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ATTORNEY GENERALS OFFICE

FEB 11 2014

February 4, 2014

RECEIVED
CONSTITUTIONAL OFFICES

Hon. Mike DeWine
Ohio Attorney General
30 E. Broad Street
Columbus, Ohio 43215

Re: Summary Petition

Dear Attorney General DeWine:

I am hereby filing with your office on behalf of my client, Ohioans for a Voters Bill of Rights, and pursuant to R.C. §3519.01(A), a petition to approve a summary of a constitutional amendment to be proposed by initiative petition. The petition contains 1,583 signatures of electors on 116 part-petitions and the summary and full text of the amendment to be proposed.

Please contact me if you have any questions. Thank you.

Very truly yours,



Donald J. McTigue

Encls.

Butler County
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INITIATIVE PETITION

To the Attorney General of Ohio: Pursuant to Ohio Revised Code § 3519.01(A), the undersigned electors of the State of Ohio, numbering in excess of one thousand, hereby submit to you the full text of a proposed Amendment to the Ohio Constitution and a summary of the same.

TITLE

The Ohio Voters Bill of Rights

SUMMARY

The Amendment would enact the Ohio Voters Bill of Rights by amending current Section 1 of Article V of the Ohio Constitution with provisions to include that:

- The right of all Ohio citizens qualified under the Article to cast a ballot and have their votes counted is declared to be a fundamental right.
- A person may cast a ballot at an election as an elector if the person is a citizen of the United States, at least 18 years old, registered to vote by the deadline set by law, which may not be more than 30 days before the election, and a resident of the county where seeking to vote.
- The State shall maintain the broadest feasible and accessible means for persons to register and update their registration to vote, including through electronic means. A certificate of registration would be issued to a person whenever the person registered or updated their registration to vote.
- Voting shall be by secret ballot. Every elector may vote on election day between 6:30 a.m and 7:30 p.m. at a convenient designated polling location. More than one location where an elector may vote on election day may be designated by local election authorities.
- In lieu of voting on the day of an election, electors shall be permitted to vote in person or by mail during the early voting period, which shall begin 35 days before the date of each election and end on the day before the election for early in person voting and the day of the election for voting by mail. During the early voting period, local election authorities must make ballots available for in person voting during their regular business hours at their office or another location in the county and at other times during the early voting period, which shall include no less than 12 hours across the two days of each of the final two weekends before the date of a general election, 10 hours on each weekday of the final two weeks before each general election, and 12 hours on the last day of voter registration for an election. Local election authorities shall have the discretion to expand the hours of early in person voting for an election and to designate multiple locations for early in person voting based on the identified needs of their counties, including making in person early voting convenient and easily accessible for working and non-working electors.
- The State must make applications to vote by mail generally available, including through electronic means. An elector may return a completed and signed application to the appropriate election authority by electronic or non-electronic means. A ballot returned by mail shall be timely if postmarked by election day and received by the appropriate election authority no later than 10 days after the election. An elector who applies for a vote by mail ballot may also chose to cast a provisional ballot on election day, but such provisional ballot shall not be counted if the elector's vote by mail ballot is timely received by the appropriate election authority.
- An elector who chooses to cast a ballot in person during the early voting period or on election day, if required by law to verify his or her identity, may do so with: the last 4 digits of his or her social security number, his or her current Ohio driver's license or license number, his or her current U.S. Passport or passport number, a current photo identification, utility bill, bank statement, government check, or paycheck, or any current form of identification issued to the person by the State, a political subdivision or instrumentality of the State, the federal government, a branch of the U.S. Military, or a public or private institution of higher education, or any other form of identification authorized by the State for voting identification purposes. If an elector is unable to provide any of the authorized forms of identification at the time of voting, he or she shall be permitted to cast a provisional ballot after signing an affirmation under penalty of election falsification attesting to his or her identity, which shall be counted if the elector submits or causes to be submitted one of the authorized forms of identification to the appropriate election authority no later than 10 days after the election.



- If an elector casts a ballot using a method and at a time authorized under this Article, the ballot shall not be rejected for a reason attributable in whole or part to poll worker or election official error. Laws must be enacted to minimize the potential for such errors.
- If an elector marks his or her ballot in such a manner that it may not be properly recorded by tabulation equipment, all votes on such ballot for candidates and issues which the elector is entitled to vote upon shall be counted if local election authorities are able to determine the voter's intent.
- When an elector casts a provisional ballot in person in his or her county, but not in the correct precinct, the ballot shall be counted but only for candidates and issues that are on the ballot in the precinct where the elector resides.
- A person who is unable to cast a regular ballot at an election shall be permitted to cast a provisional ballot after signing an affirmation attesting under penalty of election falsification to his or her qualifications as an elector. The ballot shall be counted if the ballot is cast in the person's county of residence and his or her qualifications as an elector are verified. A provisional voter shall have up to 10 days following the election to submit or cause to be submitted to the appropriate election authority information necessary to establish his or her qualifications as an elector or to have his or her ballot counted. To facilitate the timely providing of such information, the identity of provisional voters at an election shall be publicly available.
- The State may institute additional reliable means of voting as they become available through technological advancements.
- The General Assembly may pass laws expanding and facilitating the voting rights and opportunities guaranteed under this Article, but in no manner denying or limiting them. The State shall not impose any qualification, except as provided in this Article, nor impose a tax, charge or expense, as a condition to voting or registering or updating a registration to vote.
- Any person requesting or casting a ballot who, with the purpose to defraud, impersonates another person or votes more than once in an election, would be guilty of a felony.

The proposed Amendment would replace and repeal the existing language of Section 1 as set forth in the full text attached to this petition. The existing language sets forth qualifications for being an elector as being a citizen of the United States, a resident of the state, county, township or ward such time as may be established by law and being registered for 30 days before the election, and provides that any elector who fails to vote for 4 consecutive years ceases to be an elector unless he again registers to vote.

COMMITTEE TO REPRESENT THE PETITIONERS

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

Alicia Reece	2081 Seymour Ave. A	Cincinnati, Ohio 45237
John R. Smith	3900 Delphos Ave.	Dayton, Ohio 45402
Vernon Sykes	133 Furnace Run Dr.	Akron, Ohio 44307
Rev. Otis Moss, Jr.	87 Haskell Dr.	Bratenahl, Ohio 44108

FULL TEXT OF AMENDMENT

Be it Resolved by the People of the State of Ohio that Article V of the Ohio Constitution is hereby amended to add the following to Section 1 as the Ohio Voters Bill of Rights and repeal the existing language of Section 1 shown below with strike throughs:

Section 1 Ohio Voters Bill of Rights

- a. The right of all Ohio citizens qualified under this Article to cast a ballot and have their votes counted is declared to be a fundamental right in this State. A person may exercise this right as an elector in an election if he or she is a citizen of the United States, at least 18 years of age on the date of the election, registered to vote in this State on or before the deadline established by law, which shall be no more than 30 days before the date of the election, and a resident of the county in which he or she seeks to vote.
- b. The State shall maintain the broadest feasible and accessible means for citizens to register to vote and update their voter registration, including through electronic means. The State shall issue a certificate of registration to all persons registering to vote or updating their voter registration.
- c. Voting shall be by secret ballot. Every elector shall be permitted to obtain and cast a ballot in person on the date of each election between 6:30 a.m. and 7:30 p.m. at a convenient designated polling location. More than one location where an elector may vote on election day may be designated by local election authorities.
- d. In lieu of voting on the date of the election, every elector shall be permitted to obtain and cast a ballot in person or by mail during the early voting period preceding the election, which shall begin 35 days before the date of each election and end the day before the election for early in person voting and the day of the election for voting by mail. During the early voting period, local election authorities shall make ballots available for in person voting during regular business hours at their office or another location in the county and at other times during the early voting period, which shall include no less than 12 hours across the two days of each of the final two weekends before the date of a general election, 10 hours on each weekday of the final two weeks before each general election, and 12 hours on the last day of voter registration for an election. For early voting periods, local election authorities shall have the discretion to expand the hours of early in person voting and to designate multiple locations for early in person voting based on the identified needs of their counties, including making in person early voting convenient and easily accessible for working and non-working electors.
- e. The State shall make applications necessary to obtain vote by mail ballots generally available and easily accessible to voters statewide, including through electronic means. Electors may transmit such completed and signed applications to the appropriate election authority through electronic or non-electronic means. A ballot returned by an elector by mail shall be considered timely if postmarked by the date of the election and received by the appropriate election authority no later than 10 days after the election. An elector who applies for a vote by mail ballot may also choose to cast a provisional ballot on election day, but such provisional ballot shall not be counted if the elector's vote by mail ballot is timely received by the appropriate election authority.

f. An elector who chooses to cast a ballot in person on the date of the election or in person during the early voting period, if required by law to verify his or her identity, may do so by furnishing any of the following at the time he or she requests a ballot: the last four digits of his or her social security number, his or her current Ohio driver's license or current Ohio driver's license number, his or her current United States passport or passport number, a current photo identification, utility bill, bank statement, government check, or paycheck, or any current form of identification issued to the person by the State, a political subdivision or instrumentality of the State, the federal government, a branch of the United States military, or a public or private institution of higher education, or any other form of identification that the State may authorize electors to use to verify their identity. If such person is unable to provide any of the above at the time he or she offers to vote, he or she shall be permitted to cast a provisional ballot upon signing an affirmation attesting to his or her identity under penalty of election falsification. In such case, the elector shall have until 10 days following the election to provide or cause to be provided to the appropriate election authority an authorized form of identification.

g. If an elector has cast a ballot using a method and at a time authorized by this Article, such ballot shall not be rejected for a reason attributable in whole or part to poll worker or election official error. The General Assembly shall enact laws providing for training and other measures to minimize the potential for errors by poll workers and election officials. If an elector has marked his or her ballot in such a manner that it may not be properly recorded by tabulation equipment, all votes on such ballot for candidates and issues which the elector is entitled to vote upon shall be counted if local election authorities are able to determine the elector's intent. When an elector casts a provisional ballot at a voting location in his or her county of residence, but not in the correct precinct, the election officials shall count all of the votes cast on such ballot, except any votes for candidates or issues not on the ballot in the precinct where that elector resides. A person who is unable to cast a regular ballot at an election shall be entitled, upon signing an affirmation attesting under penalty of election falsification to his or her qualifications as an elector, to cast a provisional ballot, which shall be counted if cast in the person's county of residence and it is verified that the person was otherwise qualified under this Article to vote in the election. A provisional voter shall have until 10 days following the election to provide or cause to be provided to the appropriate election authority any information necessary to establish his or her qualifications as an elector or to have his or her ballot counted. To facilitate the timely providing of such information, the identity of provisional voters at an election shall be publicly available.

h. The State may institute additional reliable methods for casting ballots as they become available through technological advancements. The General Assembly may pass laws expanding and facilitating the voting rights and opportunities guaranteed under this Article, but in no manner denying or limiting them. The State shall not impose any qualification, except as provided in this Article, nor institute any test, tax, charge or expense, as a condition to voting, registering to vote, or updating voter registration.

i. In requesting or casting a ballot, no person shall, with the purpose to defraud, impersonate another person or vote more than once in an election. Any person who does so shall be guilty of a felony.

~~Every citizen of the United States, of the age of eighteen years, who has been a resident of the state, county, township, or ward, such time as may be provided by law, and has been registered to vote for thirty days, has the qualifications of an elector, and is entitled to vote at all elections. Any elector who fails to vote in at least one election during any period of four consecutive years shall cease to be an elector unless he again registers to vote.~~

STATEMENT OF CIRCULATOR

I, Paul Johnson, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of 8 electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by

(Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

I further declare under penalty of election falsification that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Paul Johnson
(Signed)

3812 Willow Ave
(Address of circulator's permanent residence in this state) Number and Street, Road or Rural Route

Lawrenceville
City, Village or Township

Ohio 45313
State Zip Code

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