be accompanied by a 609
bond, with at least two individual sureties, or a surety company, 610

satisfactory to the board, in a sum double the amount of the bid, 611
conditioned upon the faithful performance of the contract awarded 612
and for the payment as damages by such bidder to the board of any 613
excess of cost over the bid which it may be required to pay for 614
such work by reason of the failure of the bidder to complete the 615
contract. The contract shall be let to the lowest and best bidder. 616

Sec. 3501.302. The secretary of state may enter into 617
agreements for the bulk purchase of election supplies in order to 618
reduce the costs for such purchases by individual boards of 619
elections. A board of elections desiring to participate in such 620
purchase agreements shall file with the secretary of state a 621
written request for inclusion. A request for inclusion shall 622
include an agreement to be bound by such terms and conditions as 623
the secretary of state prescribes and to make direct payments to 624
the vendor under each purchase agreement. 625

Sec. 3501.38. All declarations of candidacy, nominating 626
petitions, or other petitions presented to or filed with the 627
secretary of state or a board of elections or with any other 628
public office for the purpose of becoming a candidate for any 629
nomination or office or for the holding of an election on any 630
issue shall, in addition to meeting the other specific 631
requirements prescribed in the sections of the Revised Code 632
relating to them, be governed by the following rules: 633

(A) Only electors qualified to vote on the candidacy or issue 634
which is the subject of the petition shall sign a petition. Each 635
signer shall be a registered elector pursuant to section ~~3503.11~~ 636
3503.01 of the Revised Code. The facts of qualification shall be 637
determined as of the date when the petition is filed. 638

(B) Signatures shall be affixed in ink. Each signer may also 639
print the signer's name, so as to clearly identify the signer's 640

signature. 641

(C) Each signer shall place on the petition after the 642
signer's name the date of signing and the location of the signer's 643
voting residence, including the street and number if in a 644
municipal corporation or the rural route number, post office 645
address, or township if outside a municipal corporation. The 646
voting address given on the petition shall be the address 647
appearing in the registration records at the board of elections. 648

(D) Except as otherwise provided in section 3501.382 of the 649
Revised Code, no person shall write any name other than the 650
person's own on any petition. Except as otherwise provided in 651
section 3501.382 of the Revised Code, no person may authorize 652
another to sign for the person. If a petition contains the 653
signature of an elector two or more times, only the first 654
signature shall be counted. 655

(E)(1) On each petition paper, the circulator shall indicate 656
the number of signatures contained on it, and shall sign a 657
statement made under penalty of election falsification that the 658
circulator witnessed the affixing of every signature, that all 659
signers were to the best of the circulator's knowledge and belief 660
qualified to sign, and that every signature is to the best of the 661
circulator's knowledge and belief the signature of the person 662
whose signature it purports to be or of an attorney in fact acting 663
pursuant to section 3501.382 of the Revised Code. On the 664
circulator's statement for a declaration of candidacy or 665
nominating petition for a person seeking to become a statewide 666
candidate or for a statewide initiative or a statewide referendum 667
petition, the circulator shall identify the circulator's name, the 668
address of the circulator's permanent residence, and the name and 669
address of the person employing the circulator to circulate the 670
petition, if any. 671

(2) As used in division (E) of this section, "statewide 672

candidate" means the joint candidates for the offices of governor 673
and lieutenant governor or a candidate for the office of secretary 674
of state, auditor of state, treasurer of state, or attorney 675
general. 676

(F) Except as otherwise provided in section 3501.382 of the 677
Revised Code, if a circulator knowingly permits an unqualified 678
person to sign a petition paper or permits a person to write a 679
name other than the person's own on a petition paper, that 680
petition paper is invalid; otherwise, the signature of a person 681
not qualified to sign shall be rejected but shall not invalidate 682
the other valid signatures on the paper. 683

(G) The circulator of a petition may, before filing it in a 684
public office, strike from it any signature the circulator does 685
not wish to present as a part of the petition. 686

(H) Any signer of a petition or an attorney in fact acting 687
pursuant to section 3501.382 of the Revised Code on behalf of a 688
signer may remove the signer's signature from that petition at any 689
time before the petition is filed in a public office by striking 690
the signer's name from the petition; no signature may be removed 691
after the petition is filed in any public office. 692

(I)(1) No alterations, corrections, or additions may be made 693
to a petition after it is filed in a public office. 694

(2)(a) No declaration of candidacy, nominating petition, or 695
other petition for the purpose of becoming a candidate may be 696
withdrawn after it is filed in a public office. Nothing in this 697
division prohibits a person from withdrawing as a candidate as 698
otherwise provided by law. 699

(b) No petition presented to or filed with the secretary of 700
state, a board of elections, or any other public office for the 701
purpose of the holding of an election on any question or issue may 702
be resubmitted after it is withdrawn from a public office or 703

rejected as containing insufficient signatures. Nothing in this 704
division prevents a question or issue petition from being 705
withdrawn by the filing of a written notice of the withdrawal by a 706
majority of the members of the petitioning committee with the same 707
public office with which the petition was filed prior to the 708
sixtieth day before the election at which the question or issue is 709
scheduled to appear on the ballot. 710

(J) All declarations of candidacy, nominating petitions, or 711
other petitions under this section shall be accompanied by the 712
following statement in boldface capital letters: WHOEVER COMMITS 713
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 714

(K) All separate petition papers shall be filed at the same 715
time, as one instrument. 716

(L) If a board of elections distributes for use a petition 717
form for a declaration of candidacy, nominating petition, or any 718
type of question or issue petition that does not satisfy the 719
requirements of law as of the date of that distribution, the board 720
shall not invalidate the petition on the basis that the petition 721
form does not satisfy the requirements of law, if the petition 722
otherwise is valid. Division (L) of this section applies only if 723
the candidate received the petition from the board within ninety 724
days of when the petition is required to be filed. 725

Sec. 3503.06. (A) No person shall be entitled to vote at any 726
election, ~~or to sign or circulate any declaration of candidacy or~~ 727
~~any nominating, or recall petition,~~ unless the person is 728
registered as an elector and will have resided in the county and 729
precinct where the person is registered for at least thirty days 730
at the time of the next election. 731

(B)~~(1)~~ No person shall be entitled to sign any petition, 732
unless the person is registered as an elector and resides in a 733
precinct in which the candidacy or issue that is the subject of 734

the petition will appear on the ballot. 735

(C)(1)(a) Except for a nominating petition for presidential 736
electors, no person shall be entitled to circulate any ~~initiative~~ 737
~~or referendum~~ petition unless the person is a resident of this 738
state and is at least eighteen years of age. 739

(b) No person shall be entitled to circulate a nominating 740
petition for presidential electors unless the person is at least 741
eighteen years of age. 742

(2) All election officials, in determining the residence of a 743
person circulating a petition under division ~~(B)~~(C)(1) of this 744
section, shall be governed by the following rules: 745

(a) That place shall be considered the residence of a person 746
in which the person's habitation is fixed and to which, whenever 747
the person is absent, the person has the intention of returning. 748

(b) A person shall not be considered to have lost the 749
person's residence who leaves the person's home and goes into 750
another state for temporary purposes only, with the intention of 751
returning. 752

(c) A person shall not be considered to have gained a 753
residence in any county of this state into which the person comes 754
for temporary purposes only, without the intention of making that 755
county the permanent place of abode. 756

(d) If a person removes to another state with the intention 757
of making that state the person's residence, the person shall be 758
considered to have lost the person's residence in this state. 759

(e) Except as otherwise provided in division ~~(B)~~(C)(2)(f) of 760
this section, if a person removes from this state and continuously 761
resides outside this state for a period of four years or more, the 762
person shall be considered to have lost the person's residence in 763
this state, notwithstanding the fact that the person may entertain 764

an intention to return at some future period. 765

(f) If a person removes from this state to engage in the 766
services of the United States government, the person shall not be 767
considered to have lost the person's residence in this state 768
during the period of that service, and likewise should the person 769
enter the employment of the state, the place where that person 770
resided at the time of the person's removal shall be considered to 771
be the person's place of residence. 772

(g) If a person goes into another state and, while there, 773
exercises the right of a citizen by voting, the person shall be 774
considered to have lost the person's residence in this state. 775

~~(C) No person shall be entitled to sign any initiative or 776
referendum petition unless the person is registered as an elector 777
and will have resided in the county and precinct where the person 778
is registered for at least thirty days at the time of the next 779
election. 780~~

Sec. 3503.14. (A) The secretary of state shall prescribe the 781
form and content of the registration, change of residence, and 782
change of name forms used in this state. The forms shall meet the 783
requirements of the National Voter Registration Act of 1993 and 784
shall include spaces for all of the following: 785

(1) The voter's name; 786

(2) The voter's address; 787

(3) The current date; 788

(4) The voter's date of birth; 789

(5) The voter to provide one or more of the following: 790

(a) The voter's driver's license number, if any; 791

(b) The last four digits of the voter's social security 792
number, if any; 793

(c) A copy of a current and valid photo identification, a 794
copy of a military identification, or a copy of a current utility 795
bill, bank statement, government check, paycheck, or other 796
government document, other than ~~a notice of an election mailed by~~ 797
~~a board of elections under section 3501.19 of the Revised Code or~~ 798
a notice of voter registration mailed by a board of elections 799
under section 3503.19 of the Revised Code, that shows the voter's 800
name and address. 801

(6) The voter's signature. 802

The registration form shall include a space on which the 803
person registering an applicant shall sign the person's name and 804
provide the person's address and a space on which the person 805
registering an applicant shall name the employer who is employing 806
that person to register the applicant. 807

Except for forms prescribed by the secretary of state under 808
section 3503.11 of the Revised Code, the secretary of state shall 809
permit boards of elections to produce forms that have subdivided 810
spaces for each individual alphanumeric character of the 811
information provided by the voter so as to accommodate the 812
electronic reading and conversion of the voter's information to 813
data and the subsequent electronic transfer of that data to the 814
statewide voter registration database established under section 815
3503.15 of the Revised Code. 816

(B) None of the following persons who are registering an 817
applicant in the course of that official's or employee's normal 818
duties shall sign the person's name, provide the person's address, 819
or name the employer who is employing the person to register an 820
applicant on a form prepared under this section: 821

(1) An election official; 822

(2) A county treasurer; 823

(3) A deputy registrar of motor vehicles; 824

- (4) An employee of a designated agency; 825
- (5) An employee of a public high school; 826
- (6) An employee of a public vocational school; 827
- (7) An employee of a public library; 828
- (8) An employee of the office of a county treasurer; 829
- (9) An employee of the bureau of motor vehicles; 830
- (10) An employee of a deputy registrar of motor vehicles; 831
- (11) An employee of an election official. 832

(C) Except as provided in section 3501.382 of the Revised 833
Code, any applicant who is unable to sign the applicant's own name 834
shall make an "X," if possible, which shall be certified by the 835
signing of the name of the applicant by the person filling out the 836
form, who shall add the person's own signature. If an applicant is 837
unable to make an "X," the applicant shall indicate in some manner 838
that the applicant desires to register to vote or to change the 839
applicant's name or residence. The person registering the 840
applicant shall sign the form and attest that the applicant 841
indicated that the applicant desired to register to vote or to 842
change the applicant's name or residence. 843

(D) No registration, change of residence, or change of name 844
form shall be rejected solely on the basis that a person 845
registering an applicant failed to sign the person's name or 846
failed to name the employer who is employing that person to 847
register the applicant as required under division (A) of this 848
section. 849

(E) As used in this section, "registering an applicant" 850
includes any effort, for compensation, to provide voter 851
registration forms or to assist persons in completing or returning 852
those forms. 853

Sec. 3503.16. (A) Whenever a registered elector changes the 854
place of residence of that registered elector from one precinct to 855
another within a county or from one county to another, or has a 856
change of name, that registered elector shall report the change by 857
delivering a change of residence or change of name form, whichever 858
is appropriate, as prescribed by the secretary of state under 859
section 3503.14 of the Revised Code to the state or local office 860
of a designated agency, a public high school or vocational school, 861
a public library, the office of the county treasurer, the office 862
of the secretary of state, any office of the registrar or deputy 863
registrar of motor vehicles, or any office of a board of elections 864
in person or by a third person. Any voter registration, change of 865
address, or change of name application, returned by mail, may be 866
sent only to the secretary of state or the board of elections. 867

A registered elector also may update the registration of that 868
registered elector by filing a change of residence or change of 869
name form on the day of a special, primary, or general election at 870
the polling place in the precinct in which that registered elector 871
resides or at the board of elections or at another site designated 872
by the board. 873

(B)(1)(a) Any registered elector who moves within a precinct 874
on or prior to the day of a general, primary, or special election 875
and has not filed a notice of change of residence with the board 876
of elections may vote in that election by going to that registered 877
elector's assigned polling place, completing and signing a notice 878
of change of residence, showing identification in the form of a 879
current and valid photo identification, a military identification, 880
or a copy of a current utility bill, bank statement, government 881
check, paycheck, or other government document, other than a notice 882
~~of an election mailed by a board of elections under section~~ 883
~~3501.19 of the Revised Code or a notice of voter registration~~ 884
mailed by a board of elections under section 3503.19 of the 885

Revised Code, that shows the name and current address of the 886
elector, and casting a ballot. If the elector provides either a 887
driver's license or a state identification card issued under 888
section 4507.50 of the Revised Code that does not contain the 889
elector's current residence address, the elector shall provide the 890
last four digits of the elector's driver's license number or state 891
identification card number, and the precinct election official 892
shall mark the poll list or signature pollbook to indicate that 893
the elector has provided a driver's license or state 894
identification card number with a former address and record the 895
last four digits of the elector's driver's license number or state 896
identification card number. 897

(b) Any registered elector who changes the name of that 898
registered elector and remains within a precinct on or prior to 899
the day of a general, primary, or special election and has not 900
filed a notice of change of name with the board of elections may 901
vote in that election by going to that registered elector's 902
assigned polling place, completing and signing a notice of a 903
change of name, and casting a provisional ballot under section 904
3505.181 of the Revised Code. 905

(2) Any registered elector who moves from one precinct to 906
another within a county or moves from one precinct to another and 907
changes the name of that registered elector on or prior to the day 908
of a general, primary, or special election and has not filed a 909
notice of change of residence or change of name, whichever is 910
appropriate, with the board of elections may vote in that election 911
if that registered elector complies with division (G) of this 912
section or does all of the following: 913

(a) Appears at anytime during regular business hours on or 914
after the twenty-eighth day prior to the election in which that 915
registered elector wishes to vote or, if the election is held on 916
the day of a presidential primary election, the twenty-fifth day 917

prior to the election, through noon of the Saturday prior to the 918
election at the office of the board of elections, appears at any 919
time during regular business hours on the Monday prior to the 920
election at the office of the board of elections, or appears on 921
the day of the election at either of the following locations: 922

(i) The polling place in the precinct in which that 923
registered elector resides; 924

(ii) The office of the board of elections or, if pursuant to 925
division (C) of section 3501.10 of the Revised Code the board has 926
designated another location in the county at which registered 927
electors may vote, at that other location instead of the office of 928
the board of elections. 929

(b) Completes and signs, under penalty of election 930
falsification, a notice of change of residence or change of name, 931
whichever is appropriate, and files it with election officials at 932
the polling place, at the office of the board of elections, or, if 933
pursuant to division (C) of section 3501.10 of the Revised Code 934
the board has designated another location in the county at which 935
registered electors may vote, at that other location instead of 936
the office of the board of elections, whichever is appropriate; 937

(c) Votes a provisional ballot under section 3505.181 of the 938
Revised Code at the polling place, at the office of the board of 939
elections, or, if pursuant to division (C) of section 3501.10 of 940
the Revised Code the board has designated another location in the 941
county at which registered electors may vote, at that other 942
location instead of the office of the board of elections, 943
whichever is appropriate, using the address to which that 944
registered elector has moved or the name of that registered 945
elector as changed, whichever is appropriate; 946

(d) Completes and signs, under penalty of election 947
falsification, a statement attesting that that registered elector 948

moved or had a change of name, whichever is appropriate, on or 949
prior to the day of the election, has voted a provisional ballot 950
at the polling place in the precinct in which that registered 951
elector resides, at the office of the board of elections, or, if 952
pursuant to division (C) of section 3501.10 of the Revised Code 953
the board has designated another location in the county at which 954
registered electors may vote, at that other location instead of 955
the office of the board of elections, whichever is appropriate, 956
and will not vote or attempt to vote at any other location for 957
that particular election. The statement required under division 958
(B)(2)(d) of this section shall be included on the notice of 959
change of residence or change of name, whichever is appropriate, 960
required under division (B)(2)(b) of this section. 961

(C) Any registered elector who moves from one county to 962
another county within the state on or prior to the day of a 963
general, primary, or special election and has not registered to 964
vote in the county to which that registered elector moved may vote 965
in that election if that registered elector complies with division 966
(G) of this section or does all of the following: 967

(1) Appears at any time during regular business hours on or 968
after the twenty-eighth day prior to the election in which that 969
registered elector wishes to vote or, if the election is held on 970
the day of a presidential primary election, the twenty-fifth day 971
prior to the election, through noon of the Saturday prior to the 972
election at the office of the board of elections or, if pursuant 973
to division (C) of section 3501.10 of the Revised Code the board 974
has designated another location in the county at which registered 975
electors may vote, at that other location instead of the office of 976
the board of elections, appears during regular business hours on 977
the Monday prior to the election at the office of the board of 978
elections or, if pursuant to division (C) of section 3501.10 of 979
the Revised Code the board has designated another location in the 980

county at which registered electors may vote, at that other 981
location instead of the office of the board of elections, or 982
appears on the day of the election at the office of the board of 983
elections or, if pursuant to division (C) of section 3501.10 of 984
the Revised Code the board has designated another location in the 985
county at which registered electors may vote, at that other 986
location instead of the office of the board of elections; 987

(2) Completes and signs, under penalty of election 988
falsification, a notice of change of residence and files it with 989
election officials at the board of elections or, if pursuant to 990
division (C) of section 3501.10 of the Revised Code the board has 991
designated another location in the county at which registered 992
electors may vote, at that other location instead of the office of 993
the board of elections; 994

(3) Votes a provisional ballot under section 3505.181 of the 995
Revised Code at the office of the board of elections or, if 996
pursuant to division (C) of section 3501.10 of the Revised Code 997
the board has designated another location in the county at which 998
registered electors may vote, at that other location instead of 999
the office of the board of elections, using the address to which 1000
that registered elector has moved; 1001

(4) Completes and signs, under penalty of election 1002
falsification, a statement attesting that that registered elector 1003
has moved from one county to another county within the state on or 1004
prior to the day of the election, has voted at the office of the 1005
board of elections or, if pursuant to division (C) of section 1006
3501.10 of the Revised Code the board has designated another 1007
location in the county at which registered electors may vote, at 1008
that other location instead of the office of the board of 1009
elections, and will not vote or attempt to vote at any other 1010
location for that particular election. The statement required 1011
under division (C)(4) of this section shall be included on the 1012

notice of change of residence required under division (C)(2) of 1013
this section. 1014

(D) A person who votes by absent voter's ballots pursuant to 1015
division (G) of this section shall not make written application 1016
for the ballots pursuant to Chapter 3509. of the Revised Code. 1017
Ballots cast pursuant to division (G) of this section shall be set 1018
aside in a special envelope and counted during the official 1019
canvass of votes in the manner provided for in sections 3505.32 1020
and 3509.06 of the Revised Code insofar as that manner is 1021
applicable. The board shall examine the pollbooks to verify that 1022
no ballot was cast at the polls or by absent voter's ballots under 1023
Chapter 3509. or 3511. of the Revised Code by an elector who has 1024
voted by absent voter's ballots pursuant to division (G) of this 1025
section. Any ballot determined to be insufficient for any of the 1026
reasons stated above or stated in section 3509.07 of the Revised 1027
Code shall not be counted. 1028

Subject to division (C) of section 3501.10 of the Revised 1029
Code, a board of elections may lease or otherwise acquire a site 1030
different from the office of the board at which registered 1031
electors may vote pursuant to division (B) or (C) of this section. 1032

(E) Upon receiving a change of residence or change of name 1033
form, the board of elections shall immediately send the registrant 1034
an acknowledgment notice. If the change of residence or change of 1035
name form is valid, the board shall update the voter's 1036
registration as appropriate. If that form is incomplete, the board 1037
shall inform the registrant in the acknowledgment notice specified 1038
in this division of the information necessary to complete or 1039
update that registrant's registration. 1040

(F) Change of residence and change of name forms shall be 1041
available at each polling place, and when these forms are 1042
completed, noting changes of residence or name, as appropriate, 1043
they shall be filed with election officials at the polling place. 1044

Election officials shall return completed forms, together with the 1045
pollbooks and tally sheets, to the board of elections. 1046

The board of elections shall provide change of residence and 1047
change of name forms to the probate court and court of common 1048
pleas. The court shall provide the forms to any person eighteen 1049
years of age or older who has a change of name by order of the 1050
court or who applies for a marriage license. The court shall 1051
forward all completed forms to the board of elections within five 1052
days after receiving them. 1053

(G) A registered elector who otherwise would qualify to vote 1054
under division (B) or (C) of this section but is unable to appear 1055
at the office of the board of elections or, if pursuant to 1056
division (C) of section 3501.10 of the Revised Code the board has 1057
designated another location in the county at which registered 1058
electors may vote, at that other location, on account of personal 1059
illness, physical disability, or infirmity, may vote on the day of 1060
the election if that registered elector does all of the following: 1061

(1) Makes a written application that includes all of the 1062
information required under section 3509.03 of the Revised Code to 1063
the appropriate board for an absent voter's ballot on or after the 1064
twenty-seventh day prior to the election in which the registered 1065
elector wishes to vote through noon of the Saturday prior to that 1066
election and requests that the absent voter's ballot be sent to 1067
the address to which the registered elector has moved if the 1068
registered elector has moved, or to the address of that registered 1069
elector who has not moved but has had a change of name; 1070

(2) Declares that the registered elector has moved or had a 1071
change of name, whichever is appropriate, and otherwise is 1072
qualified to vote under the circumstances described in division 1073
(B) or (C) of this section, whichever is appropriate, but that the 1074
registered elector is unable to appear at the board of elections 1075
because of personal illness, physical disability, or infirmity; 1076

(3) Completes and returns along with the completed absent voter's ballot a notice of change of residence indicating the address to which the registered elector has moved, or a notice of change of name, whichever is appropriate;

(4) Completes and signs, under penalty of election falsification, a statement attesting that the registered elector has moved or had a change of name on or prior to the day before the election, has voted by absent voter's ballot because of personal illness, physical disability, or infirmity that prevented the registered elector from appearing at the board of elections, and will not vote or attempt to vote at any other location or by absent voter's ballot mailed to any other location or address for that particular election.

Sec. 3503.19. (A) Persons qualified to register or to change their registration because of a change of address or change of name may register or change their registration in person at any state or local office of a designated agency, at the office of the registrar or any deputy registrar of motor vehicles, at a public high school or vocational school, at a public library, at the office of a county treasurer, or at a branch office established by the board of elections, or in person, through another person, or by mail at the office of the secretary of state or at the office of a board of elections. A registered elector may also change the elector's registration on election day at any polling place where the elector is eligible to vote, in the manner provided under section 3503.16 of the Revised Code.

Any state or local office of a designated agency, the office of the registrar or any deputy registrar of motor vehicles, a public high school or vocational school, a public library, or the office of a county treasurer shall transmit any voter registration application or change of registration form that it receives to the

board of elections of the county in which the state or local 1108
office is located, within five days after receiving the voter 1109
registration application or change of registration form. 1110

An otherwise valid voter registration application that is 1111
returned to the appropriate office other than by mail must be 1112
received by a state or local office of a designated agency, the 1113
office of the registrar or any deputy registrar of motor vehicles, 1114
a public high school or vocational school, a public library, the 1115
office of a county treasurer, the office of the secretary of 1116
state, or the office of a board of elections no later than the 1117
thirtieth day preceding a primary, special, or general election 1118
for the person to qualify as an elector eligible to vote at that 1119
election. An otherwise valid registration application received 1120
after that day entitles the elector to vote at all subsequent 1121
elections. 1122

Any state or local office of a designated agency, the office 1123
of the registrar or any deputy registrar of motor vehicles, a 1124
public high school or vocational school, a public library, or the 1125
office of a county treasurer shall date stamp a registration 1126
application or change of name or change of address form it 1127
receives using a date stamp that does not disclose the identity of 1128
the state or local office that receives the registration. 1129

Voter registration applications, if otherwise valid, that are 1130
returned by mail to the office of the secretary of state or to the 1131
office of a board of elections must be postmarked no later than 1132
the thirtieth day preceding a primary, special, or general 1133
election in order for the person to qualify as an elector eligible 1134
to vote at that election. If an otherwise valid voter registration 1135
application that is returned by mail does not bear a postmark or a 1136
legible postmark, the registration shall be valid for that 1137
election if received by the office of the secretary of state or 1138
the office of a board of elections no later than twenty-five days 1139

preceding any special, primary, or general election. 1140

(B)(1) Any person may apply in person, by telephone, by mail, 1141
or through another person for voter registration forms to the 1142
office of the secretary of state or the office of a board of 1143
elections. An individual who is eligible to vote as a uniformed 1144
services voter or an overseas voter in accordance with 42 U.S.C. 1145
1973ff-6 also may apply for voter registration forms by electronic 1146
means to the office of the secretary of state or to the board of 1147
elections of the county in which the person's voting residence is 1148
located pursuant to section 3503.191 of the Revised Code. 1149

(2)(a) An applicant may return the applicant's completed 1150
registration form in person or by mail to any state or local 1151
office of a designated agency, to a public high school or 1152
vocational school, to a public library, to the office of a county 1153
treasurer, to the office of the secretary of state, or to the 1154
office of a board of elections. An applicant who is eligible to 1155
vote as a uniformed services voter or an overseas voter in 1156
accordance with 42 U.S.C. 1973ff-6 also may return the applicant's 1157
completed voter registration form electronically to the office of 1158
the secretary of state or to the board of elections of the county 1159
in which the person's voting residence is located pursuant to 1160
section 3503.191 of the Revised Code. 1161

(b) Subject to division (B)(2)(c) of this section, an 1162
applicant may return the applicant's completed registration form 1163
through another person to any board of elections or the office of 1164
the secretary of state. 1165

(c) A person who receives compensation for registering a 1166
voter shall return any registration form entrusted to that person 1167
by an applicant to any board of elections or to the office of the 1168
secretary of state. 1169

(d) If a board of elections or the office of the secretary of 1170

state receives a registration form under division (B)(2)(b) or (c) 1171
of this section before the thirtieth day before an election, the 1172
board or the office of the secretary of state, as applicable, 1173
shall forward the registration to the board of elections of the 1174
county in which the applicant is seeking to register to vote 1175
within ten days after receiving the application. If a board of 1176
elections or the office of the secretary of state receives a 1177
registration form under division (B)(2)(b) or (c) of this section 1178
on or after the thirtieth day before an election, the board or the 1179
office of the secretary of state, as applicable, shall forward the 1180
registration to the board of elections of the county in which the 1181
applicant is seeking to register to vote within thirty days after 1182
that election. 1183

(C)(1) A board of elections that receives a voter 1184
registration application and is satisfied as to the truth of the 1185
statements made in the registration form shall register the 1186
applicant not later than twenty business days after receiving the 1187
application, unless that application is received during the thirty 1188
days immediately preceding the day of an election. The board shall 1189
promptly notify the applicant in writing of each of the following: 1190

(a) The applicant's registration; 1191

(b) The precinct in which the applicant is to vote; 1192

(c) In bold type as follows: 1193

"Voters must bring identification to the polls in order to 1194
verify identity. Identification may include a current and valid 1195
photo identification, a military identification, or a copy of a 1196
current utility bill, bank statement, government check, paycheck, 1197
or other government document, other than this notification ~~or a~~ 1198
~~notification of an election mailed by a board of elections~~, that 1199
shows the voter's name and current address. Voters who do not 1200
provide one of these documents will still be able to vote by 1201

casting a provisional ballot. Voters who do not have any of the 1202
above forms of identification, including a social security number, 1203
will still be able to vote by signing an affirmation swearing to 1204
the voter's identity under penalty of election falsification and 1205
by casting a provisional ballot." 1206

The notification shall be by nonforwardable mail. If the mail 1207
is returned to the board, it shall investigate and cause the 1208
notification to be delivered to the correct address. 1209

(2) If, after investigating as required under division (C)(1) 1210
of this section, the board is unable to verify the voter's correct 1211
address, it shall cause the voter's name in the official 1212
registration list and in the poll list or signature pollbook to be 1213
marked to indicate that the voter's notification was returned to 1214
the board. 1215

At the first election at which a voter whose name has been so 1216
marked appears to vote, the voter shall be required to provide 1217
identification to the election officials and to vote by 1218
provisional ballot under section 3505.181 of the Revised Code. If 1219
the provisional ballot is counted pursuant to division (B)(3) of 1220
section 3505.183 of the Revised Code, the board shall correct that 1221
voter's registration, if needed, and shall remove the indication 1222
that the voter's notification was returned from that voter's name 1223
on the official registration list and on the poll list or 1224
signature pollbook. If the provisional ballot is not counted 1225
pursuant to division (B)(4)(a)(i), (v), or (vi) of section 1226
3505.183 of the Revised Code, the voter's registration shall be 1227
canceled. The board shall notify the voter by United States mail 1228
of the cancellation. 1229

(3) If a notice of the disposition of an otherwise valid 1230
registration application is sent by nonforwardable mail and is 1231
returned undelivered, the person shall be registered as provided 1232
in division (C)(2) of this section and sent a confirmation notice 1233

by forwardable mail. If the person fails to respond to the 1234
confirmation notice, update the person's registration, or vote by 1235
provisional ballot as provided in division (C)(2) of this section 1236
in any election during the period of two federal elections 1237
subsequent to the mailing of the confirmation notice, the person's 1238
registration shall be canceled. 1239

Sec. 3503.28. (A) The secretary of state shall develop an 1240
information brochure regarding voter registration. The brochure 1241
shall include, but is not limited to, all of the following 1242
information: 1243

(1) The applicable deadlines for registering to vote or for 1244
returning an applicant's completed registration form; 1245

(2) The applicable deadline for returning an applicant's 1246
completed registration form if the person returning the form is 1247
being compensated for registering voters; 1248

(3) The locations to which a person may return an applicant's 1249
completed registration form; 1250

(4) The location to which a person who is compensated for 1251
registering voters may return an applicant's completed 1252
registration form; 1253

(5) The registration and affirmation requirements applicable 1254
to persons who are compensated for registering voters under 1255
section 3503.29 of the Revised Code; 1256

(6) A notice, which shall be written in bold type, stating as 1257
follows: 1258

"Voters must bring identification to the polls in order to 1259
verify identity. Identification may include a current and valid 1260
photo identification, a military identification, or a copy of a 1261
current utility bill, bank statement, government check, paycheck, 1262
or other government document, other than ~~a notice of an election~~ 1263

~~or~~ a voter registration notification sent by a board of elections, 1264
that shows the voter's name and current address. Voters who do not 1265
provide one of these documents will still be able to vote by 1266
casting a provisional ballot. Voters who do not have any of the 1267
above forms of identification, including a social security number, 1268
will still be able to vote by signing an affirmation swearing to 1269
the voter's identity under penalty of election falsification and 1270
by casting a provisional ballot." 1271

(B) Except as otherwise provided in division (D) of this 1272
section, a board of elections, designated agency, public high 1273
school, public vocational school, public library, office of a 1274
county treasurer, or deputy registrar of motor vehicles shall 1275
distribute a copy of the brochure developed under division (A) of 1276
this section to any person who requests more than two voter 1277
registration forms at one time. 1278

(C)(1) The secretary of state shall provide the information 1279
required to be included in the brochure developed under division 1280
(A) of this section to any person who prints a voter registration 1281
form that is made available on a web site of the office of the 1282
secretary of state. 1283

(2) If a board of elections operates and maintains a web 1284
site, the board shall provide the information required to be 1285
included in the brochure developed under division (A) of this 1286
section to any person who prints a voter registration form that is 1287
made available on that web site. 1288

(D) A board of elections shall not be required to distribute 1289
a copy of a brochure under division (B) of this section to any of 1290
the following officials or employees who are requesting more than 1291
two voter registration forms at one time in the course of the 1292
official's or employee's normal duties: 1293

(1) An election official; 1294

- (2) A county treasurer; 1295
- (3) A deputy registrar of motor vehicles; 1296
- (4) An employee of a designated agency; 1297
- (5) An employee of a public high school; 1298
- (6) An employee of a public vocational school; 1299
- (7) An employee of a public library; 1300
- (8) An employee of the office of a county treasurer; 1301
- (9) An employee of the bureau of motor vehicles; 1302
- (10) An employee of a deputy registrar of motor vehicles; 1303
- (11) An employee of an election official. 1304

(E) As used in this section, "registering voters" includes 1305
any effort, for compensation, to provide voter registration forms 1306
or to assist persons in completing or returning those forms. 1307

Sec. 3505.13. A contract for the printing of ballots 1308
involving a cost in excess of ~~ten~~ twenty-five thousand dollars 1309
shall not be let until after five days' notice published once in a 1310
newspaper of general circulation published in the county or upon 1311
notice given by mail by the board of elections, addressed to the 1312
responsible printing offices within the state. Except as otherwise 1313
provided in this section, each bid for such printing must be 1314
accompanied by a bond with at least two sureties, or a surety 1315
company, satisfactory to the board, in a sum double the amount of 1316
the bid, conditioned upon the faithful performance of the contract 1317
for such printing as is awarded and for the payment as damages by 1318
such bidder to the board of any excess of cost over the bid which 1319
it may be obliged to pay for such work by reason of the failure of 1320
the bidder to complete the contract. No bid unaccompanied by such 1321
bond shall be considered by the board. The board may, however, 1322
waive the requirement that each bid be accompanied by a bond if 1323

the cost of the contract is ~~ten~~ twenty-five thousand dollars or 1324
less. The contract shall be let to the lowest responsible bidder 1325
in the state. All ballots shall be printed within the state. 1326

Sec. 3505.18. (A)(1) When an elector appears in a polling 1327
place to vote, the elector shall announce to the precinct election 1328
officials the elector's full name and current address and provide 1329
proof of the elector's identity in the form of a current and valid 1330
photo identification, a military identification, or a copy of a 1331
current utility bill, bank statement, government check, paycheck, 1332
or other government document, other than ~~a notice of an election~~ 1333
~~mailed by a board of elections under section 3501.19 of the~~ 1334
~~Revised Code or~~ a notice of voter registration mailed by a board 1335
of elections under section 3503.19 of the Revised Code, that shows 1336
the name and current address of the elector. If the elector 1337
provides either a driver's license or a state identification card 1338
issued under section 4507.50 of the Revised Code that does not 1339
contain the elector's current residence address, the elector shall 1340
provide the last four digits of the elector's driver's license 1341
number or state identification card number, and the precinct 1342
election official shall mark the poll list or signature pollbook 1343
to indicate that the elector has provided a driver's license or 1344
state identification card number with a former address and record 1345
the last four digits of the elector's driver's license number or 1346
state identification card number. 1347

(2) If an elector has but is unable to provide to the 1348
precinct election officials any of the forms of identification 1349
required under division (A)(1) of this section, but has a social 1350
security number, the elector may provide the last four digits of 1351
the elector's social security number. Upon providing the social 1352
security number information, the elector may cast a provisional 1353
ballot under section 3505.181 of the Revised Code, the envelope of 1354
which ballot shall include that social security number 1355

information. 1356

(3) If an elector has but is unable to provide to the 1357
precinct election officials any of the forms of identification 1358
required under division (A)(1) of this section and if the elector 1359
has a social security number but is unable to provide the last 1360
four digits of the elector's social security number, the elector 1361
may cast a provisional ballot under section 3505.181 of the 1362
Revised Code. 1363

(4) If an elector does not have any of the forms of 1364
identification required under division (A)(1) of this section and 1365
cannot provide the last four digits of the elector's social 1366
security number because the elector does not have a social 1367
security number, the elector may execute an affirmation under 1368
penalty of election falsification that the elector cannot provide 1369
the identification required under that division or the last four 1370
digits of the elector's social security number for those reasons. 1371
Upon signing the affirmation, the elector may cast a provisional 1372
ballot under section 3505.181 of the Revised Code. The secretary 1373
of state shall prescribe the form of the affirmation, which shall 1374
include spaces for all of the following: 1375

(a) The elector's name; 1376

(b) The elector's address; 1377

(c) The current date; 1378

(d) The elector's date of birth; 1379

(e) The elector's signature. 1380

(5) If an elector does not have any of the forms of 1381
identification required under division (A)(1) of this section and 1382
cannot provide the last four digits of the elector's social 1383
security number because the elector does not have a social 1384
security number, and if the elector declines to execute an 1385

affirmation under division (A)(4) of this section, the elector may 1386
cast a provisional ballot under section 3505.181 of the Revised 1387
Code, the envelope of which ballot shall include the elector's 1388
name. 1389

(6) If an elector has but declines to provide to the precinct 1390
election officials any of the forms of identification required 1391
under division (A)(1) of this section or the elector has a social 1392
security number but declines to provide to the precinct election 1393
officials the last four digits of the elector's social security 1394
number, the elector may cast a provisional ballot under section 1395
3505.181 of the Revised Code. 1396

(B) After the elector has announced the elector's full name 1397
and current address and provided any of the forms of 1398
identification required under division (A)(1) of this section, the 1399
elector shall write the elector's name and address at the proper 1400
place in the poll list or signature pollbook provided for the 1401
purpose, except that if, for any reason, an elector is unable to 1402
write the elector's name and current address in the poll list or 1403
signature pollbook, the elector may make the elector's mark at the 1404
place intended for the elector's name, and a precinct election 1405
official shall write the name of the elector at the proper place 1406
on the poll list or signature pollbook following the elector's 1407
mark. The making of such a mark shall be attested by the precinct 1408
election official, who shall evidence the same by signing the 1409
precinct election official's name on the poll list or signature 1410
pollbook as a witness to the mark. Alternatively, if applicable, 1411
an attorney in fact acting pursuant to section 3501.382 of the 1412
Revised Code may sign the elector's signature in the poll list or 1413
signature pollbook in accordance with that section. 1414

The elector's signature in the poll list or signature 1415
pollbook then shall be compared with the elector's signature on 1416
the elector's registration form or a digitized signature list as 1417

provided for in section 3503.13 of the Revised Code, and if, in 1418
the opinion of a majority of the precinct election officials, the 1419
signatures are the signatures of the same person, the election 1420
officials shall enter the date of the election on the registration 1421
form or shall record the date by other means prescribed by the 1422
secretary of state. The validity of an attorney in fact's 1423
signature on behalf of an elector shall be determined in 1424
accordance with section 3501.382 of the Revised Code. 1425

If the right of the elector to vote is not then challenged, 1426
or, if being challenged, the elector establishes the elector's 1427
right to vote, the elector shall be allowed to proceed to use the 1428
voting machine. If voting machines are not being used in that 1429
precinct, the judge in charge of ballots shall then detach the 1430
next ballots to be issued to the elector from Stub B attached to 1431
each ballot, leaving Stub A attached to each ballot, hand the 1432
ballots to the elector, and call the elector's name and the stub 1433
number on each of the ballots. The judge shall enter the stub 1434
numbers opposite the signature of the elector in the pollbook. The 1435
elector shall then retire to one of the voting compartments to 1436
mark the elector's ballots. No mark shall be made on any ballot 1437
which would in any way enable any person to identify the person 1438
who voted the ballot. 1439

Sec. 3505.181. (A) All of the following individuals shall be 1440
permitted to cast a provisional ballot at an election: 1441

(1) An individual who declares that the individual is a 1442
registered voter in the jurisdiction in which the individual 1443
desires to vote and that the individual is eligible to vote in an 1444
election, but the name of the individual does not appear on the 1445
official list of eligible voters for the polling place or an 1446
election official asserts that the individual is not eligible to 1447
vote; 1448

(2) An individual who has a social security number and 1449
provides to the election officials the last four digits of the 1450
individual's social security number as permitted by division 1451
(A)(2) of section 3505.18 of the Revised Code; 1452

(3) An individual who has but is unable to provide to the 1453
election officials any of the forms of identification required 1454
under division (A)(1) of section 3505.18 of the Revised Code and 1455
who has a social security number but is unable to provide the last 1456
four digits of the individual's social security number as 1457
permitted under division (A)(2) of that section; 1458

(4) An individual who does not have any of the forms of 1459
identification required under division (A)(1) of section 3505.18 1460
of the Revised Code, who cannot provide the last four digits of 1461
the individual's social security number under division (A)(2) of 1462
that section because the individual does not have a social 1463
security number, and who has executed an affirmation as permitted 1464
under division (A)(4) of that section; 1465

(5) An individual whose name in the poll list or signature 1466
pollbook has been marked under section 3509.09 or 3511.13 of the 1467
Revised Code as having requested an absent voter's ballot or an 1468
armed service absent voter's ballot for that election and who 1469
appears to vote at the polling place; 1470

(6) An individual whose notification of registration has been 1471
returned undelivered to the board of elections and whose name in 1472
the official registration list and in the poll list or signature 1473
pollbook has been marked under division (C)(2) of section 3503.19 1474
of the Revised Code; 1475

(7) An individual who is challenged under section 3505.20 of 1476
the Revised Code and the election officials determine that the 1477
person is ineligible to vote or are unable to determine the 1478
person's eligibility to vote; 1479

(8) An individual whose application or challenge hearing has 1480
been postponed until after the day of the election under division 1481
(D)(1) of section 3503.24 of the Revised Code; 1482

(9) An individual who changes the individual's name and 1483
remains within the precinct, moves from one precinct to another 1484
within a county, moves from one precinct to another and changes 1485
the individual's name, or moves from one county to another within 1486
the state, and completes and signs the required forms and 1487
statements under division (B) or (C) of section 3503.16 of the 1488
Revised Code; 1489

(10) An individual whose signature, in the opinion of the 1490
precinct officers under section 3505.22 of the Revised Code, is 1491
not that of the person who signed that name in the registration 1492
forms; 1493

(11) An individual who is challenged under section 3513.20 of 1494
the Revised Code who refuses to make the statement required under 1495
that section or who a majority of the precinct officials find 1496
lacks any of the qualifications to make the individual a qualified 1497
elector; 1498

(12) An individual who does not have any of the forms of 1499
identification required under division (A)(1) of section 3505.18 1500
of the Revised Code, who cannot provide the last four digits of 1501
the individual's social security number under division (A)(2) of 1502
that section because the person does not have a social security 1503
number, and who declines to execute an affirmation as permitted 1504
under division (A)(4) of that section; 1505

(13) An individual who has but declines to provide to the 1506
precinct election officials any of the forms of identification 1507
required under division (A)(1) of section 3501.18 of the Revised 1508
Code or who has a social security number but declines to provide 1509
to the precinct election officials the last four digits of the 1510

individual's social security number. 1511

(B) An individual who is eligible to cast a provisional 1512
ballot under division (A) of this section shall be permitted to 1513
cast a provisional ballot as follows: 1514

(1) An election official at the polling place shall notify 1515
the individual that the individual may cast a provisional ballot 1516
in that election. 1517

(2) The individual shall be permitted to cast a provisional 1518
ballot at that polling place upon the execution of a written 1519
affirmation by the individual before an election official at the 1520
polling place stating that the individual is both of the 1521
following: 1522

(a) A registered voter in the jurisdiction in which the 1523
individual desires to vote; 1524

(b) Eligible to vote in that election. 1525

(3) An election official at the polling place shall transmit 1526
the ballot cast by the individual, the voter information contained 1527
in the written affirmation executed by the individual under 1528
division (B)(2) of this section, or the individual's name if the 1529
individual declines to execute such an affirmation to an 1530
appropriate local election official for verification under 1531
division (B)(4) of this section. 1532

(4) If the appropriate local election official to whom the 1533
ballot or voter or address information is transmitted under 1534
division (B)(3) of this section determines that the individual is 1535
eligible to vote, the individual's provisional ballot shall be 1536
counted as a vote in that election. 1537

(5)(a) At the time that an individual casts a provisional 1538
ballot, the appropriate local election official shall give the 1539
individual written information that states that any individual who 1540

casts a provisional ballot will be able to ascertain under the 1541
system established under division (B)(5)(b) of this section 1542
whether the vote was counted, and, if the vote was not counted, 1543
the reason that the vote was not counted. 1544

(b) The appropriate state or local election official shall 1545
establish a free access system, in the form of a toll-free 1546
telephone number, that any individual who casts a provisional 1547
ballot may access to discover whether the vote of that individual 1548
was counted, and, if the vote was not counted, the reason that the 1549
vote was not counted. The free access system established under 1550
this division also shall provide to an individual whose 1551
provisional ballot was not counted information explaining how that 1552
individual may contact the board of elections to register to vote 1553
or to resolve problems with the individual's voter registration. 1554

The appropriate state or local election official shall 1555
establish and maintain reasonable procedures necessary to protect 1556
the security, confidentiality, and integrity of personal 1557
information collected, stored, or otherwise used by the free 1558
access system established under this division. Access to 1559
information about an individual ballot shall be restricted to the 1560
individual who cast the ballot. 1561

(6) If, at the time that an individual casts a provisional 1562
ballot, the individual provides identification in the form of a 1563
current and valid photo identification, a military identification, 1564
or a copy of a current utility bill, bank statement, government 1565
check, paycheck, or other government document, other than a ~~notice~~ 1566
~~of an election mailed by a board of elections under section~~ 1567
~~3501.19 of the Revised Code or~~ a notice of voter registration 1568
mailed by a board of elections under section 3503.19 of the 1569
Revised Code, that shows the individual's name and current 1570
address, or provides the last four digits of the individual's 1571
social security number, or executes an affirmation that the 1572

elector does not have any of those forms of identification or the 1573
last four digits of the individual's social security number 1574
because the individual does not have a social security number, or 1575
declines to execute such an affirmation, the appropriate local 1576
election official shall record the type of identification 1577
provided, the social security number information, the fact that 1578
the affirmation was executed, or the fact that the individual 1579
declined to execute such an affirmation and include that 1580
information with the transmission of the ballot or voter or 1581
address information under division (B)(3) of this section. If the 1582
individual declines to execute such an affirmation, the 1583
appropriate local election official shall record the individual's 1584
name and include that information with the transmission of the 1585
ballot under division (B)(3) of this section. 1586

(7) If an individual casts a provisional ballot pursuant to 1587
division (A)(3), (7), (8), (12), or (13) of this section, the 1588
election official shall indicate, on the provisional ballot 1589
verification statement required under section 3505.182 of the 1590
Revised Code, that the individual is required to provide 1591
additional information to the board of elections or that an 1592
application or challenge hearing has been postponed with respect 1593
to the individual, such that additional information is required 1594
for the board of elections to determine the eligibility of the 1595
individual who cast the provisional ballot. 1596

(8) During the ten days after the day of an election, an 1597
individual who casts a provisional ballot pursuant to division 1598
(A)(3), (7), (12), or (13) of this section shall appear at the 1599
office of the board of elections and provide to the board any 1600
additional information necessary to determine the eligibility of 1601
the individual who cast the provisional ballot. 1602

(a) For a provisional ballot cast pursuant to division 1603
(A)(3), (12), or (13) of this section to be eligible to be 1604

counted, the individual who cast that ballot, within ten days 1605
after the day of the election, shall do any of the following: 1606

(i) Provide to the board of elections proof of the 1607
individual's identity in the form of a current and valid photo 1608
identification, a military identification, or a copy of a current 1609
utility bill, bank statement, government check, paycheck, or other 1610
government document, other than ~~a notice of an election mailed by~~ 1611
~~a board of elections under section 3501.19 of the Revised Code or~~ 1612
a notice of voter registration mailed by a board of elections 1613
under section 3503.19 of the Revised Code, that shows the 1614
individual's name and current address; 1615

(ii) Provide to the board of elections the last four digits 1616
of the individual's social security number; 1617

(iii) In the case of a provisional ballot executed pursuant 1618
to division (A)(12) of this section, execute an affirmation as 1619
permitted under division (A)(4) of section 3505.18 of the Revised 1620
Code. 1621

(b) For a provisional ballot cast pursuant to division (A)(7) 1622
of this section to be eligible to be counted, the individual who 1623
cast that ballot, within ten days after the day of that election, 1624
shall provide to the board of elections any identification or 1625
other documentation required to be provided by the applicable 1626
challenge questions asked of that individual under section 3505.20 1627
of the Revised Code. 1628

(C)(1) If an individual declares that the individual is 1629
eligible to vote in a jurisdiction other than the jurisdiction in 1630
which the individual desires to vote, or if, upon review of the 1631
precinct voting location guide using the residential street 1632
address provided by the individual, an election official at the 1633
polling place at which the individual desires to vote determines 1634
that the individual is not eligible to vote in that jurisdiction, 1635

the election official shall direct the individual to the polling 1636
place for the jurisdiction in which the individual appears to be 1637
eligible to vote, explain that the individual may cast a 1638
provisional ballot at the current location but the ballot will not 1639
be counted if it is cast in the wrong precinct, and provide the 1640
telephone number of the board of elections in case the individual 1641
has additional questions. 1642

(2) If the individual refuses to travel to the polling place 1643
for the correct jurisdiction or to the office of the board of 1644
elections to cast a ballot, the individual shall be permitted to 1645
vote a provisional ballot at that jurisdiction in accordance with 1646
division (B) of this section. If any of the following apply, the 1647
provisional ballot cast by that individual shall not be opened or 1648
counted: 1649

(a) The individual is not properly registered in that 1650
jurisdiction. 1651

(b) The individual is not eligible to vote in that election 1652
in that jurisdiction. 1653

(c) The individual's eligibility to vote in that jurisdiction 1654
in that election cannot be established upon examination of the 1655
records on file with the board of elections. 1656

(D) The appropriate local election official shall cause 1657
voting information to be publicly posted at each polling place on 1658
the day of each election. 1659

(E) As used in this section and sections 3505.182 and 1660
3505.183 of the Revised Code: 1661

(1) "Jurisdiction" means the precinct in which a person is a 1662
legally qualified elector. 1663

(2) "Precinct voting location guide" means either of the 1664
following: 1665

(a) An electronic or paper record that lists the correct 1666
jurisdiction and polling place for either each specific 1667
residential street address in the county or the range of 1668
residential street addresses located in each neighborhood block in 1669
the county; 1670

(b) Any other method that a board of elections creates that 1671
allows a precinct election official or any elector who is at a 1672
polling place in that county to determine the correct jurisdiction 1673
and polling place of any qualified elector who resides in the 1674
county. 1675

(3) "Voting information" means all of the following: 1676

(a) A sample version of the ballot that will be used for that 1677
election; 1678

(b) Information regarding the date of the election and the 1679
hours during which polling places will be open; 1680

(c) Instructions on how to vote, including how to cast a vote 1681
and how to cast a provisional ballot; 1682

(d) Instructions for mail-in registrants and first-time 1683
voters under applicable federal and state laws; 1684

(e) General information on voting rights under applicable 1685
federal and state laws, including information on the right of an 1686
individual to cast a provisional ballot and instructions on how to 1687
contact the appropriate officials if these rights are alleged to 1688
have been violated; 1689

(f) General information on federal and state laws regarding 1690
prohibitions against acts of fraud and misrepresentation. 1691

Sec. 3505.182. Each individual who casts a provisional ballot 1692
under section 3505.181 of the Revised Code shall execute a written 1693
affirmation. The form of the written affirmation shall be printed 1694
upon the face of the provisional ballot envelope and shall be 1695

substantially as follows: 1696

"Provisional Ballot Affirmation 1697

STATE OF OHIO 1698

I, (Name of provisional voter), solemnly 1699
swear or affirm that I am a registered voter in the jurisdiction 1700
in which I am voting this provisional ballot and that I am 1701
eligible to vote in the election in which I am voting this 1702
provisional ballot. 1703

I understand that, if the above-provided information is not 1704
fully completed and correct, if the board of elections determines 1705
that I am not registered to vote, a resident of this precinct, or 1706
eligible to vote in this election, or if the board of elections 1707
determines that I have already voted in this election, my 1708
provisional ballot will not be counted. I further understand that 1709
knowingly providing false information is a violation of law and 1710
subjects me to possible criminal prosecution. 1711

I hereby declare, under penalty of election falsification, 1712
that the above statements are true and correct to the best of my 1713
knowledge and belief. 1714

..... 1715
(Signature of Voter) 1716
..... 1717
(Voter's date of birth) 1718
The last four digits of the 1719
voter's social security number
..... 1720
(To be provided if the voter is 1721
unable to provide a current and
valid photo identification, a
military identification, or a
current utility bill, bank

statement, government check,
paycheck, or other government
document, other than ~~a notice of
an election mailed by a board of
elections under section 3501.19
of the Revised Code or~~ a notice
of voter registration mailed by a
board of elections under section
3503.19 of the Revised Code, that
shows the voter's name and
current address but is able to
provide these last four digits)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 1722
OF THE FIFTH DEGREE. 1723

Additional Information For Determining Ballot Validity 1724

(May be completed at voter's discretion) 1725

Voter's current address: 1726

Voter's former address if 1727

photo identification does
not contain voter's current
address

Voter's driver's license 1728

number or, if not provided
above, the last four digits
of voter's social security
number

(Please circle number type) 1729

(Voter may attach a copy of any of the following for 1730

identification purposes: a current and valid photo identification,
a military identification, or a current utility bill, bank
statement, government check, paycheck, or other government
document, other than ~~a notice of an election mailed by a board of
elections under section 3501.19 of the Revised Code or~~ a notice of

voter registration mailed by a board of elections under section
3503.19 of the Revised Code, that shows the voter's name and
current address.)

Reason for voting provisional ballot (Check one): 1731

..... Requested, but did not receive, absent voter's ballot 1732

..... Other 1733

Verification Statement 1734

(To be completed by election official) 1735

The Provisional Ballot Affirmation printed above was 1736

subscribed and affirmed before me this day of 1737

..... (Month), (Year). 1738

(If applicable, the election official must check the 1739

following true statement concerning additional information needed 1740

to determine the eligibility of the provisional voter.) 1741

..... The provisional voter is required to provide 1742

additional information to the board of elections. 1743

..... An application or challenge hearing regarding this 1744

voter has been postponed until after the election. 1745

(The election official must check the following true 1746

statement concerning identification provided by the provisional 1747

voter, if any.) 1748

..... The provisional voter provided a current and valid 1749

photo identification. 1750

..... The provisional voter provided a current valid photo 1751

identification, other than a driver's license or a state 1752

identification card, with the voter's former address instead of 1753

current address and has provided the election official both the 1754

current and former addresses. 1755

..... The provisional voter provided a military 1756

identification or a copy of a current utility bill, bank 1757

statement, government check, paycheck, or other government 1758

document, other than ~~a notice of an election mailed by a board of~~ 1759
~~elections under section 3501.19 of the Revised Code or~~ a notice of 1760
voter registration mailed by a board of elections under section 1761
3503.19 of the Revised Code, with the voter's name and current 1762
address. 1763

..... The provisional voter provided the last four digits of 1764
the voter's social security number. 1765

..... The provisional voter is not able to provide a current 1766
and valid photo identification, a military identification, or a 1767
copy of a current utility bill, bank statement, government check, 1768
paycheck, or other government document, other than ~~a notice of an~~ 1769
~~election mailed by a board of elections under section 3501.19 of~~ 1770
~~the Revised Code or~~ a notice of voter registration mailed by a 1771
board of elections under section 3503.19 of the Revised Code, with 1772
the voter's name and current address but does have one of these 1773
forms of identification. The provisional voter must provide one of 1774
the foregoing items of identification to the board of elections 1775
within ten days after the election. 1776

..... The provisional voter is not able to provide a current 1777
and valid photo identification, a military identification, or a 1778
copy of a current utility bill, bank statement, government check, 1779
paycheck, or other government document, other than ~~a notice of an~~ 1780
~~election mailed by a board of elections under section 3501.19 of~~ 1781
~~the Revised Code or~~ a notice of voter registration mailed by a 1782
board of elections under section 3503.19 of the Revised Code, with 1783
the voter's name and current address but does have one of these 1784
forms of identification. Additionally, the provisional voter does 1785
have a social security number but is not able to provide the last 1786
four digits of the voter's social security number before voting. 1787
The provisional voter must provide one of the foregoing items of 1788
identification or the last four digits of the voter's social 1789
security number to the board of elections within ten days after 1790

the election. 1791

..... The provisional voter does not have a current and valid 1792
photo identification, a military identification, a copy of a 1793
current utility bill, bank statement, government check, paycheck, 1794
or other government document with the voter's name and current 1795
address, or a social security number, but has executed an 1796
affirmation. 1797

..... The provisional voter does not have a current and valid 1798
photo identification, a military identification, a copy of a 1799
current utility bill, bank statement, government check, paycheck, 1800
or other government document with the voter's name and current 1801
address, or a social security number, and has declined to execute 1802
an affirmation. 1803

..... The provisional voter declined to provide a current and 1804
valid photo identification, a military identification, a copy of a 1805
current utility bill, bank statement, government check, paycheck, 1806
or other government document with the voter's name and current 1807
address, or the last four digits of the voter's social security 1808
number but does have one of these forms of identification or a 1809
social security number. The provisional voter must provide one of 1810
the foregoing items of identification or the last four digits of 1811
the voter's social security number to the board of elections 1812
within ten days after the election. 1813

..... 1814

(Signature of Election Official)" 1815

In addition to any information required to be included on the 1816
written affirmation, an individual casting a provisional ballot 1817
may provide additional information to the election official to 1818
assist the board of elections in determining the individual's 1819
eligibility to vote in that election, including the date and 1820
location at which the individual registered to vote, if known. 1821

If the individual declines to execute the affirmation, an 1822
appropriate local election official shall comply with division 1823
(B)(6) of section 3505.181 of the Revised Code. 1824

Sec. 3505.183. (A) When the ballot boxes are delivered to the 1825
board of elections from the precincts, the board shall separate 1826
the provisional ballot envelopes from the rest of the ballots. 1827
Teams of employees of the board consisting of one member of each 1828
major political party shall place the sealed provisional ballot 1829
envelopes in a secure location within the office of the board. The 1830
sealed provisional ballot envelopes shall remain in that secure 1831
location until the validity of those ballots is determined under 1832
division (B) of this section. While the provisional ballot is 1833
stored in that secure location, and prior to the counting of the 1834
provisional ballots, if the board receives information regarding 1835
the validity of a specific provisional ballot under division (B) 1836
of this section, the board may note, on the sealed provisional 1837
ballot envelope for that ballot, whether the ballot is valid and 1838
entitled to be counted. 1839

(B)(1) To determine whether a provisional ballot is valid and 1840
entitled to be counted, the board shall examine its records and 1841
determine whether the individual who cast the provisional ballot 1842
is registered and eligible to vote in the applicable election. The 1843
board shall examine the information contained in the written 1844
affirmation executed by the individual who cast the provisional 1845
ballot under division (B)(2) of section 3505.181 of the Revised 1846
Code. If the individual declines to execute such an affirmation, 1847
the individual's name, written by either the individual or the 1848
election official at the direction of the individual, shall be 1849
included in a written affirmation in order for the provisional 1850
ballot to be eligible to be counted; otherwise, the following 1851
information shall be included in the written affirmation in order 1852
for the provisional ballot to be eligible to be counted: 1853

(a) The individual's name and signature; 1854

(b) A statement that the individual is a registered voter in 1855
the jurisdiction in which the provisional ballot is being voted; 1856

(c) A statement that the individual is eligible to vote in 1857
the election in which the provisional ballot is being voted. 1858

(2) In addition to the information required to be included in 1859
an affirmation under division (B)(1) of this section, in 1860
determining whether a provisional ballot is valid and entitled to 1861
be counted, the board also shall examine any additional 1862
information for determining ballot validity provided by the 1863
provisional voter on the affirmation, provided by the provisional 1864
voter to an election official under section 3505.182 of the 1865
Revised Code, or provided to the board of elections during the ten 1866
days after the day of the election under division (B)(8) of 1867
section 3505.181 of the Revised Code, to assist the board in 1868
determining the individual's eligibility to vote. 1869

(3) If, in examining a provisional ballot affirmation and 1870
additional information under divisions (B)(1) and (2) of this 1871
section and comparing the information required under division 1872
(B)(1) of this section with the elector's information in the 1873
statewide voter registration database, the board determines that 1874
all of the following apply, the provisional ballot envelope shall 1875
be opened, and the ballot shall be placed in a ballot box to be 1876
counted: 1877

(a) The individual named on the affirmation is properly 1878
registered to vote. 1879

(b) The individual named on the affirmation is eligible to 1880
cast a ballot in the precinct and for the election in which the 1881
individual cast the provisional ballot. 1882

(c) The individual provided all of the information required 1883
under division (B)(1) of this section in the affirmation that the 1884

individual executed at the time the individual cast the 1885
provisional ballot. 1886

(d) The last four digits of the elector's social security 1887
number or the elector's driver's license number or state 1888
identification number are not different from the last four digits 1889
of the elector's social security number or the elector's driver's 1890
license number or state identification number contained in the 1891
statewide voter registration database. 1892

(e) If applicable, the individual provided any additional 1893
information required under division (B)(8) of section 3505.181 of 1894
the Revised Code within ten days after the day of the election. 1895

(f) If applicable, the hearing conducted under division (B) 1896
of section 3503.24 of the Revised Code after the day of the 1897
election resulted in the individual's inclusion in the official 1898
registration list. 1899

(4)(a) If, in examining a provisional ballot affirmation and 1900
additional information under divisions (B)(1) and (2) of this 1901
section and comparing the information required under division 1902
(B)(1) of this section with the elector's information in the 1903
statewide voter registration database, the board determines that 1904
any of the following applies, the provisional ballot envelope 1905
shall not be opened, and the ballot shall not be counted: 1906

(i) The individual named on the affirmation is not qualified 1907
or is not properly registered to vote. 1908

(ii) The individual named on the affirmation is not eligible 1909
to cast a ballot in the precinct or for the election in which the 1910
individual cast the provisional ballot. 1911

(iii) The individual did not provide all of the information 1912
required under division (B)(1) of this section in the affirmation 1913
that the individual executed at the time the individual cast the 1914
provisional ballot. 1915

(iv) The individual has already cast a ballot for the 1916
election in which the individual cast the provisional ballot. 1917

(v) If applicable, the individual did not provide any 1918
additional information required under division (B)(8) of section 1919
3505.181 of the Revised Code within ten days after the day of the 1920
election. 1921

(vi) If applicable, the hearing conducted under division (B) 1922
of section 3503.24 of the Revised Code after the day of the 1923
election did not result in the individual's inclusion in the 1924
official registration list. 1925

(vii) The individual failed to provide a current and valid 1926
photo identification, a military identification, a copy of a 1927
current utility bill, bank statement, government check, paycheck, 1928
or other government document, other than ~~a notice of an election~~ 1929
~~mailed by a board of elections under section 3501.19 of the~~ 1930
~~Revised Code or~~ a notice of voter registration mailed by a board 1931
of elections under section 3503.19 of the Revised Code, with the 1932
voter's name and current address, or the last four digits of the 1933
individual's social security number or to execute an affirmation 1934
under division (A) of section 3505.18 or division (B) of section 1935
3505.181 of the Revised Code. 1936

(viii) The last four digits of the elector's social security 1937
number or the elector's driver's license number or state 1938
identification number are different from the last four digits of 1939
the elector's social security number or the elector's driver's 1940
license number or state identification number contained in the 1941
statewide voter registration database. 1942

(b) If, in examining a provisional ballot affirmation and 1943
additional information under divisions (B)(1) and (2) of this 1944
section and comparing the information required under division 1945
(B)(1) of this section with the elector's information in the 1946

statewide voter registration database, the board is unable to 1947
determine either of the following, the provisional ballot envelope 1948
shall not be opened, and the ballot shall not be counted: 1949

(i) Whether the individual named on the affirmation is 1950
qualified or properly registered to vote; 1951

(ii) Whether the individual named on the affirmation is 1952
eligible to cast a ballot in the precinct or for the election in 1953
which the individual cast the provisional ballot. 1954

(C)(1) For each provisional ballot rejected under division 1955
(B)(4) of this section, the board shall record the name of the 1956
provisional voter who cast the ballot, the identification number 1957
of the provisional ballot envelope, the names of the election 1958
officials who determined the validity of that ballot, the date and 1959
time that the determination was made, and the reason that the 1960
ballot was not counted. 1961

(2) Provisional ballots that are rejected under division 1962
(B)(4) of this section shall not be counted but shall be preserved 1963
in their provisional ballot envelopes unopened until the time 1964
provided by section 3505.31 of the Revised Code for the 1965
destruction of all other ballots used at the election for which 1966
ballots were provided, at which time they shall be destroyed. 1967

(D) Provisional ballots that the board determines are 1968
eligible to be counted under division (B)(3) of this section shall 1969
be counted in the same manner as provided for other ballots under 1970
section 3505.27 of the Revised Code. No provisional ballots shall 1971
be counted in a particular county until the board determines the 1972
eligibility to be counted of all provisional ballots cast in that 1973
county under division (B) of this section for that election. 1974
Observers, as provided in section 3505.21 of the Revised Code, may 1975
be present at all times that the board is determining the 1976
eligibility of provisional ballots to be counted and counting 1977

those provisional ballots determined to be eligible. No person 1978
shall recklessly disclose the count or any portion of the count of 1979
provisional ballots in such a manner as to jeopardize the secrecy 1980
of any individual ballot. 1981

(E)(1) Except as otherwise provided in division (E)(2) of 1982
this section, nothing in this section shall prevent a board of 1983
elections from examining provisional ballot affirmations and 1984
additional information under divisions (B)(1) and (2) of this 1985
section to determine the eligibility of provisional ballots to be 1986
counted during the ten days after the day of an election. 1987

(2) A board of elections shall not examine the provisional 1988
ballot affirmation and additional information under divisions 1989
(B)(1) and (2) of this section of any provisional ballot for which 1990
an election official has indicated under division (B)(7) of 1991
section 3505.181 of the Revised Code that additional information 1992
is required for the board of elections to determine the 1993
eligibility of the individual who cast that provisional ballot 1994
until the individual provides any information required under 1995
division (B)(8) of section 3505.181 of the Revised Code, until any 1996
hearing required to be conducted under section 3503.24 of the 1997
Revised Code with regard to the provisional voter is held, or 1998
until the eleventh day after the day of the election, whichever is 1999
earlier. 2000

Sec. 3509.03. Except as provided in division (B) of section 2001
3509.08 of the Revised Code, any qualified elector desiring to 2002
vote absent voter's ballots at an election shall make written 2003
application for those ballots to the director of elections of the 2004
county in which the elector's voting residence is located. The 2005
application need not be in any particular form but shall contain 2006
all of the following: 2007

(A) The elector's name; 2008

(B) The elector's signature;	2009
(C) The address at which the elector is registered to vote;	2010
(D) The elector's date of birth;	2011
(E) One of the following:	2012
(1) The elector's driver's license number;	2013
(2) The last four digits of the elector's social security number;	2014 2015
(3) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	2016 2017 2018 2019 2020 2021 2022 2023
(F) A statement identifying the election for which absent voter's ballots are requested;	2024 2025
(G) A statement that the person requesting the ballots is a qualified elector;	2026 2027
(H) If the request is for primary election ballots, the elector's party affiliation;	2028 2029
(I) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.	2030 2031
Each application for absent voter's ballots shall be delivered to the director not earlier than the first day of January of the year of the elections for which the absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, and not later than twelve noon of the third day before the day of the election at which the ballots are to be	2032 2033 2034 2035 2036 2037 2038

voted, or not later than six p.m. on the ~~the~~ last Friday before 2039
the day of the election at which the ballots are to be voted if 2040
the application is delivered in person to the office of the board. 2041

Sec. 3509.04. (A) If a director of a board of elections 2042
receives an application for absent voter's ballots that does not 2043
contain all of the required information, the director promptly 2044
shall notify the applicant of the additional information required 2045
to be provided by the applicant to complete that application. 2046

(B) Upon receipt by the director of elections of an 2047
application for absent voter's ballots that contains all of the 2048
required information, as provided by section 3509.03 and division 2049
(G) of section 3503.16 of the Revised Code, the director, if the 2050
director finds that the applicant is a qualified elector, shall 2051
deliver to the applicant in person or mail directly to the 2052
applicant by special delivery mail, air mail, or regular mail, 2053
postage prepaid, proper absent voter's ballots. The director shall 2054
deliver or mail with the ballots an unsealed identification 2055
envelope upon the face of which shall be printed a form 2056
substantially as follows: 2057

"Identification Envelope Statement of Voter 2058

I,(Name of voter), declare under 2059
penalty of election falsification that the within ballot or 2060
ballots contained no voting marks of any kind when I received 2061
them, and I caused the ballot or ballots to be marked, enclosed in 2062
the identification envelope, and sealed in that envelope. 2063

My voting residence in Ohio is 2064

..... 2065

(Street and Number, if any, or Rural Route and Number) 2066

of (City, Village, or Township) 2067

Ohio, which is in Ward Precinct 2068

in that city, village, or township. 2069

The primary election ballots, if any, within this envelope 2070
are primary election ballots of the Party. 2071

Ballots contained within this envelope are to be voted at the 2072
..... (general, special, or primary) election to be held on 2073
the day of, 2074

My date of birth is (Month and Day), 2075
..... (Year). 2076

(Voter must provide one of the following:) 2077

My driver's license number is (Driver's 2078
license number). 2079

The last four digits of my Social Security Number are 2080
..... (Last four digits of Social Security Number). 2081

..... In lieu of providing a driver's license number or the 2082
last four digits of my Social Security Number, I am enclosing a 2083
copy of one of the following in the return envelope in which this 2084
identification envelope will be mailed: a current and valid photo 2085
identification, a military identification, or a current utility 2086
bill, bank statement, government check, paycheck, or other 2087
government document, other than ~~a notice of an election mailed by~~ 2088
~~a board of elections under section 3501.19 of the Revised Code or~~ 2089
a notice of voter registration mailed by a board of elections, 2090
that shows my name and address. 2091

I hereby declare, under penalty of election falsification, 2092
that the statements above are true, as I verily believe. 2093

..... 2094

(Signature of Voter) 2095

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 2096
THE FIFTH DEGREE." 2097

The director shall mail with the ballots and the unsealed 2098

identification envelope an unsealed return envelope upon the face 2099
of which shall be printed the official title and post-office 2100
address of the director. In the upper left corner on the face of 2101
the return envelope, several blank lines shall be printed upon 2102
which the voter may write the voter's name and return address. The 2103
return envelope shall be of such size that the identification 2104
envelope can be conveniently placed within it for returning the 2105
identification envelope to the director. 2106

Sec. 3509.05. (A) When an elector receives an absent voter's 2107
ballot pursuant to the elector's application or request, the 2108
elector shall, before placing any marks on the ballot, note 2109
whether there are any voting marks on it. If there are any voting 2110
marks, the ballot shall be returned immediately to the board of 2111
elections; otherwise, the elector shall cause the ballot to be 2112
marked, folded in a manner that the stub on it and the 2113
indorsements and facsimile signatures of the members of the board 2114
of elections on the back of it are visible, and placed and sealed 2115
within the identification envelope received from the director of 2116
elections for that purpose. Then, the elector shall cause the 2117
statement of voter on the outside of the identification envelope 2118
to be completed and signed, under penalty of election 2119
falsification. 2120

If the elector does not provide the elector's driver's 2121
license number or the last four digits of the elector's social 2122
security number on the statement of voter on the identification 2123
envelope, the elector also shall include in the return envelope 2124
with the identification envelope a copy of the elector's current 2125
valid photo identification, a copy of a military identification, 2126
or a copy of a current utility bill, bank statement, government 2127
check, paycheck, or other government document, other than a ~~notice~~ 2128
~~of an election mailed by a board of elections under section~~ 2129
~~3501.19 of the Revised Code or~~ a notice of voter registration 2130

mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.

The elector shall mail the identification envelope to the director from whom it was received in the return envelope, postage prepaid, or the elector may personally deliver it to the director, or the spouse of the elector, the father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, or sister of the whole or half blood, or the son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece of the elector may deliver it to the director. The return envelope shall be transmitted to the director in no other manner, except as provided in section 3509.08 of the Revised Code.

When absent voter's ballots are delivered to an elector at the office of the board, the elector may retire to a voting compartment provided by the board and there mark the ballots. Thereupon, the elector shall fold them, place them in the identification envelope provided, seal the envelope, fill in and sign the statement on the envelope under penalty of election falsification, and deliver the envelope to the director of the board.

Except as otherwise provided in division (B) of this section, all other envelopes containing marked absent voter's ballots shall be delivered to the director not later than the close of the polls on the day of an election. Absent voter's ballots delivered to the director later than the times specified shall not be counted, but shall be kept by the board in the sealed identification envelopes in which they are delivered to the director, until the time provided by section 3505.31 of the Revised Code for the destruction of all other ballots used at the election for which ballots were provided, at which time they shall be destroyed.

(B)(1) Except as otherwise provided in division (B)(2) of this section, any return envelope that is postmarked prior to the

day of the election shall be delivered to the director prior to 2163
the eleventh day after the election. Ballots delivered in 2164
envelopes postmarked prior to the day of the election that are 2165
received after the close of the polls on election day through the 2166
tenth day thereafter shall be counted on the eleventh day at the 2167
board of elections in the manner provided in divisions (C) and (D) 2168
of section 3509.06 of the Revised Code. Any such ballots that are 2169
received by the director later than the tenth day following the 2170
election shall not be counted, but shall be kept by the board in 2171
the sealed identification envelopes as provided in division (A) of 2172
this section. 2173

(2) Division (B)(1) of this section shall not apply to any 2174
mail that is postmarked using a postage evidencing system, 2175
including a postage meter, as defined in 39 C.F.R. 501.1. 2176

Sec. 3511.02. Notwithstanding any section of the Revised Code 2177
to the contrary, whenever any person applies for registration as a 2178
voter on a form adopted in accordance with federal regulations 2179
relating to the "Uniformed and Overseas Citizens Absentee Voting 2180
Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986), this application 2181
shall be sufficient for voter registration and as a request for an 2182
absent voter's ballot. Uniformed services or overseas absent 2183
voter's ballots may be obtained by any person meeting the 2184
requirements of section 3511.011 of the Revised Code by applying 2185
electronically to the secretary of state or to the board of 2186
elections of the county in which the person's voting residence is 2187
located in accordance with section 3511.021 of the Revised Code or 2188
by applying to the director of the board of elections of the 2189
county in which the person's voting residence is located, in one 2190
of the following ways: 2191

(A) That person may make written application for those 2192
ballots. The person may personally deliver the application to the 2193

director or may mail it, send it by facsimile machine, send it by 2194
electronic mail, send it through internet delivery if such 2195
delivery is offered by the board of elections or the secretary of 2196
state, or otherwise send it to the director. The application need 2197
not be in any particular form but shall contain all of the 2198
following information: 2199

(1) The elector's name; 2200

(2) The elector's signature; 2201

(3) The address at which the elector is registered to vote; 2202

(4) The elector's date of birth; 2203

(5) One of the following: 2204

(a) The elector's driver's license number; 2205

(b) The last four digits of the elector's social security 2206
number; 2207

(c) A copy of the elector's current and valid photo 2208
identification, a copy of a military identification, or a copy of 2209
a current utility bill, bank statement, government check, 2210
paycheck, or other government document, other than ~~a notice of an~~ 2211
~~election mailed by a board of elections under section 3501.19 of~~ 2212
~~the Revised Code or~~ a notice of voter registration mailed by a 2213
board of elections under section 3503.19 of the Revised Code, that 2214
shows the name and address of the elector. 2215

(6) A statement identifying the election for which absent 2216
voter's ballots are requested; 2217

(7) A statement that the person requesting the ballots is a 2218
qualified elector; 2219

(8) A statement that the elector is an absent uniformed 2220
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 2221

(9) A statement of the elector's length of residence in the 2222

state immediately preceding the commencement of service, 2223
immediately preceding the date of leaving to be with or near the 2224
service member, or immediately preceding leaving the United 2225
States, or a statement that the elector's parent or legal guardian 2226
resided in this state long enough to establish residency for 2227
voting purposes immediately preceding leaving the United States, 2228
whichever is applicable; 2229

(10) If the request is for primary election ballots, the 2230
elector's party affiliation; 2231

(11) If the elector desires ballots to be mailed to the 2232
elector, the address to which those ballots shall be mailed; 2233

(12) If the elector desires ballots to be sent to the elector 2234
by facsimile machine, the telephone number to which they shall be 2235
so sent; 2236

(13) If the elector desires ballots to be sent to the elector 2237
by electronic mail or, if offered by the board of elections or the 2238
secretary of state, through internet delivery, the elector's 2239
electronic mail address or other internet contact information. 2240

(B) A voter or any relative of a voter listed in division (C) 2241
of this section may use a single federal post card application to 2242
apply for uniformed services or overseas absent voter's ballots 2243
for use at the primary and general elections in a given year and 2244
any special election to be held on the day in that year specified 2245
by division (E) of section 3501.01 of the Revised Code for the 2246
holding of a primary election, designated by the general assembly 2247
for the purpose of submitting constitutional amendments proposed 2248
by the general assembly to the voters of the state. A single 2249
federal postcard application shall be processed by the board of 2250
elections pursuant to section 3511.04 of the Revised Code the same 2251
as if the voter had applied separately for uniformed services or 2252
overseas absent voter's ballots for each election. 2253

(C) Application to have uniformed services or overseas absent voter's ballots mailed or sent by facsimile machine to such a person may be made by the spouse, father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother or sister of the whole blood or half blood, son, daughter, adopting parent, adopted child, stepparent, stepchild, daughter-in-law, son-in-law, uncle, aunt, nephew, or niece of such a person. The application shall be in writing upon a blank form furnished only by the director or on a single federal post card as provided in division (B) of this section. The form of the application shall be prescribed by the secretary of state. The director shall furnish that blank form to any of the relatives specified in this division desiring to make the application, only upon the request of such a relative made in person at the office of the board or upon the written request of such a relative mailed to the office of the board. The application, subscribed and sworn to by the applicant, shall contain all of the following:

(1) The full name of the elector for whom ballots are requested;

(2) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 42 U.S.C. 1973ff-6;

(3) The address at which the elector is registered to vote;

(4) A statement identifying the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near a service member, or immediately preceding leaving the United States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States, as the case may be;

(5) The elector's date of birth;

(6) One of the following:	2285
(a) The elector's driver's license number;	2286
(b) The last four digits of the elector's social security number;	2287 2288
(c) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	2289 2290 2291 2292 2293 2294 2295 2296
(7) A statement identifying the election for which absent voter's ballots are requested;	2297 2298
(8) A statement that the person requesting the ballots is a qualified elector;	2299 2300
(9) If the request is for primary election ballots, the elector's party affiliation;	2301 2302
(10) A statement that the applicant bears a relationship to the elector as specified in division (C) of this section;	2303 2304
(11) The address to which ballots shall be mailed, the telephone number to which ballots shall be sent by facsimile machine, the electronic mail address to which ballots shall be sent by electronic mail, or, if internet delivery is offered by the board of elections or the secretary of state, the internet contact information to which ballots shall be sent through internet delivery;	2305 2306 2307 2308 2309 2310 2311
(12) The signature and address of the person making the application.	2312 2313
Each application for uniformed services or overseas absent	2314

voter's ballots shall be delivered to the director not earlier 2315
than the first day of January of the year of the elections for 2316
which the uniformed services or overseas absent voter's ballots 2317
are requested or not earlier than ninety days before the day of 2318
the election at which the ballots are to be voted, whichever is 2319
earlier, and not later than twelve noon of the third day preceding 2320
the day of the election, or not later than six p.m. on the last 2321
Friday before the day of the election at which those ballots are 2322
to be voted if the application is delivered in person to the 2323
office of the board. 2324

(D) If the voter for whom the application is made is entitled 2325
to vote for presidential and vice-presidential electors only, the 2326
applicant shall submit to the director in addition to the 2327
requirements of divisions (A), (B), and (C) of this section, a 2328
statement to the effect that the voter is qualified to vote for 2329
presidential and vice-presidential electors and for no other 2330
offices. 2331

Sec. 3511.05. (A) The director of the board of elections 2332
shall place uniformed services or overseas absent voter's ballots 2333
sent by mail in an unsealed identification envelope, gummed ready 2334
for sealing. The director shall include with uniformed services or 2335
overseas absent voter's ballots sent electronically, including by 2336
facsimile machine, an instruction sheet for preparing a gummed 2337
envelope in which the ballots shall be returned. The envelope for 2338
returning ballots sent by either means shall have printed or 2339
written on its face a form substantially as follows: 2340

"Identification Envelope Statement of Voter 2341

I,(Name of voter), declare under 2342
penalty of election falsification that the within ballot or 2343
ballots contained no voting marks of any kind when I received 2344
them, and I caused the ballot or ballots to be marked, enclosed in 2345

the identification envelope, and sealed in that envelope. 2346

My voting residence in Ohio is 2347

..... 2348

(Street and Number, if any, or Rural Route and Number) 2349

of (City, Village, or Township) 2350

Ohio, which is in Ward Precinct 2351

in that city, village, or township. 2352

The primary election ballots, if any, within this envelope 2353

are primary election ballots of the Party. 2354

Ballots contained within this envelope are to be voted at the 2355

..... (general, special, or primary) election to be held on 2356

the day of, 2357

My date of birth is (Month and Day), 2358

..... (Year). 2359

(Voter must provide one of the following:) 2360

My driver's license number is (Driver's 2361

license number). 2362

The last four digits of my Social Security Number are 2363

..... (Last four digits of Social Security Number). 2364

..... In lieu of providing a driver's license number or the 2365

last four digits of my Social Security Number, I am enclosing a 2366

copy of one of the following in the return envelope in which this 2367

identification envelope will be mailed: a current and valid photo 2368

identification, a military identification, or a current utility 2369

bill, bank statement, government check, paycheck, or other 2370

government document, other than ~~a notice of an election mailed by~~ 2371

~~a board of elections under section 3501.19 of the Revised Code or~~ 2372

a notice of voter registration mailed by a board of elections, 2373

that shows my name and address. 2374

I hereby declare, under penalty of election falsification, 2375

that the statements above are true, as I verily believe. 2376

..... 2377

(Signature of Voter) 2378

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 2379

THE FIFTH DEGREE." 2380

(B) The director shall also mail with the ballots and the 2381

unsealed identification envelope sent by mail an unsealed return 2382

envelope, gummed, ready for sealing, for use by the voter in 2383

returning the voter's marked ballots to the director. The director 2384

shall send with the ballots and the instruction sheet for 2385

preparing a gummed envelope sent electronically, including by 2386

facsimile machine, an instruction sheet for preparing a second 2387

gummed envelope as described in this division, for use by the 2388

voter in returning that voter's marked ballots to the director. 2389

The return envelope shall have two parallel lines, each one 2390

quarter of an inch in width, printed across its face paralleling 2391

the top, with an intervening space of one quarter of an inch 2392

between such lines. The top line shall be one and one-quarter 2393

inches from the top of the envelope. Between the parallel lines 2394

shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 2395

OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 2396

lines shall be printed in the upper left corner on the face of the 2397

envelope for the use by the voter in placing the voter's complete 2398

military, naval, or mailing address on these lines, and beneath 2399

these lines there shall be printed a box beside the words "check 2400

if out-of-country." The voter shall check this box if the voter 2401

will be outside the United States on the day of the election. The 2402

official title and the post-office address of the director to whom 2403

the envelope shall be returned shall be printed on the face of 2404

such envelope in the lower right portion below the bottom parallel 2405

line. 2406

(C) On the back of each identification envelope and each 2407

return envelope shall be printed the following: 2408

"Instructions to voter: 2409

If the flap on this envelope is so firmly stuck to the back 2410
of the envelope when received by you as to require forcible 2411
opening in order to use it, open the envelope in the manner least 2412
injurious to it, and, after marking your ballots and enclosing 2413
same in the envelope for mailing them to the director of the board 2414
of elections, reclose the envelope in the most practicable way, by 2415
sealing or otherwise, and sign the blank form printed below. 2416

The flap on this envelope was firmly stuck to the back of the 2417
envelope when received, and required forced opening before sealing 2418
and mailing. 2419

..... 2420

(Signature of voter)" 2421

(D) Division (C) of this section does not apply when absent 2422
voter's ballots are sent electronically, including by facsimile 2423
machine. 2424

Sec. 3511.09. Upon receiving uniformed services or overseas 2425
absent voter's ballots, the elector shall cause the questions on 2426
the face of the identification envelope to be answered, and, by 2427
writing the elector's usual signature in the proper place on the 2428
identification envelope, the elector shall declare under penalty 2429
of election falsification that the answers to those questions are 2430
true and correct to the best of the elector's knowledge and 2431
belief. Then, the elector shall note whether there are any voting 2432
marks on the ballot. If there are any voting marks, the ballot 2433
shall be returned immediately to the board of elections; 2434
otherwise, the elector shall cause the ballot to be marked, folded 2435
separately so as to conceal the markings on it, deposited in the 2436
identification envelope, and securely sealed in the identification 2437
envelope. The elector then shall cause the identification envelope 2438

to be placed within the return envelope, sealed in the return 2439
envelope, and mailed to the director of the board of elections to 2440
whom it is addressed. The ballot shall be submitted for mailing 2441
not later than 12:01 a.m. at the place where the voter completes 2442
the ballot, on the date of the election. If the elector does not 2443
provide the elector's driver's license number or the last four 2444
digits of the elector's social security number on the statement of 2445
voter on the identification envelope, the elector also shall 2446
include in the return envelope with the identification envelope a 2447
copy of the elector's current valid photo identification, a copy 2448
of a military identification, or a copy of a current utility bill, 2449
bank statement, government check, paycheck, or other government 2450
document, other than ~~a notice of an election mailed by a board of~~ 2451
~~elections under section 3501.19 of the Revised Code or~~ a notice of 2452
voter registration mailed by a board of elections under section 2453
3503.19 of the Revised Code, that shows the name and address of 2454
the elector. Each elector who will be outside the United States on 2455
the day of the election shall check the box on the return envelope 2456
indicating this fact and shall mail the return envelope to the 2457
director prior to the close of the polls on election day. 2458

Every uniformed services or overseas absent voter's ballot 2459
identification envelope shall be accompanied by the following 2460
statement in boldface capital letters: WHOEVER COMMITS ELECTION 2461
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 2462

Sec. 3513.04. Candidates for party nominations to state, 2463
district, county, and municipal offices or positions, for which 2464
party nominations are provided by law, and for election as members 2465
of party controlling committees shall have their names printed on 2466
the official primary ballot by filing a declaration of candidacy 2467
and paying the fees specified for the office under divisions (A) 2468
and (B) of section 3513.10 of the Revised Code, except that the 2469
joint candidates for party nomination to the offices of governor 2470

and lieutenant governor shall, for the two of them, file one 2471
declaration of candidacy. The joint candidates also shall pay the 2472
fees specified for the joint candidates under divisions (A) and 2473
(B) of section 3513.10 of the Revised Code. 2474

The secretary of state shall not accept for filing the 2475
declaration of candidacy of a candidate for party nomination to 2476
the office of governor unless the declaration of candidacy also 2477
shows a joint candidate for the same party's nomination to the 2478
office of lieutenant governor, shall not accept for filing the 2479
declaration of candidacy of a candidate for party nomination to 2480
the office of lieutenant governor unless the declaration of 2481
candidacy also shows a joint candidate for the same party's 2482
nomination to the office of governor, and shall not accept for 2483
filing a declaration of candidacy that shows a candidate for party 2484
nomination to the office of governor or lieutenant governor who, 2485
for the same election, has already filed a declaration of 2486
candidacy or a declaration of intent to be a write-in candidate, 2487
or has become a candidate by the filling of a vacancy under 2488
section 3513.30 of the Revised Code for any other state office or 2489
any federal or county office. 2490

No person who seeks party nomination for an office or 2491
position at a primary election by declaration of candidacy or by 2492
declaration of intent to be a write-in candidate and no person who 2493
is a first choice for president of candidates seeking election as 2494
delegates and alternates to the national conventions of the 2495
different major political parties who are chosen by direct vote of 2496
the electors as provided in this chapter shall be permitted to 2497
become a candidate by nominating petition ~~or~~, by declaration of 2498
intent to be a write-in candidate, or by filling a vacancy under 2499
section 3513.31 of the Revised Code at the following general 2500
election for any office other than the office of member of the 2501
state board of education, office of member of a city, local, or 2502

exempted village board of education, office of member of a 2503
governing board of an educational service center, or office of 2504
township trustee. 2505

Sec. 3513.262. The nominating petitions of all candidates 2506
required to be filed before four p.m. of the day before the day of 2507
the primary election immediately preceding the general election 2508
shall be processed as follows: 2509

If such petition is filed with the secretary of state, ~~he~~ the 2510
secretary of state shall, not later than the fifteenth day of June 2511
following the filing of such petition, or if the primary election 2512
was a presidential primary election, not later than the end of the 2513
sixth week after the day of that election, transmit to each board 2514
such separate petition papers as purport to contain signatures of 2515
electors of the county of such board. If such petition is filed 2516
with the board of the most populous county of a district or of a 2517
county in which the major portion of the population of a 2518
subdivision is located, such board shall, not later than the 2519
fifteenth day of June, or if the primary election was a 2520
presidential primary election, not later than the end of the sixth 2521
week after the day of that election, transmit to each board within 2522
such district such separate petition papers of the petition as 2523
purport to contain signatures of electors of the county of such 2524
board. 2525

All petition papers so transmitted to a board and all 2526
nominating petitions filed with a board shall, under proper 2527
regulations, be open to public inspection from the fifteenth day 2528
of June until four p.m. of the thirtieth day of that month, or if 2529
the primary election was a presidential primary election, from the 2530
end of the sixth week after the election until four p.m. of the 2531
end of the seventh week after the election. Each board shall, not 2532
later than the next fifteenth day of July, or if the primary 2533

election was a presidential primary election, not later than the 2534
end of the tenth week after the day of that election, examine and 2535
determine the sufficiency of the signatures on the petition papers 2536
transmitted to or filed with it, and the validity of the petitions 2537
filed with it, and shall return to the secretary of state all 2538
petition papers transmitted to it by ~~him~~ the secretary of state, 2539
together with its certification of its determination as to the 2540
validity or invalidity of signatures thereon, and shall return to 2541
each other board all petition papers transmitted to it by such 2542
other board, as provided in this section, together with its 2543
certification of its determination as to the validity or 2544
invalidity of signatures thereon. A signature on a nominating 2545
petition is not valid if it is dated more than one year before the 2546
date the nominating petition was filed. All other matters 2547
affecting the validity or invalidity of such petition papers shall 2548
be determined by the secretary of state or the board with whom 2549
such petition papers were filed. 2550

Written protests against nominating petitions may be filed by 2551
any qualified elector eligible to vote for the candidate whose 2552
nominating petition ~~he~~ the elector objects to, not later than four 2553
p.m. of the thirtieth day of July, or if the primary election was 2554
a presidential primary election, not later than the end of the 2555
twelfth week after the day of that election. Such protests shall 2556
be filed with the election officials with whom the nominating 2557
petition was filed. Upon the filing of such protest, the election 2558
officials with whom it is filed shall promptly fix the time and 2559
place for hearing it, and shall forthwith mail notice of the 2560
filing of such protest and the time and place for hearing it to 2561
the person whose nomination is protested. They shall also 2562
forthwith mail notice of the time and place fixed for the hearing 2563
to the person who filed the protest. At the time fixed, such 2564
election officials shall hear the protest and determine the 2565
validity or invalidity of the petition. Such determination shall 2566

be final. 2567

A protest against the nominating petition filed by joint 2568
candidates for the offices of governor and lieutenant governor 2569
shall be filed, heard, and determined in the same manner as a 2570
protest against the nominating petition of a candidate who files 2571
~~by himself~~ individually. 2572

Sec. 3513.263. The nominating petitions of all candidates 2573
required to be filed before four p.m. of the ninetieth day before 2574
the day of the general election, shall be processed as follows: 2575

If such petition is filed with the secretary of state, the 2576
secretary of state shall promptly transmit to each board such 2577
separate petition papers as purports to contain signatures of 2578
electors of the county of such board. 2579

If such petition is filed with the board of a county in which 2580
the major portion of the population of a subdivision is located, 2581
such board shall promptly transmit to the board of each county in 2582
which other portions of such subdivision are located such separate 2583
petition papers of the petition as purport to contain signatures 2584
of electors of such county. 2585

All petition papers so transmitted to a board of elections, 2586
and all nominating petitions filed with a board of elections 2587
shall, under proper regulation, be open to public inspection until 2588
four p.m. of the eightieth day before the day of such general 2589
election. Each board shall, not later than the seventy-eighth day 2590
before the day of such general election examine and determine the 2591
sufficiency of the signatures on the petition papers transmitted 2592
to or filed with it and the validity or invalidity of petitions 2593
filed with it, and shall return to each other board all petition 2594
papers transmitted to it by such other board, together with its 2595
certification of its determination as to the validity or 2596
invalidity of signatures thereon. A signature on a nominating 2597

petition is not valid if it is dated more than one year before the 2598
date the nominating petition was filed. All other matters 2599
affecting the validity or invalidity of such petition papers shall 2600
be determined by the board with whom such petition papers were 2601
filed. 2602

Written protests against such nominating petitions may be 2603
filed by any qualified elector eligible to vote for the candidate 2604
whose nominating petition the elector objects to, not later than 2605
the seventy-fourth day before the general election. Such protests 2606
shall be filed with the election officials with whom the 2607
nominating petition was filed. Upon the filing of such protests, 2608
the election officials with whom it is filed shall promptly fix 2609
the time and place for hearing it, and shall forthwith mail notice 2610
of the filing of such protest and the time and place for hearing 2611
it to the person whose nomination is protested. They shall also 2612
forthwith mail notice of the time and place fixed for the hearing 2613
to the person who filed the protest. At the time and place fixed, 2614
such election officials shall hear the protest and determine the 2615
validity or invalidity of the petition. Such determination shall 2616
be final. 2617

Sec. 3513.30. (A)(1) If only one valid declaration of 2618
candidacy is filed for nomination as a candidate of a political 2619
party for an office and that candidate dies prior to the tenth day 2620
before the primary election, both of the following may occur: 2621

(a) The political party whose candidate died may fill the 2622
vacancy so created as provided in division (A)(2) of this section. 2623

(b) Any major political party other than the one whose 2624
candidate died may select a candidate as provided in division 2625
(A)(2) of this section under either of the following 2626
circumstances: 2627

(i) No person has filed a valid declaration of candidacy for 2628

nomination as that party's candidate at the primary election. 2629

(ii) Only one person has filed a valid declaration of 2630
candidacy for nomination as that party's candidate at the primary 2631
election, that person has withdrawn, died, or been disqualified 2632
under section 3513.052 of the Revised Code, and the vacancy so 2633
created has not been filled. 2634

(2) A vacancy may be filled under division (A)(1)(a) and a 2635
selection may be made under division (A)(1)(b) of this section by 2636
the appropriate committee of the political party in the same 2637
manner as provided in divisions (A) to (E) of section 3513.31 of 2638
the Revised Code for the filling of similar vacancies created by 2639
withdrawals or disqualifications under section 3513.052 of the 2640
Revised Code after the primary election, except that the 2641
certification required under that section may not be filed with 2642
the secretary of state, or with a board of the most populous 2643
county of a district, or with the board of a county in which the 2644
major portion of the population of a subdivision is located, later 2645
than four p.m. of the tenth day before the day of such primary 2646
election, or with any other board later than four p.m. of the 2647
fifth day before the day of such primary election. 2648

(3) If only one valid declaration of candidacy is filed for 2649
nomination as a candidate of a political party for an office and 2650
that candidate dies on or after the tenth day before the day of 2651
the primary election, that candidate is considered to have 2652
received the nomination of that candidate's political party at 2653
that primary election, and, for purposes of filling the vacancy so 2654
created, that candidate's death shall be treated as if that 2655
candidate died on the day after the day of the primary election. 2656

(B) Any person filing a declaration of candidacy may withdraw 2657
as such candidate at any time prior to the primary election. The 2658
withdrawal shall be effected and the statement of withdrawal shall 2659
be filed in accordance with the procedures prescribed in division 2660

(D) of this section for the withdrawal of persons nominated in a 2661
primary election or by nominating petition. 2662

(C) A person who is the first choice for president of the 2663
United States by a candidate for delegate or alternate to a 2664
national convention of a political party may withdraw consent for 2665
the selection of the person as such first choice no later than 2666
four p.m. of the fortieth day before the day of the presidential 2667
primary election. Withdrawal of consent shall be for the entire 2668
slate of candidates for delegates and alternates who named such 2669
person as their presidential first choice and shall constitute 2670
withdrawal from the primary election by such delegates and 2671
alternates. The withdrawal shall be made in writing and delivered 2672
to the secretary of state. If the withdrawal is delivered to the 2673
secretary of state on or before the seventieth day before the day 2674
of the primary election, the boards of elections shall remove both 2675
the name of the withdrawn first choice and the names of such 2676
withdrawn candidates from the ballots according to the directions 2677
of the secretary of state. If the withdrawal is delivered to the 2678
secretary of state after the seventieth day before the day of the 2679
primary election, the board of elections shall not remove the name 2680
of the withdrawn first choice and the names of the withdrawn 2681
candidates from the ballots. The board of elections shall post a 2682
notice at each polling location on the day of the primary 2683
election, and shall enclose with each absent voter's ballot given 2684
or mailed after the candidate withdraws, a notice that votes for 2685
the withdrawn first choice or the withdrawn candidates will be 2686
void and will not be counted. If such names are not removed from 2687
all ballots before the day of the election, the votes for the 2688
withdrawn first choice or the withdrawn candidates are void and 2689
shall not be counted. 2690

(D) Any person nominated in a primary election or by 2691
nominating petition as a candidate for election at the next 2692

general election may withdraw as such candidate at any time prior 2693
to the general election. Such withdrawal may be effected by the 2694
filing of a written statement by such candidate announcing the 2695
candidate's withdrawal and requesting that the candidate's name 2696
not be printed on the ballots. If such candidate's declaration of 2697
candidacy or nominating petition was filed with the secretary of 2698
state, the candidate's statement of withdrawal shall be addressed 2699
to and filed with the secretary of state. If such candidate's 2700
declaration of candidacy or nominating petition was filed with a 2701
board of elections, the candidate's statement of withdrawal shall 2702
be addressed to and filed with such board. 2703

(E) When a person withdraws under division (B) or (D) of this 2704
section on or before the seventieth day before the day of the 2705
primary election or the general election, the board of elections 2706
shall remove the name of the withdrawn candidate from the ballots 2707
according to the directions of the secretary of state. When a 2708
person withdraws under division (B) or (D) of this section after 2709
the seventieth day before the day of the primary election or the 2710
general election, the board of elections shall not remove the name 2711
of the withdrawn candidate from the ballots. The board of 2712
elections shall post a notice at each polling place on the day of 2713
the ~~primary~~ election, and shall enclose with each absent voter's 2714
ballot given or mailed after the candidate withdraws, a notice 2715
that votes for the withdrawn candidate will be void and will not 2716
be counted. If the name is not removed from all ballots before the 2717
day of the election, the votes for the withdrawn candidate are 2718
void and shall not be counted. 2719

Sec. 3513.31. (A) If a person nominated in a primary election 2720
as a candidate for election at the next general election, whose 2721
candidacy is to be submitted to the electors of the entire state, 2722
withdraws as that candidate or is disqualified as that candidate 2723
under section 3513.052 of the Revised Code, the vacancy in the 2724

party nomination so created may be filled by the state central 2725
committee of the major political party that made the nomination at 2726
the primary election, if the committee's chairperson and secretary 2727
certify the name of the person selected to fill the vacancy by the 2728
time specified in this division, at a meeting called for that 2729
purpose. The meeting shall be called by the chairperson of that 2730
committee, who shall give each member of the committee at least 2731
two days' notice of the time, place, and purpose of the meeting. 2732
If a majority of the members of the committee are present at the 2733
meeting, a majority of those present may select a person to fill 2734
the vacancy. The chairperson and secretary of the meeting shall 2735
certify in writing and under oath to the secretary of state, not 2736
later than the eighty-sixth day before the day of the general 2737
election, the name of the person selected to fill the vacancy. The 2738
certification must be accompanied by the written acceptance of the 2739
nomination by the person whose name is certified. A vacancy that 2740
may be filled by an intermediate or minor political party shall be 2741
filled in accordance with the party's rules by authorized 2742
officials of the party. Certification must be made as in the 2743
manner provided for a major political party. 2744
2745

(B) If a person nominated in a primary election as a party 2746
candidate for election at the next general election, whose 2747
candidacy is to be submitted to the electors of a district 2748
comprised of more than one county but less than all of the 2749
counties of the state, withdraws as that candidate or is 2750
disqualified as that candidate under section 3513.052 of the 2751
Revised Code, the vacancy in the party nomination so created may 2752
be filled by a district committee of the major political party 2753
that made the nomination at the primary election, if the 2754
committee's chairperson and secretary certify the name of the 2755
person selected to fill the vacancy by the time specified in this 2756
division, at a meeting called for that purpose. The district 2757

committee shall consist of the chairperson and secretary of the 2758
county central committee of such political party in each county in 2759
the district. The district committee shall be called by the 2760
chairperson of the county central committee of such political 2761
party of the most populous county in the district, who shall give 2762
each member of the district committee at least two days' notice of 2763
the time, place, and purpose of the meeting. If a majority of the 2764
members of the district committee are present at the district 2765
committee meeting, a majority of those present may select a person 2766
to fill the vacancy. The chairperson and secretary of the meeting 2767
shall certify in writing and under oath to the board of elections 2768
of the most populous county in the district, not later than four 2769
p.m. of the eighty-sixth day before the day of the general 2770
election, the name of the person selected to fill the vacancy. The 2771
certification must be accompanied by the written acceptance of the 2772
nomination by the person whose name is certified. A vacancy that 2773
may be filled by an intermediate or minor political party shall be 2774
filled in accordance with the party's rules by authorized 2775
officials of the party. Certification must be made as in the 2776
manner provided for a major political party. 2777

(C) If a person nominated in a primary election as a party 2778
candidate for election at the next general election, whose 2779
candidacy is to be submitted to the electors of a county, 2780
withdraws as that candidate or is disqualified as that candidate 2781
under section 3513.052 of the Revised Code, the vacancy in the 2782
party nomination so created may be filled by the county central 2783
committee of the major political party that made the nomination at 2784
the primary election, or by the county executive committee if so 2785
authorized, if the committee's chairperson and secretary certify 2786
the name of the person selected to fill the vacancy by the time 2787
specified in this division, at a meeting called for that purpose. 2788
The meeting shall be called by the chairperson of that committee, 2789
who shall give each member of the committee at least two days' 2790

notice of the time, place, and purpose of the meeting. If a 2791
majority of the members of the committee are present at the 2792
meeting, a majority of those present may select a person to fill 2793
the vacancy. The chairperson and secretary of the meeting shall 2794
certify in writing and under oath to the board of that county, not 2795
later than four p.m. of the eighty-sixth day before the day of the 2796
general election, the name of the person selected to fill the 2797
vacancy. The certification must be accompanied by the written 2798
acceptance of the nomination by the person whose name is 2799
certified. A vacancy that may be filled by an intermediate or 2800
minor political party shall be filled in accordance with the 2801
party's rules by authorized officials of the party. Certification 2802
must be made as in the manner provided for a major political 2803
party. 2804

(D) If a person nominated in a primary election as a party 2805
candidate for election at the next general election, whose 2806
candidacy is to be submitted to the electors of a district within 2807
a county, withdraws as that candidate or is disqualified as that 2808
candidate under section 3513.052 of the Revised Code, the vacancy 2809
in the party nomination so created may be filled by a district 2810
committee consisting of those members of the county central 2811
committee or, if so authorized, those members of the county 2812
executive committee in that county of the major political party 2813
that made the nomination at the primary election who represent the 2814
precincts or the wards and townships within the district, if the 2815
committee's chairperson and secretary certify the name of the 2816
person selected to fill the vacancy by the time specified in this 2817
division, at a meeting called for that purpose. The district 2818
committee meeting shall be called by the chairperson of the county 2819
central committee or executive committee, as appropriate, who 2820
shall give each member of the district committee at least two 2821
days' notice of the time, place, and purpose of the meeting. If a 2822
majority of the members of the district committee are present at 2823

the district committee meeting, a majority of those present may 2824
select a person to fill the vacancy. The chairperson and secretary 2825
of the district committee meeting shall certify in writing and 2826
under oath to the board of the county, not later than four p.m. of 2827
the eighty-sixth day before the day of the general election, the 2828
name of the person selected to fill the vacancy. The certification 2829
must be accompanied by the written acceptance of the nomination by 2830
the person whose name is certified. A vacancy that may be filled 2831
by an intermediate or minor political party shall be filled in 2832
accordance with the party's rules by authorized officials of the 2833
party. Certification must be made as in the manner provided for a 2834
major political party. 2835

(E) If a person nominated in a primary election as a party 2836
candidate for election at the next general election, whose 2837
candidacy is to be submitted to the electors of a subdivision 2838
within a county, withdraws as that candidate or is disqualified as 2839
that candidate under section 3513.052 of the Revised Code, the 2840
vacancy in the party nomination so created may be filled by a 2841
subdivision committee consisting of those members of the county 2842
central committee or, if so authorized, those members of the 2843
county executive committee in that county of the major political 2844
party that made the nomination at that primary election who 2845
represent the precincts or the wards and townships within that 2846
subdivision, if the committee's chairperson and secretary certify 2847
the name of the person selected to fill the vacancy by the time 2848
specified in this division, at a meeting called for that purpose. 2849

The subdivision committee meeting shall be called by the 2850
chairperson of the county central committee or executive 2851
committee, as appropriate, who shall give each member of the 2852
subdivision committee at least two days' notice of the time, 2853
place, and purpose of the meeting. If a majority of the members of 2854
the subdivision committee are present at the subdivision committee 2855

meeting, a majority of those present may select a person to fill 2856
the vacancy. The chairperson and secretary of the subdivision 2857
committee meeting shall certify in writing and under oath to the 2858
board of the county, not later than four p.m. of the eighty-sixth 2859
day before the day of the general election, the name of the person 2860
selected to fill the vacancy. The certification must be 2861
accompanied by the written acceptance of the nomination by the 2862
person whose name is certified. A vacancy that may be filled by an 2863
intermediate or minor political party shall be filled in 2864
accordance with the party's rules by authorized officials of the 2865
party. Certification must be made in the manner provided for a 2866
major political party. 2867

(F) If a person nominated by petition as an independent or 2868
nonpartisan candidate for election at the next general election 2869
withdraws as that candidate or is disqualified as that candidate 2870
under section 3513.052 of the Revised Code, the vacancy so created 2871
may be filled by a majority of the committee of five, as 2872
designated on the candidate's nominating petition, if a member of 2873
that committee certifies in writing and under oath to the election 2874
officials with whom the candidate filed the candidate's nominating 2875
petition, not later than the eighty-sixth day before the day of 2876
the general election, the name of the person selected to fill the 2877
vacancy. The certification shall be accompanied by the written 2878
acceptance of the nomination by the person whose name is certified 2879
and shall be made in the manner provided for a major political 2880
party. 2881

(G) If a person nominated in a primary election as a party 2882
candidate for election at the next general election dies, the 2883
vacancy so created may be filled by the same committee in the same 2884
manner as provided in this section for the filling of similar 2885
vacancies created by withdrawals or disqualifications under 2886
section 3513.052 of the Revised Code, except that the 2887

certification, when filling a vacancy created by death, may not be 2888
filed with the secretary of state, or with a board of the most 2889
populous county of a district, or with the board of a county in 2890
which the major portion of the population of a subdivision is 2891
located, later than four p.m. of the tenth day before the day of 2892
such general election, or with any other board later than four 2893
p.m. of the fifth day before the day of such general election. 2894

(H) If a person nominated by petition as an independent or 2895
nonpartisan candidate for election at the next general election 2896
dies prior to the tenth day before the day of that general 2897
election, the vacancy so created may be filled by a majority of 2898
the committee of five designated in the nominating petition to 2899
represent the candidate named in it. To fill the vacancy a member 2900
of the committee shall, not later than four p.m. of the fifth day 2901
before the day of the general election, file with the election 2902
officials with whom the petition nominating the person was filed, 2903
a certificate signed and sworn to under oath by a majority of the 2904
members, designating the person they select to fill the vacancy. 2905
The certification must be accompanied by the written acceptance of 2906
the nomination by the person whose name is so certified. 2907

(I) If a person holding an elective office dies or resigns 2908
subsequent to the one hundred fifteenth day before the day of a 2909
primary election and prior to the eighty-sixth day before the day 2910
of the next general election, and if, under the laws of this 2911
state, a person may be elected at that general election to fill 2912
the unexpired term of the person who has died or resigned, the 2913
appropriate committee of each political party, acting as in the 2914
case of a vacancy in a party nomination, as provided in divisions 2915
(A) to (D) of this section, may select a person as the party 2916
candidate for election for such unexpired term at that general 2917
election, and certify the person's name to the appropriate 2918
election official not later than four p.m. on the eighty-sixth day 2919

before the day of that general election, or on the tenth day 2920
following the day on which the vacancy occurs, whichever is later. 2921
When the vacancy occurs on or subsequent to the eighty-sixth day 2922
and six or more days prior to the ~~fifty-sixth~~ fortieth day before 2923
the general election, the appropriate committee may select a 2924
person as the party candidate and certify the person's name, as 2925
provided in the preceding sentence, not later than four p.m. on 2926
the ~~fiftieth~~ tenth day following the day on which the vacancy 2927
occurs. When the vacancy occurs fewer than six days before the 2928
fortieth day before the general election, the deadline for filing 2929
shall be four p.m. on the thirty-sixth day before the general 2930
election. Thereupon the name shall be printed as the party 2931
candidate under proper titles and in the proper place on the 2932
proper ballots for use at the election. If a person has been 2933
nominated in a primary election, the authorized committee of that 2934
political party shall not select and certify a person as the party 2935
candidate. 2936

(J) Each person desiring to become an independent candidate 2937
to fill the unexpired term shall file a statement of candidacy and 2938
nominating petition, as provided in section 3513.261 of the 2939
Revised Code, with the appropriate election official not later 2940
than four p.m. on the tenth day following the day on which the 2941
vacancy occurs, provided that when the vacancy occurs fewer than 2942
six days before the fifty-sixth day before the general election, 2943
the deadline for filing shall be four p.m. on the fiftieth day 2944
before the general election. The nominating petition shall contain 2945
at least seven hundred fifty signatures and no more than one 2946
thousand five hundred signatures of qualified electors of the 2947
district, political subdivision, or portion of a political 2948
subdivision in which the office is to be voted upon, or the amount 2949
provided for in section 3513.257 of the Revised Code, whichever is 2950
less. 2951

(K) When a person nominated as a candidate by a political party in a primary election or by nominating petition for an elective office for which candidates are nominated at a party primary election withdraws, dies, or is disqualified under section 3513.052 of the Revised Code prior to the general election, the appropriate committee of any other major political party or committee of five that has not nominated a candidate for that office, or whose nominee as a candidate for that office has withdrawn, died, or been disqualified without the vacancy so created having been filled, may, acting as in the case of a vacancy in a party nomination or nomination by petition as provided in divisions (A) to (F) of this section, whichever is appropriate, select a person as a candidate of that party or of that committee of five for election to the office.

Sec. 3519.05. (A) If the measure to be submitted proposes a constitutional amendment, the heading of each part of the petition shall be prepared in the following form, and printed in capital letters in type of the approximate size set forth:

"INITIATIVE PETITION

Amendment to the Constitution

Proposed by Initiative Petition

To be submitted directly to the electors"

"Amendment" printed in fourteen-point boldface type shall precede the title, which shall be briefly expressed and printed in eight-point type. The summary shall then be set forth printed in ten-point type, and then shall follow the certification of the attorney general, under proper date, which shall also be printed in ten-point type. The petition shall then set forth the names and addresses of the committee of not less than three nor more than five to represent the petitioners in all matters relating to the petition or its circulation.

Immediately above the heading of the place for signatures on 2983
each part of the petition the following notice shall be printed in 2984
boldface type: 2985

"NOTICE 2986

Whoever knowingly signs this petition more than once; except 2987
as provided in section 3501.382 of the Revised Code, signs a name 2988
other than one's own on this petition; or signs this petition when 2989
not a qualified voter, is liable to prosecution." 2990

The heading of the place for signatures shall be 2991
substantially as follows: 2992

"(Sign with ink. Your name, residence, and date of signing must be 2993
given.) 2994

— 2995

Rural Route or 2996
other Post- 2997
Signature County Township office Address Month Day Year 2998
— 2999

(Voters who do not live in a municipal corporation should fill in 3000
the information called for by headings printed above.) 3001

(Voters who reside in municipal corporations should fill in the 3002
information called for by headings printed below.) 3003
— 3004

City Street 3005
or and 3006
Signature County Village Number Ward Precinct Month Day Year" 3007
— 3008

The text of the proposed amendment shall be printed in full, 3009
immediately following the place for signatures, and shall be 3010
prefaced by "Be it resolved by the people of the State of Ohio." 3011

Immediately following the text of the proposed amendment must 3012
appear the following form: 3013

"I,, declare under penalty of election 3014
falsification that I am the circulator of the foregoing petition 3015
paper containing the signatures of electors, that the 3016
signatures appended hereto were made and appended in my presence 3017
on the date set opposite each respective name, and are the 3018
signatures of the persons whose names they purport to be or of 3019
attorneys in fact acting pursuant to section 3501.382 of the 3020
Revised Code, and that the electors signing this petition did so 3021
with knowledge of the contents of same. I am employed to circulate 3022
this petition by (Name and 3023
address of employer). (The preceding sentence shall be completed 3024
as required by section 3501.38 of the Revised Code if the 3025
circulator is being employed to circulate the petition.) 3026

(Signed) 3027

(Address of circulator's permanent 3028
residence in this state)

..... 3029

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 3030
OF THE FIFTH DEGREE." 3031

(B) If the measure proposes a law, the heading of each part 3032
of the petition shall be prepared as follows: 3033

"INITIATIVE PETITION 3034

Law proposed by initiative petition first to be submitted to 3035
the General Assembly." 3036

In all other respects, the form shall be as provided for the 3037
submission of a constitutional amendment, except that the text of 3038
the proposed law shall be prefaced by "Be it enacted by the people 3039
of the state of Ohio." 3040

The form for a supplementary initiative petition shall be the 3041

same as that provided for an initiative petition, with the 3042
exception that "supplementary" shall precede "initiative" in the 3043
title thereof. 3044

(C) The general provisions set forth in this section relative 3045
to the form and order of an initiative petition shall be, so far 3046
as practical, applicable to a referendum petition, the heading of 3047
which shall be as follows: 3048

"REFERENDUM PETITION 3049

To be submitted to the electors for their approval or 3050
rejection" 3051

The title, which follows the heading, shall contain a brief 3052
legislative history of the law, section, or item of law to be 3053
referred. The text of the law so referred shall be followed by the 3054
certification of the secretary of state, in accordance with 3055
division (B)(2)(b) of section 3519.01 of the Revised Code, that it 3056
has been compared with the copy of the enrolled act, on file in 3057
the secretary of state's office, containing such law, section, or 3058
item of law, and found to be correct. 3059

(D) The secretary of state shall prescribe a form for part 3060
petitions to be submitted during the ten-day period beginning on 3061
the first day following the date that the secretary of state 3062
notifies the chairperson of the committee interested in the 3063
petition that the petition has an insufficient number of valid 3064
signatures. The form provided to a particular committee shall 3065
contain a unique identifier and shall be separate from the forms 3066
prescribed in divisions (A), (B), and (C) of this section. The 3067
secretary of state shall make the form available to the committee 3068
only as described in division (F) of section 3519.16 of the 3069
Revised Code. 3070

The form shall comply with the requirements of Section 1g of 3071
Article II, Ohio Constitution and, except as otherwise provided in 3072

this division, with the requirements of divisions (A), (B), and 3073
(C) of this section. 3074

Sec. 3519.16. (A) Pursuant to Section 1g of Article II, Ohio 3075
Constitution, the supreme court of Ohio shall have exclusive 3076
original jurisdiction in all challenges to initiative and 3077
referendum petitions. 3078

(B) The circulator of any part-petition, the committee 3079
interested in the a petition, or any elector may file with the 3080
board of elections a protest against the board's findings made 3081
pursuant to section 3519.15 of the Revised Code. Protests shall be 3082
in writing and shall specify reasons for the protest. Protests for 3083
all initiative and referendum petitions other than those to be 3084
voted on by electors throughout the entire state shall be filed 3085
not later than four p.m. of the seventy fourth day before the day 3086
of the election. Once a protest is filed, the board shall proceed 3087
to establish the sufficiency or insufficiency of the signatures 3088
and of the verification of those signatures in an action before 3089
the court of common pleas in the county. The action shall be 3090
brought within three days after the protest is filed, and it shall 3091
be heard forthwith by a judge of that court, whose decision shall 3092
be certified to the board. The signatures that are adjudged 3093
sufficient or the part-petitions that are adjudged properly 3094
verified shall be included with the others by the board, and those 3095
found insufficient and all those part-petitions that are adjudged 3096
not properly verified shall not be included shall include upon 3097
each part-petition filed with the secretary of state a designation 3098
of the county in which the part-petition was circulated and a 3099
number for the part-petition. In any county where part-petitions 3100
are circulated, each part-petition shall be numbered sequentially. 3101
The committee shall sort the part-petitions by county. Upon filing 3102
the petition with the secretary of state, the committee also shall 3103
file the following: 3104

(1) An electronic copy of the petition along with a 3105
verification that the electronic copy is a true representation of 3106
the original filed paper petition; 3107

(2) A summary of the number of part-petitions filed per 3108
county, and the number of signatures on each part-petition; 3109

(3) An index of the electronic copy of the petition. 3110

(C) From the time the petition is initially filed with the 3111
secretary of state and until the part-petitions are returned to 3112
the secretary of state by the boards of elections after a 3113
determination of sufficiency under section 3519.15 of the Revised 3114
Code, any request for the inspection or copying of the original 3115
petition filed with the secretary of state under Chapter 149. of 3116
the Revised Code is fulfilled if the secretary of state permits 3117
the inspection of or provides copies of the electronic copy of the 3118
petition filed by the circulator. 3119

(D) Discrepancies between the electronic copy of a petition 3120
filed under division (B)(1) of this section and the original paper 3121
petition filed with the secretary of state shall not render the 3122
petition invalid. Such discrepancies, if the product of fraud, 3123
shall be subject to criminal penalties under section 3599.36 of 3124
the Revised Code. 3125

(E) The properly verified part-petitions, together with the 3126
report an electronic copy of the board part-petitions, shall be 3127
returned to the secretary of state not less than ~~sixty~~ one hundred 3128
ten days before the election, provided that, in the case of an 3129
initiated law to be presented to the general assembly, the boards 3130
shall promptly check and return the petitions together with their 3131
report. The secretary of state shall determine the sufficiency of 3132
the signatures not later than one hundred five days before the 3133
election. The secretary of state promptly shall notify the 3134
chairperson of the committee in charge of the circulation as to 3135

the sufficiency or insufficiency of the petition and the extent of 3136
the insufficiency. 3137

(F) If the petition is found insufficient because of an 3138
insufficient number of valid signatures, the committee shall be 3139
allowed ten additional days after the notification by the 3140
secretary of state for the collection and filing of additional 3141
signatures to the petition. When the secretary of state makes that 3142
notification, the secretary of state simultaneously shall provide 3143
the chairperson with the unique petition form described in 3144
division (D) of section 3519.05 of the Revised Code. No additional 3145
signatures shall be collected or submitted to the secretary of 3146
state by the committee interested in the petition, or by any 3147
person acting on behalf of the committee, during the period 3148
beginning on the date that the petition is initially submitted to 3149
the secretary of state and ending on the date that the secretary 3150
of state notifies the chairperson of the committee that the 3151
petition has an insufficient number of valid signatures. If the 3152
committee, or any person acting on behalf of the committee, 3153
submits additional signatures, the signatures must be on the form 3154
provided by the secretary of state under this division and only 3155
signatures that were signed and collected during the ten-day 3156
period to collect and submit additional signatures may be 3157
submitted. If additional signatures are filed, the secretary of 3158
state shall determine the sufficiency of those additional 3159
signatures not later than sixty-five days before the election. The 3160
part-petitions of the supplementary petition that appear to the 3161
secretary of state to be properly verified, upon their receipt by 3162
the secretary of state, shall forthwith be forwarded to the boards 3163
of the several counties together with the part-petitions of the 3164
original petition that have been properly verified. They shall be 3165
immediately examined and passed upon as to the validity and 3166
sufficiency of the signatures on them by each of the boards and 3167
returned within ~~five~~ eight days to the secretary of state with the 3168

report of each board. No signature on a supplementary 3169
part-petition that is the same as a signature on an original 3170
part-petition shall be counted. The number of signatures in both 3171
the original and supplementary petitions, properly verified, shall 3172
be used by the secretary of state in determining the total number 3173
of signatures to the petition that the secretary of state shall 3174
record and announce. If they are sufficient, the amendment, 3175
proposed law, or law shall be placed on the ballot as required by 3176
law. If the petition is found insufficient, the secretary of state 3177
shall notify the committee in charge of the circulation of the 3178
petition. 3179

Section 2. That existing sections 3.02, 302.09, 305.02, 3180
503.24, 733.31, 1901.10, 2301.02, 3501.301, 3501.38, 3503.06, 3181
3503.14, 3503.16, 3503.19, 3503.28, 3505.13, 3505.18, 3505.181, 3182
3505.182, 3505.183, 3509.03, 3509.04, 3509.05, 3511.02, 3511.05, 3183
3511.09, 3513.04, 3513.262, 3513.263, 3513.30, 3513.31, 3519.05, 3184
and 3519.16 of the Revised Code are hereby repealed. 3185

Section 3. If any provision of a section of the Revised Code 3186
as amended or enacted by this act or the application thereof to 3187
any person or circumstance is held invalid, the invalidity does 3188
not affect other provisions or applications of the section or 3189
related sections which can be given effect without the invalid 3190
provision or application, and to this end the provisions are 3191
severable. 3192