

FAIR ELECTIONS OHIO
172 E. State Street
Columbus, OH 43215
614-255-4255
fairelectionsohio@gmail.com

July 18, 2011

VIA HAND DELIVERY

The Honorable Jon Husted
Secretary of State of Ohio
180 E. Broad Street, 15th floor
Columbus, OH 43215

ATTORNEY GENERALS OFFICE

JUL 18 2011

The Honorable Mike Dewine
Ohio Attorney General
30 East Broad Street, 17th Floor
Columbus, OH 43215-3428

RECEIVED
CONSTITUTIONAL OFFICES

RE: Preliminary Petition for Am. Sub. H.B. 194

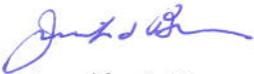
Dear Secretary of State Husted and Attorney General Dewine:

Pursuant to R.C. 3519.01(B), I am hereby filing an original petition with Secretary Husted containing the signatures of more than one thousand qualified electors who seek to circulate and file a referendum petition regarding Am. Sub. H.B. 194 of the 129th General Assembly, and with General Dewine a copy of the petition containing the summary and the legislation being referred bearing markups to reflect what provisions of law, sections and items are subject to referendum. The entire petition is composed of 69 part-petitions.

I would appreciate each of your offices reviewing the version that has been filed with it and issuing the appropriate certification under the statute as expeditiously as possible.

If you should have any questions, please do not hesitate to contact me by telephone or email.

Sincerely,



Jennifer L. Brunner
Member of the Petition Committee
35 N. Fourth Street, Suite 200
Columbus, Ohio 43215
(614) 214-5550
(614) 453-8141 Fax
jlb@brunnerlaw.com

Number _____

Issued to (name of circulator) _____

Date issued _____

County of circulation _____

To the Secretary of State and the Attorney General of Ohio: Pursuant to Ohio Rev. Code §3519.01(B), the undersigned electors of the State of Ohio, numbering in excess of one thousand, hereby submit to each of you the full text of Am. Sub. H.B. 194 of the 129th General Assembly ("Act") with notations thereon designating each provision of law, section or item hereby sought to be submitted to a statewide referendum vote, and a summary of the same.

REFERENDUM PETITION State of Ohio

To be submitted to the electors for their approval or rejection

TITLE

A referendum petition to submit to the voters of Ohio for their approval or rejection certain revisions to Ohio's Election Law that would amend, enact and repeal certain provisions of law, sections and items contained in the Ohio Revised Code as amended by Am. Sub. H.B. 194 and that would enact sections 5, 6, 7 and 8 of Am. Sub. H.B. No. 194, all of which were passed by the 129th General Assembly on June 29, 2011, (passed by the House May 18, 2011, passed by the Senate June 23, 2011, with concurrence by the House June 29, 2011) and signed by the Governor July 1, 2011.

SUMMARY

Am. Sub. H.B. 194 amends at least 126 sections of existing Ohio law pertaining to elections, enacts 13 new sections of Ohio law pertaining to elections, repeals 5 sections of existing Ohio law pertaining to elections, nullifies administrative actions taken by the Secretary of State in 2009, 2010 and 2011, creates a December 31, 2011 deadline for boards of elections to rearrange and combine precincts to comply with minimum size requirements for precincts located in municipal corporations and specifies that if Am. Sub. H.B. 194 proves to be in conflict with H.B. 159 (regarding identification for voting), if and when it passes, H.B. 159 prevails.

This referendum petition seeks to place before the voters of the State of Ohio certain provisions of the law, sections and items contained in Am. Sub. H.B. 194, rather than the entire Act. As provided in Article II, section 1c of the Constitution of Ohio, no such law, section or item shall go into effect until and unless approved by a majority of those voting upon the same at the next succeeding regular or general election in any year occurring subsequent to 125 days after the filing of the referendum petition, with the remainder of Am. Sub. H.B. 194 not thereby being prevented or delayed from going into effect.

The vote of a majority of voters on this proposed referendum will determine whether the provisions of law, sections and items of Am. Sub. H.B. 194, as specified by this referendum petition, become a part of Ohio law. If a majority of the voters vote not to approve these provisions of law, sections and items, then these provisions of law, sections and items of Am. Sub. H.B. 194 will not take effect, and current law as it relates to these items will remain in effect. The following parts of Am. Sub. H.B. 194 are sought to be submitted to Ohio voters as to whether they approve or reject these changes of law:

- 1) The enactment of section R.C. 3501.40 which specifies that, in any administrative review or legal action brought regarding the actions of any election official, all of the following apply:
 - No election official can be presumed to have committed any error in the course of the election official's duties, unless that error is independently proved by the facts of the administrative review or legal proceeding,
 - If an election official has been found to have committed an error with respect to a particular person or set of circumstances, that election official must not be presumed to have committed an error with respect to any other person or set of circumstances, and
 - If election officials in one precinct, polling location, or county are found to have committed an error with respect to a particular person or set of circumstances, that error shall not be presumed to have occurred in any other precinct, polling location or county.
- 2) The amendment of section R.C. 3501.18 and the enactment of Section 6 of Am. Sub. H.B. 194 which establish and require a minimum precinct size of 500 electors for precincts located in municipal corporations and establish permissible variations from that mandate, giving the Secretary of State the authority to issue waivers from the minimum size requirement upon application and requiring precincts in municipal corporations to be rearranged and combined to comply with the minimum size requirement no later than December 31, 2011.
- 3) The amendment of R.C. 3517.01, specifically, R.C. 3517.01(B)(25), and the enactment of Section 7 of Am. H.B. 194, which respectively define corporations as "political contributing entities" similar to labor organizations and supersedes and makes void and of no further effect in the Ohio Administrative Code rules that became effective January 7, 2011 (Ohio Admin. Code §111-13-05) in response to the January 21, 2010 decision of the U.S. Supreme Court, commonly referred to as the "Citizens United" decision [*Citizens United v. Federal Election Commission*, 558 U.S. 08-205 (2010)] and that require corporations that make independent expenditures in political campaigns to identify them as such and include identifying information in advertising, report the making of such independent expenditures similar to the reporting of expenditures for ballot issues, prohibit the making of such independent expenditures if a principal of the corporation owning at least 20% of its shares is domiciled outside of the United States of America and prohibit the making of such independent expenditures if the corporation has received funds from the State of Ohio during the previous one-year period, beginning on the date that state funds or federal funds issued by the State of Ohio are awarded, when they use their funds or property to advocate the election or defeat of an identified candidate or candidates to be nominated or elected at any election.
- 4) The items in R.C. 3519.16(E) which specify that members of a petitioning committee for a statewide initiative or referendum petition must be notified of an insufficient number of valid signatures by certified mail, and specifically subjecting to referendum the items, "by certified mail," and that a petitioning committee is prohibited from the gathering of additional signatures in the event of such insufficiency until after a member of the petitioning committee receives notification by certified mail from the Secretary of State, as appears in the last paragraph of R.C. 3519.16(E).
- 5) The amendment of R.C. 3599.03, specifically R.C. 3599.03(A), which removes from the law certain limiting exceptions from the prohibition of corporations using their money or property "for or in aid of or opposition" and removes said quoted language, substituting "to make a contribution" to a political party, a candidate for election or nomination to public office, a political action committee, a legislative campaign fund or any organization that supports or opposes any such candidate, and that removes the language "or for any partisan political purpose."
- 6) The amendment of section R.C. 3505.28 which defines when a ballot is marked contrary to law and specifically provides that a ballot is marked contrary to law and does not contain a technical error for the purposes of being counted if a voter marks the ballot for a candidate and writes in the identical candidate's name when not counted at a central location using automatic tabulating equipment and is approved to be counted by three members of the board of elections.
- 7) The amendment of R.C. 3503.14, specifically R.C. 3503.14(A)(5)(b), which requires the Secretary of State to prescribe the form and content of voter registration, change of residence and change of name forms used in Ohio to require a voter's full social security number (rather than the last four digits) on the voter registration form.
- 8) The enactment of R.C. 3503.15(A)(2)(a) and (b), which specifies that state agencies shall provide any information and data to the secretary of state that the secretary of state considers necessary in order to

maintain the statewide voter registration database," which ensures the protection of confidential information from such other agencies while it is in the possession of the secretary, which prohibits the use of such information provided by other agencies from being used to update the name or address of a registered elector and which specifies that the name or address of a registered elector "shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both."

- 9) The items in R.C. 3503.20(A)(2)(a) and (c), which require for online voter registration that a voter possess an Ohio driver's license or state issued identification card and supply his or her entire social security number, by eliminating the following language from R.C. 3503.20(A)(2)(a), " , including the applicant's social security number" and from R.C. 3503.20(A)(2)(c), "using the applicant's Ohio driver's license number or the number of the applicant's Ohio identification card as proof of the applicant's identity."
- 10) The amendments of sections 3505.18, 3505.181, 3505.182 and 3505.183, all of which make the following changes to provisional and other voting procedures and requirements:
- Eliminate a provision of existing law permitting individuals without identification to execute an affirmation and have the individual's provisional ballot counted,
 - Require an individual who does not have or cannot provide identification to the election officials to vote a provisional ballot, and permits such an individual to provide identification to the board of elections not later than the close of the polls or to provide the individual's Social Security number on the provisional ballot envelope, and allows such a person's ballot to be counted if the identification is so provided or the Social Security number is verified with the Bureau of Motor Vehicles,
 - Permit instead of requires, an election official to direct a voter who is in the wrong precinct to the voter's correct precinct,
 - Specify that it is the duty of the individual casting the ballot to ensure that the individual is casting that ballot in the correct precinct,
 - Specify that, if an election official attempts to direct an individual to the correct precinct, and the individual subsequently casts a ballot in the wrong precinct, (a) that ballot shall not be counted, and (b) the ballot being cast in the wrong precinct shall not be considered to be caused by an error on the part of the election official,
 - Provide additional language in the Revised Code regarding the ability of a blind, disabled or illiterate elector to receive assistance in completing an affirmation as such and in the marking of the elector's ballot by two precinct election officials of different political parties,
 - Eliminate the provisional ballot affirmation form established in current law, and instead requires the Secretary of State to prescribe the form of the written affirmation by rule, which affirmation must be printed on the face of the provisional ballot envelope,
 - Eliminate a provision of existing law that requires election officials to record on the provisional ballot envelope the type of identification provided by a provisional voter,
 - Prohibit the election official from recording any of the information required to be provided by the provisional voter on the provisional ballot affirmation,
 - Require the election official to explain to an individual who declines to execute the affirmation that the individual's provisional ballot will not be counted,
 - Eliminate a provision of current law that requires election officials to record the name of an individual who declines to execute the affirmation and transmit that information with the provisional ballot for the purpose of ballot verification,
 - Eliminate a provision of current law that permits such an individual's provisional ballot to be counted if the election officials determine that the individual is eligible to vote,
 - Eliminate the option for an elector who does not provide identification or who does not provide documentation to resolve a polling place challenge to provide that information to the board of elections within ten days after the election,
 - Eliminate the current law requirement that election officials note on the provisional ballot affirmation whether a provisional voter is required to appear at the board of elections within ten days to provide additional information,

- Eliminate a provision of current law that prohibits election officials from determining the validity of a provisional ballot until they receive the required information from the provisional voter or ten days passes, whichever occurs first,
 - Eliminate a provision of current law that requires election officials, when considering the validity of a provisional ballot, to review additional information provided by the provisional voter within ten days after the day of the election,
 - Eliminate a provision of existing law permitting a voter registration application hearing
 - or a challenge hearing that has been postponed until after the election to be conducted during the ten days following the election, and requires the hearing to be conducted prior to the election,
 - Specify that, when determining whether a provisional ballot is valid and entitled to be counted, the board of elections must examine the affirmation executed by the provisional voter, the Statewide Voter Registration Database, and other records maintained by the board of elections.
 - Require the provisional voter to provide all of the following information on the affirmation for the provisional ballot to be eligible to be counted:
 - (a) The elector's printed name;
 - (b) The elector's signature;
 - (c) The elector's date of birth;
 - (d) The elector's Social Security number, Ohio driver's license number, or state identification card number, or an affirmative notation that the elector provided the required identification to the election officials;
 - (e) The elector's residence address;
 - (f) A statement that the individual is a registered voter in the jurisdiction in which the provisional ballot is being voted; and
 - (g) A statement that the individual is eligible to vote in the election in which the provisional ballot is being voted, and
 - Eliminate the current law requirement that an election official direct a voter who is in the wrong precinct to the voter's correct precinct.
- 11) The items in R.C. 3509.01(B)(2) and (3), which:
- Change the absentee voting period from 35 days to 21 days before the election, and specifically the language, "other than in person", and the substitution of "twenty-first" for "thirty-fifth",
 - Require absent voter's ballots to be printed and ready for use for in-person voting beginning on the 17th day before the election through 6 p.m. on the last Friday before the election, except that in-person ballots must not be available for use on Sundays (all of R.C. 3509.01(B)(3)), and
 - Specify that, on days absent voter's ballots may be cast in person, those ballots must be available Monday through Friday from 8 a.m. through 6 p.m. and Saturday from 8 a.m. to 12 p.m. (all of R.C. 3509.01(B)(3)).
- 12) The item in R.C. 3505.21(C) which references R.C. 3509.01(B)(3), specifically the language, "pursuant to division (B)(3) of the Revised Code", to be consistent with the referral of R.C. 3509.01(B)(3) for voter approval or rejection.
- 13) The items in section R.C. 3503.16 (G)(1), which permit a registered elector, on account of personal illness, physical disability, or infirmity, to vote on the day of the election if that registered elector, among other requirements, makes a written application to the appropriate board for an absent voter's ballot on or after the twenty-first (as opposed to the twenty-seventh) day prior to the election in which the registered elector wishes to vote through six p.m. of the Friday prior to that election (as opposed to noon of the Saturday prior to that election), specifically, the substitution of "twenty-first" for "twenty-seventh" and the substitution of "six p.m." for "noon" and of "Friday" for "Saturday".
- 14) The amendments of section R.C. 3509.03, specifically R.C. 3509.03(E)(2) and R.C. 3509.03(I), the items in section R.C. 3509.031(A)(5)(b) and R.C. 3509.031(B)(1)(5)(b), and the amendment of section R.C. 3509.031, specifically R.C. 3509.031(D), which:
- Require the entire Social Security number to apply for an absentee ballot,
 - Prohibit a board of elections from mailing any unsolicited applications for absent voter's ballots,
 - Permit a board of elections to mail an absent voter's ballot application only to an elector who has requested such an application, and
 - Prohibit a board of elections from prepaying the return postage on absent voter's ballot applications and specifically require absent voters to send their marked ballots to a board of

elections with the postage prepaid.

- 15) The items in the following sections which change the requirement from the last four digits of a voter's Social Security number to a voter's Social Security number for the purposes of voter identification, registration and absentee voting: R.C. 3509.04 and R.C. 3509.05, R.C. 3511.02(A)(5)(b) and (C)(6)(b), R.C. 3511.05 and R.C. 3511.09.
- 16) The items in section R.C. 3503.19(C)(1)(c) and R.C. 3503.28(A)(5) which change the requirement from the last four digits of a voter's Social Security number to a voter's Social Security number for voter identification and that eliminate the use of an affirmation for voters not having any of the required forms of identification, including a Social Security number.
- 17) The amendment of R.C. 3503.24, specifically R.C. 3503.24(D), which eliminates the opportunity for a post-election hearing upon a challenge to a voter's qualifications to vote.
- 18) The item in section R.C. 3509.07 that requires the Statement of Voter on a completed absent voter's ballot identification envelope to contain the voter's date of birth, and specifically only this language: "that the elector has not included the elector's birth date on the identification envelope statement of voter."
- 19) The amendment of section R.C. 3501.35, specifically R.C. 3501.35(D), which prohibits the line of waiting voters and persons loitering, congregating or campaigning near that line from impeding the normal flow of traffic or access to the entrance or exit of any business or organization in the vicinity.
- 20) The enactment of R.C. 3501.50, which specifies that, any action brought challenging the constitutionality, legality, or enforcement of any provision of the Ohio Constitution governing elections or the Election Law shall be deemed to have been brought against the state, and all of the following apply:
 - The General Assembly must be notified of the filing of the action;
 - The General Assembly has the right to intervene in the action;
 - The General Assembly must be notified of any proposed consent decree before the consent decree is agreed to by the court; and
 - The General Assembly has the right to intervene in the action to object to any proposed consent decree.
- 21) The enactment of Section 5 of Am. Sub. H.B. 194, which specifies that Directives 2011-01 and 2009-21 issued by the Secretary of State, which address the petition requirements of new political parties, are void and shall not be enforced or have effect on or after the effective date of sections 3517.01 and 3517.012 of the Revised Code, as amended by Am. Sub. H.B. 194.
- 22) The enactment of Section 8 of Am. Sub. H.B. 194, which specifies the intent of the General Assembly that the provisions of H.B. 159 of the 129th General Assembly, if enacted, prevail over any conflicting provisions of Am. Sub. H.B. 194 for the purpose of determining the types of identification that is acceptable for voting under Title XXXV of the Revised Code.

CERTIFICATION OF THE ATTORNEY GENERAL

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon me under Section 3519.01(B)(3) of the Ohio Revised Code, I hereby certify that I have received a copy of the petition, measure and summary, have examined the summary and in my opinion find it is a fair and truthful statement of the measure to be referred, being a proposed referendum concerning the legislation known as Am. Sub. H.B. 194 of the 129th General Assembly.

Pending, and if certified, by MIKE DEWINE
Ohio Attorney General
July XX, 2011

COMMITTEE TO REPRESENT THE PETITIONERS

Eric H. Kearney
3 Lenox Lane
Cincinnati, Ohio
45229

Jennifer L. Brunner
200 E. Gay Street
Columbus, Ohio
43215

Jose C. Feliciano
46 Wolfpen
Chagrin Falls, Ohio
44022

WilliAnn Moore
371 Pinewood
Avenue
Toledo, Ohio 43604

Leo J. Pierson
1522 Pullan Avenue
Cincinnati, Ohio
45223

electors received no less than twenty per cent of the total vote cast for such office at the most recent regular state election.

(2) "Intermediate political party" means any political party organized under the laws of this state whose candidate for governor or nominee for presidential electors received less than twenty per cent but not less than ten per cent of the total vote cast for such office at the most recent regular state election.

(3) "Minor political party" means any political party organized under the laws of this state whose candidate for governor or nominee for presidential electors received less than ten per cent but not less than five per cent of the total vote cast for such office at the most recent regular state election or which has filed with the secretary of state, subsequent to a general election in which it received less than five per cent of the total vote, a petition signed by qualified electors equal in number to at least one per cent of the total vote cast for such office in the last preceding regular state election, except that a newly formed political party shall be known as a minor political party until the time of the first election for governor or president which occurs not less than one month subsequent to the formation of such party, after which election the number of total party shall be determined by the vote for the office of governor or president.

(4) "Dominant party in a precinct" or "dominant political party in a precinct" means that political party whose candidate for election to the office of governor at the most recent regular state election at which a governor was elected received more than any other person received for election to that office in such precinct at such election.

(5) "Candidate" means any qualified person certified in accordance with the provisions of the Revised Code for election to an official ballot of a primary, general, or special election to be held in this state, or any qualified person who claims to be a write-in candidate by whom a primary, general, or special election to be held in this state.

(6) "Independent candidate" means any candidate whose name has been certified to be affiliated with a political party, and whose name has been certified to be on the office-type ballot at a general or special election through the filing of a statement of candidacy and nominating petition, as prescribed in section 3513.257 of the Revised Code.

(7) "Nominating candidate" means any candidate whose name is required, pursuant to section 3505.04 of the Revised Code, to be listed on the nominating ballot, including all candidates for judicial office, for member of any board of education, for municipal or township officers in

(3) It shows a photograph of the individual to whom it was issued.

(4) It includes the date and an expiration date that has been passed.

(5) It was issued by the government of the United States of this state.

(6) The secretary of state shall do all of the following:

(A) Appoint all members of boards of elections;

(B) Issue instructions by revised code to members of the boards as to the proper methods of conducting elections;

(C) Prepare rules and instructions for the conduct of elections;

(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;

(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;

(F) Prepare the form of registration cards, blanks, and forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;

(G) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;

(H) Except as otherwise provided in sections 3519.08 of the Revised Code, except to the several boards the forms of ballots and names of candidates for state officers, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;

(I) Except as otherwise provided in division (I)(2)(b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;

(J) Receive all initiative and referendum petitions on state questions and issues, and determine and certify to the sufficiency of those petitions;

(K) Receive such reports from the several boards as are provided by law, or as the secretary of state considers necessary;

(L) Compile the observance by election officers in the several counties of the requirements of the election laws;

(M) Except as otherwise provided in division (N)(2) of this section, investigate the administration of election laws, funds, and irregularities in elections in any county, and report violations of election laws to the attorney general or prosecuting attorney, or both, for prosecution;

which primary elections are not held for nominating candidates by political parties, and for officers of municipal corporations having charters that provide for primary elections for these offices.

(K) "Party candidate" means any candidate who claims to be a member of a political party, whose name has been certified on the office-type ballot at a general or special election through the filing of a declaration of candidacy and petition of candidate, and who has won the primary election of the candidate's party for the public office the candidate seeks or is selected by party committee in accordance with section 3513.31 of the Revised Code.

(L) "Officer of a political party" includes, but is not limited to, any member, elected or appointed, of a controlling committee, whether representing the territory of the state, a district therein, a county, township, a city, a ward, a precinct, or other territory, of a major, intermediate, or minor political party.

(M) "Question or issue" means any question or issue certified in accordance with the Revised Code for placement on an official ballot at a general or special election to be held in this state.

(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.

(O) "Voter" means an elector who votes at an election.

(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.

(Q) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence may vote at the same polling place.

(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.

(S) "Board" means the board of elections appointed in a county pursuant to section 501.06 of the Revised Code.

(T) "Political subdivision" means a county, township, city, village, or school district.

(U) "Election officer" or "election official" means any of the following:

(1) Secretary of state;

(2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administration, office manager, or clerical supervisor;

(3) Director of a board of elections;

(4) Deputy director of a board of elections;

(5) Member of a board of elections;

(2) On and after August 24, 1995, report a failure to comply with or a violation of a provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code, whenever the secretary of state has or should have knowledge of a failure to comply with or a violation of a provision in one of those sections, by filing a report with the Ohio elections commissioner under section 3517.153 of the Revised Code;

(3) Make an annual report to the governor containing the results of elections in the several political subdivisions, and other information and recommendations relative to elections the secretary of state considers desirable;

(4) Prescribe and distribute to boards of elections a list of instructions indicating all legal steps necessary to petition successfully for local option elections under sections 4301.32 to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code;

(5) Adopt rules pursuant to Chapter 119, of the Revised Code for the removal of ineligible voters from the statewide voter registration database and, if applicable, from the poll list or signature voter pollbook used in each precinct, which rules shall provide for all of the following:

(1) A process for the removal of voters who have changed residence, which shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 and the National Voter Registration Act of 1993, including a program that uses the national change of address service provided by the United States postal system through its licenses;

(2) A process for the removal of ineligible voters under section 3503.21 of the Revised Code;

(3) A uniform system for marking or removing the name of a voter who is ineligible to vote from the statewide voter registration database and, if applicable, from the poll list or signature pollbook used in each precinct and noting the reason for that mark or removal;

(4) The secretary of state to notify the applicable board of elections of each elector that the secretary of state has removed from the database registration information, such as name and residing address, by board of elections, designated agencies, offices of deputy registrars of motor vehicles, public high schools and vocational schools, public libraries, and offices of county treasurers consistent with the requirements of section 3503.09 of the Revised Code;

(6) Employees of a board of elections;

(7) Precinct petitioning-places election officials;

(8) Precincts appointed by the boards of elections on a temporary or part-time basis;

(9) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application, the information necessary to complete or preclude the application, if any; and if the application is complete, the precinct in which the applicant is to vote.

(10) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current address.

(11) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters or any other public or government office or agency that implementing a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health, the department of developmental disabilities, the rehabilitation services commission, and any other agency the secretary of state designates. "Designated agency" does not include public high schools or vocational schools, public libraries, or the office of a county treasurer.

(12) "National Voter Registration Act of 1993" means the "National Voter Registration Act of 1993," 109 Stat. 71, 42 U.S.C.A. 1973gg.

(13) "Voting Rights Act of 1965" means the "Voting Rights Act of 1965," 79 Stat. 437, 42 U.S.C. 1973, as amended.

(14) "Photo identification" means a document that meets each of the following requirements:

(1) It shows the name of the individual to whom it was issued, which shall conform to the name in the poll list or signature pollbook, if it was issued, which shall conform to the address in the poll list or signature pollbook, except for a driver's license or a state identification card issued under section 4507.50 of the Revised Code, which may show either the current or former address of the individual to whom it was issued, regardless of whether that

(5) Prescribe a program of distribution of voter registration forms through boards of elections, designated agencies, offices of the registrar and deputy registrars of motor vehicles, public libraries, and vocational schools, public libraries, and offices of county treasurers;

(6) To the extent feasible, provide copies, at no cost and upon request, of the voter registration form in post offices in this state;

(7) Adopt rules pursuant to section 111.15 of the Revised Code for the purpose of implementing the program for registering voters through boards of elections, designated agencies, and the offices of the registrar and deputy registrars of motor vehicles consistent with that chapter;

(8) Establish the full-time position of Americas with Disabilities Act coordinator within the office of the secretary of state to do all of the following:

(1) Assist the secretary of state with ensuring that there is equal access to polling places for persons with disabilities;

(2) Assist the secretary of state with ensuring that each voter may cast the voter's ballot in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters;

(3) Advise the secretary of state in the development of standards for the certification of voting machines, marking devices, and automatic tabulating equipment;

(4) Establish and maintain a computerized statewide database of all legally-eligible voters under section 3503.15 of the Revised Code that comply with the requirements of the "Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1686, and provide training in the operation of that system;

(5) Ensure that all directives, advisories, other instructions, or decisions issued or made during or as a result of any conference or teleconference call by a board of elections to discuss the proper methods and procedures for conducting elections, to answer questions regarding instructions, or to discuss the integrity of state or federal elections, or other instructions issued by the secretary of state as it prescribes after the completion of the conference or teleconference call, but not later than the close of business on the same day as the conference or teleconference call takes place.

(6) Publish a report on a web site of the office of the secretary of state no later than one month after the completion of the canvass of the election returns for each primary and general election, identifying, by county, the number of absent voter's ballots cast and the number of those ballots that were counted, and the number of provisional ballots cast and the number of

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(E) Count the voted ballots. If the number of voted ballots exceeds the number of voters whose names appear upon the poll books, the presiding judge, county auditor, and clerk shall cause the poll books, an explanation of any discrepancy, and that explanation, if agreed on, shall be submitted to the judges presiding at the election. Any judge presiding at the election having a different explanation shall cause it to be printed and distributed to the judges.

(F) Put the unused ballots with stubs attached, and rolled and defaced ballots with stubs attached, in the envelopes or containers provided herefor, and certify the number.

The receiving officials shall deliver to and place in the custody of the counting officials all the supplies provided for the conduct of that election and the ballots that are to be counted and tallied, and take a receipt for the same, which receipt shall appear as a part of the poll books of each precinct. Having performed their duties, the receiving officials shall immediately depart.

Having received for the ballots, the counting officials shall proceed to count and tally the vote as cast in the manner prescribed by section 3503.27 of the Revised Code and certify the result of the election to the board of elections.

Sec. 3501.27 (A) All judges of precinct election officials shall complete a program of instruction pursuant to division (B) of this section. No person who has been convicted of a felony or any violation of the election laws, who is unable to read and write the English language readily, or who is a candidate for an office to be voted for by the voters of the precinct in which the person is to serve shall serve as an election officer. A person who is appointed as an election officer shall receive from the board of elections a certificate of appointment that may be revoked at any time by the board for good and sufficient reasons. The certificate shall be in the form the board prescribes and shall specify the precinct, ward, or district in and for which the person to whom it is issued is appointed to serve, the date of appointment, and the expiration of the person's term of service.

(B)(1) Each board shall establish a program as prescribed by the secretary of state for the instruction of election officers in the rules, procedures, and law relating to elections. In each program, the board shall use training materials prepared by the secretary of state and may use additional materials prepared by or on behalf of the board. The board may use the services of unpaid volunteers in conducting its program and may reimburse those volunteers for necessary and actual expenses incurred in participating in the program.

precinct election officials for their services during a calendar year that is greater than the applicable percentage limitation described in division (E)(3)(D)(b) or (c) of this section.

(F)(2) No judge-of-precinct election official who works less than the full election day shall be paid the maximum amount allowed under this section or the maximum amount as set by the board of elections, whichever is less.

(G)(1) Except as otherwise provided in divisions (E)(4) to (6) of this section, any employee of the state or of any political subdivision of the state may serve as a judge-of-precinct election official on the day of an election without loss of the employee's regular compensation for that day as follows:

(a) For employees of a county office, department, commission, board, or other entity, or of a court of common pleas, county court, or county-operated municipal court, as defined in section 1901.03 of the Revised Code, the employee's appointing authority may permit leave with pay for this service in accordance with a resolution setting forth the terms and conditions for that leave passed by the board of county commissioners.

(b) For all other employees of a political subdivision of the state, leave with pay for this service shall be subject to the terms and conditions set forth in an ordinance or a resolution passed by the legislative authority of the applicable political subdivision.

(c) For state employees, leave with pay for this service shall be subject to the terms and conditions set forth by the board of the state agency, as defined in section 1.60 of the Revised Code, by which the person is employed.

(2) Any terms and conditions set forth by a board of county commissioners, legislative authority of a political subdivision, or head of a state agency under division (E)(1) of this section shall include a standard procedure for deciding which employees are permitted to receive leave with pay. If multiple employees of an entity or court described in division (E)(1)(a) of this section, or of a state agency, as defined in section 1.60 of the Revised Code apply to serve as a judge-of-precinct election official on the day of an election, this procedure shall be applied uniformly to all similarly situated employees.

(4)(E)(1) of this section shall receive, in addition to the employee's regular compensation, the compensation paid to the judge-of-precinct election official under division (B) of section 3503.27 of this section.

The subject to division (B)(2) of this section, the board shall train each new election officer before the new officer participates in the first election in that capacity. The board shall ensure election officials who have been trained previously only with the board of elections of state considers that providing judges with additional training, at least once in every three years and shall reimburse judges within location managers before the primary election in providing judges within location managers before the program of instruction within sixty days prior to the election in which the officials to be trained will participate.

(2) In addition to the training required under division (B)(1) of this section, the secretary of state may require additional training for election officials on a continuing basis in order to enhance election administration.

(C) The duties of a judge-of-precinct election official in each polling place shall be performed only by the person who has successfully completed the requirements of the program, unless such an individual is unavailable after reasonable efforts to obtain such service.

(D) The secretary of state shall establish a program for the instruction of members of boards of elections and employees of boards in the rules, procedures, and law relating to elections. Each member and employee shall complete the training program within six months after the membership or employee's original appointment or employment, and thereafter each member and employee shall complete a training program to update their knowledge once every four years or more often as determined by the secretary of state.

(E) The secretary of state shall reimburse each county for the cost of programs established pursuant to division (B) of this section, once the secretary of state has received an itemized statement of expenses for such instruction programs from the county. The itemized statement shall be in a form prescribed by the secretary of state.

Sec. 3501.28 (A) As used in this section:

(1) "Fair Labor Standards Act" or "Act" means the "Fair Labor Standards Act of 1938," 52 Stat. 1062, 29 U.S.C.A. 201, as amended.

(2) "Full election day" means the period of time between the opening of the polls and the completion of the procedures contained in section 3501.26 of the Revised Code.

(3) "Services" means services at each general, primary, or special election.

(B) Beginning with calendar year 1996, each judge-of-precinct election official shall be paid for the full day of the election, whether or not the judge-of-precinct election official is actually present for the full day of the election.

(C) The board of elections may, at its discretion, provide for the payment of a stipend to a judge-of-precinct election official who is unable to perform the duties of a judge-of-precinct election official for a period of time between the opening of the polls and the completion of the procedures contained in section 3501.26 of the Revised Code.

(4) Division (E)(1) of this section does not apply to either of the following:

(a) Election officials.

(b) Public school teachers.

(c) Nothing in division (E)(1) of this section supersedes or negates any provision of a collective bargaining agreement in effect under Chapter 4117 of the Revised Code.

(6) If a board of county commissioners, legislative authority of a political subdivision, or head of a state agency fails to set forth any terms and conditions under division (E)(1)(a) of this section, an employee of or of a political subdivision described in division (E)(1)(b) of this section, or of a state agency as defined in section 1.60 of the Revised Code may use personal leave, vacation leave, or compensatory time, or take unpaid leave to serve as a judge-of-precinct election official on the day of an election.

(B)(2) The board of elections may withhold the compensation of any precinct election official for failure to obey the instructions of the board or to comply with the law relating to the duties of such a precinct judge of election official. Any payment to a judge-of-precinct election official is entitled to receive under section 3501.36 of the Revised Code in addition to the compensation the judge official is entitled to receive under this section.

Sec. 3501.29 (A) The board of elections shall provide for each precinct a polling place and provide adequate facilities at each polling place for conducting the election. The board shall provide a sufficient number of screened or curtained voting compartments to which electors may retire and conveniently mark their ballots, protected from the observation of others. Each voting compartment shall be provided at all times with writing implements, instructions how to vote, and other necessary conveniences for marking the ballot. The presiding judge voting location manager shall ensure that the voting compartments at all times are adequately lighted and contain the necessary supplies. The board shall utilize, in so far as practicable, rooms in public schools and other public buildings for polling places. Upon application of the board of elections, the authority which has the control of any building or grounds supported by taxation under the laws of this state, shall make available the necessary space therein for the purpose of holding elections and adequate space for the storage of voting machines, without charge for the use thereof. A reasonable sum may be paid for necessary janitorial service. When polling places are established in private

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shall be not less than the minimum hourly rate established by the Fair Labor Standards Act and not more than eighty-five dollars per diem.

(E) Beginning with calendar year 2004, each judge-of-precinct election official in a county shall be paid for the judge's official's services at the same hourly rate, which shall be not less than the minimum hourly rate established by the Fair Labor Standards Act and not more than ninety-five dollars per diem.

(F)(3)(C) The secretary of state shall establish, by rule adopted under section 111.15 of the Revised Code, the maximum amount of per diem compensation that may be paid to judge-of-precinct election officials under this section each time the Fair Labor Standards Act is amended to increase the minimum hourly rate established by the act. Upon learning of such an increase, the secretary of state shall determine by what percentage the maximum hourly rate has been increased under the act and establish a new maximum amount of per diem compensation that judge-of-precinct election officials may be paid under this section that is increased by the same percentage that the minimum hourly rate has been increased under the act.

(F)(3)(D)(4) No board of elections shall increase the pay of a judge-of-precinct election official under this section during a calendar year unless the board has given written notice of the proposed increase to the board of county commissioners not later than the first day of October of the preceding calendar year.

(5) Except as otherwise provided in division (E)(3)(D)(2) of this section, a board of elections may increase the pay of a judge-of-precinct election official during a calendar year by up to, but not exceeding, four and one-half percent over the compensation paid to a judge-of-precinct election official in the county where the board is located during the previous calendar year, if the compensation so paid during the previous calendar year was more than eighty-five but less than ninety-five dollars per diem.

(6) Except as otherwise provided in division (E)(3)(D)(2) of this section, a board of elections may increase the pay of a judge-of-precinct election official during a calendar year by up to, but not exceeding, four and one-half percent over the compensation paid to a judge-of-precinct election official in the county where the board is located during the previous calendar year, if the compensation so paid during the previous calendar year was more than eighty-five but less than ninety-five dollars per diem.

(2) The board of county commissioners may review and comment upon a proposed increase and may enter into a written agreement with a board of elections to prorate an increase in the compensation paid to judge-of-precinct election officials.

(B)(1) Except as otherwise provided in this section, the board shall ensure all of the following:

(a) That polling places are free of barriers that would impede ingress and egress of handicapped persons.

(b) That the minimum number of special parking spaces, also known as handicapped parking spaces or disability parking spaces, for handicapped persons are designated at each polling place in accordance with 28 C.F.R. Part 36, Appendix A, and in compliance with division (E) of section 4511.69 of the Revised Code.

(c) That the entrances of polling places are level or are provided with a nonslip ramp of one-eighth-inch per foot that meets the requirements of the "Americans with Disabilities Act of 1990," 104 Stat. 327, 42 U.S.C. 12101.

(2) That doors are a minimum of thirty-two inches wide.

(3) Notwithstanding division (B)(1)(a), (c), or (d) of this section, certain polling places may be specifically exempted by the secretary of state upon certification by a board of elections that a good faith, but unsuccessful, effort has been made to modify, or change the location of, such polling places.

(C) A polling place that is has been exempted from compliance by the secretary of state under division (B)(2) of this section, the board of elections shall permit any handicapped elector who travels to that election polling place, but who is unable to enter the polling place due to the inaccessibility of the polling place, to vote, with the assistance of two polling place officials of major political parties, in the vehicle that conveyed that elector to the polling place, or to receive and cast that elector's ballot at the door of the polling place.

(D) The secretary of state shall:

(1) Work with other state agencies to facilitate the distribution of information and technical assistance to boards of elections to meet the

buildings, the board may pay a reasonable rental therefor, and also the cost of liability insurance covering the premises when used for election purposes, or the board may purchase a single liability policy covering the board and removable buildings are supplied by the board, they and the board shall observe all ordinances and regulations from streets and other public places within thirty days after an election, unless another election is to be held within ninety days.

(B)(1) Except as otherwise provided in this section, the board shall ensure all of the following:

(a) That polling places are free of barriers that would impede ingress and egress of handicapped persons.

(b) That the minimum number of special parking spaces, also known as handicapped parking spaces or disability parking spaces, for handicapped persons are designated at each polling place in accordance with 28 C.F.R. Part 36, Appendix A, and in compliance with division (E) of section 4511.69 of the Revised Code.

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circulator's 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. On the circulator's statement for a declaration of candidacy or nominating petition for a person seeking to become a statewide candidate or for a statewide initiative or a statewide referendum petition, the circulator shall identify the circulator's name, the address of the circulator's permanent residence, and the name and address of the person employing the circulator to circulate the petition, if any.

(2) As used in division (B) of this section, "retroactive candidate" means the candidate for the office of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, or attorney general.

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

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

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

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

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

(B) No petition presented to or filed with the secretary of state, a board of elections, or any other public office for the purpose of the holding of an election or any question or issue may be resubmitted after it is withdrawn from a public office. Nothing in this division prevents a question or issue petition from being withdrawn by the filing of a written notice of the withdrawal by a majority of the members of the petitioning committee with the public office with which the petition was filed prior to the sixth day before the election in which the question or issue is scheduled to appear.

registering to vote.

Sec. 3503.03. The secretary of state shall establish by rule a uniform process for notifying individuals who have submitted an incomplete voter registration, application of the incomplete status of their application. The process shall include such an individual to provide any information required to complete the application.

Sec. 3503.06. (4) No person shall be entitled to vote at any election, or to sign or otherwise file any declaration of candidacy or any nominating or election petition, unless the person is registered as an elector and will have thirty days at the time of the next election.

(B)(1) No person shall be entitled to circulate any initiative or referendum petition unless the person is a resident of this state.

(2) All elections, including in determining the residence of a person circulating a petition under division (B)(1) of this section, shall be governed by the following rules:

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

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

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

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

(e) Except as otherwise provided in division (B)(2)(b) of this section, if a person removes from this state and continuously resides outside this state for a period of two years or more, the person shall be considered to have lost the person's residence in this state, notwithstanding the fact that the person may intend an intention to return at some future period.

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

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(1) All declarations of candidacy, nominating petitions, or other petitions under this section shall be accompanied by the following statements in boldface capital letters: WHOSEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF FELONY OF THE FIFTH DEGREE.

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

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

~~Sec. 3503.06. In any administrative review of, or legal proceeding regarding, the actions of any election official under Title XXXV of the Revised Code, all of the following shall apply:~~

~~(A) No election official shall be presumed to have committed any error in the course of the election official's duties, unless that error shall be independently proven by the facts of the administrative review or legal proceeding.~~

~~(B) If an election official has been found to have committed an error with respect to a particular person or set of circumstances, that election official shall not be presumed to have committed an error with respect to any other person or set of circumstances.~~

~~(C) If election officials in any precinct, polling location, or county are found to have committed an error with respect to a particular person or set of circumstances, that error shall not be presumed to have occurred in any other precinct, polling location, or county.~~

~~(D) Any action brought challenging the constitutionality, validity, or enforcement of any provision of the Ohio Constitution that concerns the election process or any provision of Title XXXV of the Revised Code shall be deemed to have been brought against the state, and all of the following shall apply:~~

~~(1) The general assembly shall be notified of the filing of the action.~~

~~(2) The general assembly shall be notified of any proposed consent decree or action the consent decree is agreed to by the court.~~

~~(3) The general assembly has the right to intervene in the action to~~

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(f) If a person goes into another state and while there exercises the right of an elector by voting, the person shall be considered to have lost the person's residence in this state.

(g) The person shall be considered to have gained a residence in any county of this state if the person enters for temporary purposes only, without the intention of making that county the permanent place of abode.

Sec. 3503.14. (A) The secretary of state shall prepare the form and content of the registration, change of residence, and change of the National Voter Registration Act of 1993 and shall include spaces for all of the following:

(1) The voter's name;

(2) The voter's address;

(3) The current date;

(4) The voter's date of birth;

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

(a) The voter's driver's license number or state identification, said number, if any;

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

(c) A copy of a current and valid photo identification, a copy of a military identification, a copy of a United States passport, or a copy of a national utility bill, bank statement, government check, paycheck, or other government document, other than evidence of an election mailed by a board of elections under section 3504.19 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 address.

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~~Sec. 3503.06. In any administrative review of, or legal proceeding regarding, the actions of any election official under Title XXXV of the Revised Code, all of the following shall apply:~~

~~(A) No election official shall be presumed to have committed any error in the course of the election official's duties, unless that error shall be independently proven by the facts of the administrative review or legal proceeding.~~

~~(B) If an election official has been found to have committed an error with respect to a particular person or set of circumstances, that election official shall not be presumed to have committed an error with respect to any other person or set of circumstances.~~

~~(C) If election officials in any precinct, polling location, or county are found to have committed an error with respect to a particular person or set of circumstances, that error shall not be presumed to have occurred in any other precinct, polling location, or county.~~

~~(D) Any action brought challenging the constitutionality, validity, or enforcement of any provision of the Ohio Constitution that concerns the election process or any provision of Title XXXV of the Revised Code shall be deemed to have been brought against the state, and all of the following shall apply:~~

~~(1) The general assembly shall be notified of the filing of the action.~~

~~(2) The general assembly shall be notified of any proposed consent decree or action the consent decree is agreed to by the court.~~

~~(3) The general assembly has the right to intervene in the action to~~

~~the ballot.~~

~~(1) All declarations of candidacy, nominating petitions, or other petitions under this section shall be accompanied by the following statements in boldface capital letters: WHOSEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF FELONY OF THE FIFTH DEGREE.~~

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

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

~~Sec. 3503.06. In any administrative review of, or legal proceeding regarding, the actions of any election official under Title XXXV of the Revised Code, all of the following shall apply:~~

~~(A) No election official shall be presumed to have committed any error in the course of the election official's duties, unless that error shall be independently proven by the facts of the administrative review or legal proceeding.~~

~~(B) If an election official has been found to have committed an error with respect to a particular person or set of circumstances, that election official shall not be presumed to have committed an error with respect to any other person or set of circumstances.~~

~~(C) If election officials in any precinct, polling location, or county are found to have committed an error with respect to a particular person or set of circumstances, that error shall not be presumed to have occurred in any other precinct, polling location, or county.~~

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~~(1) The general assembly shall be notified of the filing of the action.~~

~~(2) The general assembly shall be notified of any proposed consent decree or action the consent decree is agreed to by the court.~~

~~(3) The general assembly has the right to intervene in the action to~~

the Revised Code.

(B) None of the following persons who are registering an applicant in person's name, provide the person's address, or mark the employer who is employing the person to register an applicant on a form prepared under this section:

(1) An election official;

(2) A county treasurer;

(3) A deputy registrar of motor vehicles;

(4) An employee of a designated agency;

(5) An employee of a public high school;

(6) An employee of a public vocational school;

(7) An employee of a public library;

(8) An employee of the office of county treasurer;

(9) An employee of the bureau of motor vehicles;

(10) An employee of a deputy registrar of motor vehicles;

(11) An employee of an election official.

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

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

(E) A voter registration application submitted online through the internet pursuant to section 3503.20 of the Revised Code is not required to contain a signature to be considered valid. The signature obtained under division (B) of that section shall be considered the applicant's signature for all election and signature-matching purposes.

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

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bank statement, government check, paycheck, or other government document, other than a notice of an election or a voter registration notification sent by a board of elections, that shows the voter's name and current address. Voters who do not provide one of these documents will still be able to vote by providing a ~~document~~ ~~document~~ of the voter's social security number and by casting a provisional ballot. ~~Votees who do not provide one of these documents will still be able to vote by providing a document of the voter's social security number and by casting a provisional ballot.~~

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

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

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

(3) A board of elections shall not be required to distribute a copy of a brochure under division (C) of this section to any of the following officials or employees who are requesting more than two voter registration forms at one time in the course of an official or employee normal election:

- (a) A county treasurer;
- (b) A deputy registrar of motor vehicles;
- (c) A deputy registrar of a designated agency;
- (d) An employee of a public high school;
- (e) An employee of a public vocational school;
- (f) An employee of a public library;
- (g) An employee of the board of trustees of a county treasurer;
- (h) An employee of the board of trustees of a treasurer;
- (i) An employee of a designated agency of motor vehicles;
- (j) An employee of a county treasurer;
- (k) An employee of a deputy registrar of motor vehicles;

(B)(C) As used in this section, "requesting voters" includes any effort, for compensation, to provide voter registration forms or to assist persons in

ballots for the candidates, question, or issue.

(B) If the secretary of state, in the secretary of state's sole discretion, determines that it is impracticable to place the names of candidates for any office or the wording for any question or issue to be voted upon on the ballot when the candidate, question, issue, or wording for the question or issue was ordered on the ballot by a court of competent jurisdiction and the ballots have been printed prior to the court order, the board of elections, at the direction of the secretary of state, shall provide separate ballots for the candidates, question, or issue.

(C) All separate ballots provided for in this section shall conform in quality of paper, type of printing, form of ballot, arrangement of names, and in all other ways, in so far as practicable, with the provisions relating to the printing of the general official ballot, ~~separate ballot~~ ~~separate ballot~~ provided for in division (A) of this section.

Sec. 3305.06 (A) Ballots shall be provided by the board of elections for all general and special elections. The ballots shall be printed with black ink on No. 2 white bond paper fifty pounds in weight per ream assuming such thirty-eight inches in size. Each ballot shall have attached at the top two lengths, each of the width of the ballot not less than one-half inch in length, except that, if the board of elections has an alternate method to account for the ballots that the secretary of state has authorized, each ballot may have only one stub that shall be the width of the ballot and not less than one-half inch in length. In the case of ballots with two stubs, the stubs shall be separated from the ballot and from each other by parallel lines. The top stub shall be known as Stub B and shall have printed on its face "Stub B." The other stub shall be known as Stub A and shall have printed on its face "Stub A." Each stub shall also have printed on its face "Consecutive Number"

The number of each kind of ballot provided for use in each precinct shall be numbered consecutively beginning with number 1. By printing such number upon both of the stubs attached to the ballot. On ballots bearing the names of candidates, each candidate's name shall be printed in twelve point boldface upper case type in an enclosed rectangular space, and an enclosed blank rectangular space shall be provided at the left of the candidate's name. The name of the political party of a candidate nominated at a primary election or certified by a party committee shall be printed in ten point lightface upper and lower case type and shall be separated by a two point blank space. The name of each candidate shall be indicated on a space within the enclosed rectangular space, and the name of the political party shall be

completing or returning those forms.

Sec. 3304.01. A former elector of this state is eligible to vote in a presidential ballot in the presidential general election held in this state in person or by mail if the former elector meets all of the following conditions:

(A) The former elector moved out of this state not more than thirty days before the day of the presidential general election.

(B) The former elector has not resided in the elector's new state of residence, long enough to be eligible to vote in the presidential general election.

(C) The former elector was registered to vote in this state at the time the former elector moved to a resident of this state, and

(D) The former elector would be eligible to vote in this state if the former elector was a resident of this state.

Sec. 3304.02. Any elector of this state who desires to vote in a presidential general election under this chapter shall submit a completed certificate of intent to vote for presidential and vice-presidential electors not later than four p.m. of the day of the day of the presidential election. The certificate of intent to vote for presidential and vice-presidential electors shall be completed in person or by mail in the office of the board of elections of the county in which such person last resided before removal from this state, or mailed to such board of elections.

Immediately following the spaces on the certificate for inserting information as requested by the secretary of state, the following statement shall be printed: "I declare under penalty of election falsification that the statements between canonical brackets are true to the best of my knowledge and belief; that I am legally qualified to vote; that I am not registered eligible to vote in the presidential general election in any other state; and that I have not voted in an election in any other state since removing myself from the name of Ohio.

Date

Signature of applicant

WHEREAS, CONSTITUTIONAL ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

The former elector shall submit with the certificate of intent to vote for presidential and vice-presidential electors a properly completed and

indented two spaces within the enclosed rectangular space.

The title of each office on the ballots shall be printed in twelve point boldface upper and lower case type in a separate enclosed rectangular space. A four point rule shall separate the name of a candidate or a group of candidates for the same office from the title of the office next appearing below on the ballot. A two point rule shall separate the title of the office from the names of candidates; and a one point rule shall separate names of candidates. Headings shall be printed in display Roman type. When the names of several candidates are grouped together as candidates for the same office, there shall be printed on the ballot immediately below the title of the office and within the separate rectangular space in which the title is printed "one for not more than" in six point boldface upper and lower case filling the blank space with that number which will indicate the number of persons who may be lawfully elected to the office.

Names on ballots shall be separated from each other by a heavy vertical border or solid line at least one-eighth of an inch wide, and a similar vertical border or line shall enclose the top and right side of ballots. Ballots shall be prepared and printed on the same kind of paper and shall be printed uniformly.

The ballot provided for by this section shall be comprised of four kinds of ballots designed as follows: (A) type ballot; (B) nonpartisan ballot; (C) type ballot; (D) type ballot.

On the back of each office type ballot shall be printed "Official Office Ballot" or "Official Nonpartisan Ballot" on the back of each question, and on the back of each presidential ballot shall be printed "Official Presidential Ballot" or "Official Nonpartisan Ballot" on the back of the ballot. On the back of the ballot of the county in which the ballot is used and the precinct signatures of the members of the board of the county in which the ballot is used. For the purpose of identifying the kind of ballot, the back of every ballot may be numbered in the order the board shall determine. The name of the county shall be printed in not less than ten point type above the words "Official Office Ballot" or "Official Nonpartisan Ballot" as the case may be. Ballots and issues ballot, box bearing corresponding numbers shall be furnished for each precinct in which the above-described numbered ballots are used.

On the back of every ballot used, there shall be a solid black ink printed opposite the blank rectangular space that is used to mark the choice of the voter. This line shall be printed wide enough so that the mark in the blank rectangular space will not be visible from the back side of the ballot.

signed Ohio voter registration cancellation request on a form prescribed by the secretary of state.

Sec. 3304.04. On or before the day of a presidential general election day, the director of the board of elections shall deliver to the polling place a list of persons who have filed certificates of intent to vote as former resident voters and who appear, from their voting address, entitled to vote at such polling place. Those persons whose names appear on the list of former resident voters, and who have otherwise complied with sections 3304.01 to 3304.06 of the Revised Code, shall then be entitled to vote for presidential and vice-presidential electors only at their polling place on election day or vice-president voter's ballot. Such voter who votes at that voter's polling place on election day shall sign that voter's name in the poll book or poll list followed by, "Former Resident's Presidential Ballot." Qualified former resident voters shall be entitled to cast absent voters' ballots for presidential and vice-presidential electors.

Sec. 3304.05. The director of the board of elections shall forward certified copies of the certificates electronically transmit any certificate of intent received from a former resident elector to the secretary of state not later than the twenty-fourth day prior to the day of the election in which such former resident elector to vote within one business day. Upon receipt of such certificate, the secretary of state shall immediately notify the chief elections officer of the state of each applicant's prior residence of the fact that such applicant has declared the applicant's intention to vote for presidential and vice-presidential electors in this state.

Sec. 3305.03. A law takes effect on the seventh day before the day of an election at which a question or issue, other than a statewide question or issue, is certified to appear on the ballot. The judicial subdivision, listing candidates or other entries that appeared on the ballot may remove that name from the ballot using the same process that the entry used to originally appear on the ballot.

Upon receipt of a notification that a question or issue has been withdrawn, the board of elections shall remove that question or issue from the ballot.

Sec. 3305.07 (A) If the board of elections, by a unanimous vote of its members, or if the secretary of state, in the secretary of state's sole discretion, finds it impracticable to place the names of candidates for any office of a minor political subdivision in the names of the wording of any question or issue to be voted upon in the physical subdivision in which the ballots under sections 3305.01 to 3305.09 of the Revised Code, then such board may, or at the direction of the secretary of state shall, provide separate

Sample ballots may be printed by the board of elections for all general elections. The ballots shall be printed on colored paper, and "Sample Ballot" shall be plainly printed in boldface type on the face of each ballot. In counties of less than one hundred thousand population, the board may print not more than five hundred sample ballots. In all other counties, it may print not more than one thousand sample ballots. The sample ballot shall not be distributed by a political party or a candidate, nor shall a political party or candidate cause their title or name to be imprinted on sample ballots.

(B) Notwithstanding division (A) of this section, in approving the form of an official ballot, the secretary of state may authorize the use of four, type face settings, and ballot format other than those prescribed in that division.

Sec. 3305.11. (A) The ballots, with the stubs attached, shall be bound into books for each precinct, which labels shall contain at least one per cent more ballots than the actual registration in the precinct, except as otherwise provided in division (B) of this section. Upon the covers of the ballots shall be written, printed, or stamped the designation of the precinct for which the ballots have been prepared. All official ballots shall be printed uniformly upon the same kind and quality of paper and shall be of the same shape, size, and type.

Electors who have failed to respond within thirty days to any confirmation notice shall not be counted in determining the number of ballots to be printed under this section.

(B)(1) A board of elections may choose to provide ballots on demand. If a board so chooses, the board shall have prepared for each precinct at least five per cent more ballots for an election than the number specified below for that kind of election.

(a) For a primary election or a special election held on the day of a primary election, the total number of electors in that precinct who voted in the primary election held four years previously or, if no primary election was held four years previously, the total number of electors in that precinct who voted in a similarly situated primary election in that precinct.

(b) For a general election or a special election held on the day of a general election, the total number of electors in that precinct who voted in the general election held four years previously.

(c) For a special election, held at any time other than on the day of a primary or general election, the total number of electors in that precinct who voted in the most recent primary or general election, whichever of those elections occurred in the precinct most recently.

(2) If, after the board complies with the requirements of division (B)(1)

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setting of the information in those pollbooks as required under section 3505.31 of the Revised Code.

(C) As used in this section, "electronic pollbook" has the same meaning as in section 3506.05 of the Revised Code.

Sec. 3506.05 (A) As used in this section—except:

(1) "Electronic pollbook" means an electronic list of registered voters for a particular precinct or polling location that may be transported to a polling location.

(2) Except when used as part of the phrase "tabulating equipment" or "automatic tabulating equipment,"

(3) "Polling equipment" means a voting machine, marking device, automatic tabulating equipment, or software, or an electronic pollbook.

(4) "Vendor" means the person that owns, manufactures, distributes, or has the legal right to control the use of equipment, or the person's agent.

(5) No voting machine, marking device, automatic tabulating equipment, or software for the purpose of casting or tabulating votes or for casting or votes, and no electronic pollbook, shall be purchased, leased, or otherwise obtained for use, except for experimental use as provided in division (B) of section 3506.04 of the Revised Code, unless it is a manual of support furnished by the vendor and certified by the secretary of state and unless the board of elections of this county where the equipment will be used has available to all interested electors. The secretary of state shall appoint a board of voting machine examiners to examine and approve equipment and its related manuals and support materials. The board shall consist of four members, who shall be appointed as follows:

- (1) Two members appointed by the secretary of state.
- (2) One member appointed by either the speaker of the house of representatives or the minority leader of the house of representatives, whichever is a member of the opposite political party from the one to which the political party from the one to which the secretary of state belongs.
- (3) One member appointed by either the president of the senate or the minority leader of the senate, whichever is a member of the opposite political party from the one to which the secretary of state belongs.

In all cases of a tie vote or a disagreement in the board, if a decision can be arrived at, the board shall submit the matter in controversy to the secretary of state, who shall summarily decide the question, and the secretary of state's decision shall be final. Each member of the board shall

board or the secretary of state shall periodically examine, test, and inspect certified equipment to determine continued compliance with the requirements of this chapter and the initial certification. Any examination, test, or inspection conducted for the purpose of continuing certification of any equipment in which a significant problem has been uncovered or in which a record of continuing problems exists shall be performed pursuant to divisions (C) and (D) of this section, in the same manner as the examination, test, or inspection is performed for initial approval and certification.

(F) If, at any time after the certification of equipment, the board of voting machine examiners or the secretary of state is notified by a board of electors of any significant problem with the equipment or determines that the equipment fails to meet the requirements necessary for approval or combined compliance with the requirements of this chapter, or if the board of voting machine examiners or the secretary of state determines that there are significant enhancements or adjustments to the equipment that are required by such enhancements or adjustments, the board of voting machine examiners or the secretary of state shall notify the voter and vendors of that equipment that certification of the equipment may be withdrawn.

(G)(1) The notice given by the secretary of state under division (F) of this section shall be in writing and shall specify both of the following:

- (a) The reasons why the certification may be withdrawn;
- (b) The date on which certification or approval will be withdrawn unless the vendor takes satisfactory corrective measures or explains why there are no problems with the equipment or why the enhancements or adjustments to the equipment are not significant.

(2) A vendor who receives a notice under division (F) of this section shall, within thirty days after receiving it, submit to the board of voting machine examiners in writing a description of the corrective measures taken and the date on which they were taken, or the explanation required under division (G)(1)(b) of this section.

(3) Not later than fifteen days after receiving a written description or explanation under division (G)(2) of this section from a vendor, the board shall determine whether the corrective measures taken or the explanation is satisfactory to allow continued certification of the equipment, and the secretary of state shall send the vendor a written notice of the board's determination, specifying the reasons for it. If the board has determined that the measures taken or the explanation given is unsatisfactory, the notice shall include the effective date of withdrawal of the certification. This date may be different from the date originally specified in division (G)(1)(b) of

be a competent and experienced election officer or a person who is knowledgeable about the operation of voting equipment and shall serve during the secretary of state's term. Any vacancy on the board shall be filled in the same manner as the original appointment. The secretary of state shall provide training assistance to the board, at the board's request.

For the member's service, each member of the board shall receive three hundred dollars per day for each combination of marking device, tabulating equipment, and voting machine, and electronic pollbooks examined and reported, but in no event shall a member receive more than six hundred dollars to examine and report on any one marking device, item of tabulating equipment, or voting machine, or electronic pollbook. Each member of the board shall be reimbursed for expenses the member incurs during an examination or during the performance of any related duties that may be required by the secretary of state. Reimbursement of those expenses shall be made at the discretion of the secretary of state, and shall not exceed the rates provided for under section 120.31 of the Revised Code.

Neither the secretary of state nor the board, nor any public officer who participates in the authorization, examination, testing, or purchase of equipment, shall have any pecuniary interest in the equipment or any affiliation with the vendor.

(C)(1) A vendor who desires to have the secretary of state certify equipment shall first submit the equipment, all current related procedural manuals, and a current description of all related support arrangements to the board of voting machine examiners for examination, testing, and approval. The submission shall be accompanied by a fee of eight hundred dollars and a detailed explanation of the construction and a list of features of the equipment, a full statement of the accessories and a list of features of the recording and tabulating, vote storage, system security, pollbook storage and security, and other crucial operations of the equipment as determined by the board. An additional fee, in an amount to be set by rules promulgated by the board, may be imposed to pay for the costs of alternative testing or testing by persons other than board members. Record-keeping, and other extraordinary costs incurred in the examination process. Moneys not used shall be returned to the person or entity submitting the equipment for examination.

(2) Fees collected by the secretary of state under this section shall be deposited into the state treasury to the credit of the board of voting machine examiners fund, which is hereby created. All moneys credited to this fund shall be used solely for the purpose of paying for the services and expenses

this section.

(4) A vendor who receives a notice under division (G)(3) of this section indicating a decision to withdraw certification may, within thirty days after receiving a request in writing that the board hold a hearing to reconsider its decision. Any interested party shall be given the opportunity to submit testimony or documentation in support of or in opposition to the board's recommendation to withdraw certification. Failure of the vendor to take appropriate steps as described in division (G)(1)(b) or to comply with division (G)(2) of this section results in a waiver of the vendor's rights under division (G)(4) of this section.

(H)(1) The secretary of state, in consultation with the board of voting machine examiners, shall establish, by rule, guidelines for the approval, certification, and continued certification of the voting machines, marking devices, and tabulating equipment, and electronic pollbooks to be used under Title XXXV of the Revised Code. The guidelines shall establish procedures regarding the use of computer software developers to place in a copy of all source code and related documentation, together with updates as they become known or available. The secretary of state shall require that the documentation include a system configuration and that the source code include all relevant program code in low- or high-level languages. As used in this division, "source code" does not include variable codes created for specific elections.

(2) Nothing in any rule adopted under division (H) of this section shall be construed to limit the ability of the secretary of state to follow or adopt, or to preclude the secretary of state from following or adopting, any guidelines proposed by the federal election commission, any entity authorized by the federal election commission to propose, develop, test, or assist in the development of voting machines, or any entity authorized by the election assistance commission to propose guidelines.

(3)(a) Before the initial certification of any direct recording electronic voting machine with a voter verified paper audit trail, and as a condition for the combined certification and use of those machines, the secretary of state shall establish, by rule, standards for the certification of those machines. Those standards shall include, but are not limited to, all of the following:

- (I) A definition of a voter verified paper audit trail as a paper record of the voter's choices that is verified by the voter prior to the recording of the voter's ballot and that is securely retained by the board of elections;
- (II) Requirements that the voter verified paper audit trail shall not be retained by any voter and shall not contain individual voter information;

of each member of the board or for other expenses incurred relating to the examination, testing, reporting, or certification of voting-machine devices submitted, the performance of any related duties as required by the secretary of state, or the reimbursement of those expenses submitted in an examination fee as provided in this chapter.

(D) Within sixty days after the submission of the equipment and payment of the fee, or as soon thereafter as is reasonably practicable, but in any event within not more than ninety days after the submission and payment, the board of voting machine examiners shall examine the equipment with its recommendations and, if applicable, its identification or condition of approval regarding whether the equipment, manual, and other related materials meet the criteria set forth in sections 3506.07, 3506.08, 3506.09, 3506.10, 3506.11, 3506.12, 3506.13, 3506.14, 3506.15, 3506.16, 3506.17, and 3506.18 of the Revised Code, can be used safely and, if applicable, can be depended upon to record and count accurately and continuously the votes of electors, and has the capacity to be warranted, maintained, and serviced; it shall approve the equipment and recommend that the secretary of state certify the equipment. The secretary of state shall notify all boards of elections of any such certification. Equipment of the same model and make, if it provides for recording-of-voter-choice-system security—voter-privacy—retention-of-voter-choice-system-security—voting records generated in an identical manner, may then be adopted for use at elections.

(E) The vendor shall notify the secretary of state, who shall then notify the board of voting machine examiners, of any enhancement and any significant adjustment to the hardware or software that could result in a patent or copyright change or that significantly alters the methods of recording voter intent, system security, voter privacy, retention of the vote, communication of voting records, and connections between the system and other systems. The vendor shall provide, and the secretary of state shall update the manual for the equipment, and the secretary of state shall forward the manual to the board. Upon receiving such a notification and manual, the board may require the vendor to submit the equipment to an examination and test in order for the equipment to remain certified. The

(iii) A prohibition against the production by any direct recording electronic voting machine of any audit trail legally could be removed by the vendor from the polling place, such as a receipt or voter confirmation.

(iv) A requirement that paper used in producing a voter verified paper audit trail be energy, clean, and resistant to degradation.

(v) A requirement that the voter verified paper audit trail shall be capable of being digitally audited for the purpose of conducting a recount or other audit of the voting machine and shall be readable in a manner that makes the voter's ballot choices obvious to the voter without the use of computer or electronic codes.

(vi) A requirement, for office-type ballots, that the voter verified paper audit trail include the name of each candidate selected by the voter.

(vii) A requirement, for questions and issues ballots, that the voter verified paper audit trail include the title of the question or issue, the same as the ballot selection on that question or issue, but not the entire text of the question or issue.

(b) The secretary of state, by rule adopted under Chapter 119 of the Revised Code, may waive the requirement under division (H)(3)(v)(vii) of this section, if the secretary of state determines that the requirement is cost prohibitive.

(4)(e) Except as otherwise provided in division (H)(4)(c) of this section, any voting machine, marking device, or automatic tabulating equipment initially certified or acquired on or after December 1, 2008, shall have the most recent federal certification number issued by the election assistance commission.

(b) Any voting machine, marking device, or automatic tabulating equipment certified for use in this state on the effective date of this amendment September 12, 2008, shall meet, as a condition of continued certification and use, the voting system standards adopted by the federal election commission in 2002.

(c) A county that acquires additional voting machines, marking devices, or automatic tabulating equipment on or after December 1, 2008, shall not be considered to have acquired those machines, devices, or equipment on or after December 1, 2008, for the purpose of division (H)(4)(a) of this section if all of the following apply:

- (I) The voting machines, marking devices, or automatic tabulating equipment acquired are the same as the machines, devices, or equipment currently used in that county;
- (II) The acquisition of the voting machines, marking devices, or

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automatic tabulating equipment does not replace or change the primary voting system used in that county.

(H) The acquisition of the voting machines, marking devices, or automatic tabulating equipment is for the purpose of replacing inoperable machines, devices, or equipment or for the purpose providing additional requirements established pursuant to division (I) of section 3501.11 of the Revised Code.

Sec. 3506.12. In counties where marking devices, automatic tabulating equipment, voting machines, or any combination of these are in use or to be used by the board of elections:

(A) May combine, re arrange, and enlarge precincts; but the board shall arrange for a sufficient number of these devices to accommodate the number of electors at each precinct as determined by the number of votes cast in that precinct at the most recent election for the office of governor, taking into consideration the size and location of each selected polling place, available parking, handicap accessibility and other accessibility to the polling place, and the number of candidates and issues to be voted on. Notwithstanding section 3501.22 of the Revised Code, the board may appoint more than four precinct officers to each precinct if this is made necessary by the number of voting machines to be used in that precinct.

(B) Any county or other person provided in this division, shall establish one or more counting stations to receive voted ballots and other precinct election supplies after the polling precincts are closed. These stations shall be under the supervision and direction of the board of elections. Processing and counting of voted ballots, and the preparation of summary sheets, shall be done in the presence of observers appointed by the board. A certified copy of the summary sheet for the precinct shall be posted at each counting station immediately after completion of the summary sheet.

Sec. 3506.15. The secretary of state shall provide each board of elections with rules, instructions, directives, and advisories regarding the examination, testing, and use of the voting machines and marking equipment, the assignment of duties of booth officials, the procedure for casting a vote on the machine, and how the vote shall be tallied and reported to the board, and with other rules, instructions, directives, and advisories the

same as those in the Revised Code.

(A) Any qualified elector may vote by absent voter's ballot at an election.

(B) Any qualified elector who is unable to appear at the office of the board of elections or, if pursuant to division (C)(2) of section 3501.10 of the Revised Code the board has designated another location in the county at which registered electors may vote shall absent voter's ballot in person at that location, at that other location on account of personal illness, physical disability, or infirmity, and who moves from one precinct to another within a county, or moves from one county to another precinct within the state, on or prior to the day of a general, primary, or special election and has not filed a notice of change of residence or change of name election and has not filed a notice of change of residence or change of name election (D) of vote by absent voter's ballot in that election as specified in section 3509.08 of the Revised Code.

Sec. 3509.08. Except as provided in section 3509.031 or division (B) of section 3509.08 of the Revised Code, any qualified elector desiring to vote by absent voter's ballot at an election shall make written application for those ballots to the elector's board of elections in the county in which the elector's form shall contain all of the following:

- (A) The elector's name;
(B) The address at which the elector is registered to vote;
(C) The elector's date of birth;
(D) One of the following:
(1) The elector's driver's license number or state identification card number;
(2) The elector's social security number;
(3) A copy of the elector's current and valid photo identification, a copy of a military identification, a copy of a United States passport, 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-hand registered voter 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;
(F) A statement identifying the election for which absent voter's ballots are requested;
(G) A statement that the person requesting the ballots is a qualified elector.

secretary of state finds necessary to ensure the adequate care and custody of voting equipment, and the accurate registering, counting, and canvassing of votes as required by this chapter. The board of elections shall be changed with the responsibility of providing for the adequate instruction of voters and election officials in the proper use of the voting machines and marking devices. The board of elections shall include in counties where precinct voter's ballots are used instructions that each voter shall examine the voter's marked ballot card and remove any change that remains partially attached to the reverse of the ballot card.

The secretary of state's rules, instructions, directives, and advisories provided under this section shall comply, insofar as practicable, with this chapter. The provisions of Title XXXV of the Revised Code, not inconsistent with the provisions relating to voting machines, apply in any county using a voting machine.

Sec. 3509.01. (A) The board of elections of each county shall provide absent voter's ballots for use at every primary and general election, or special election to be held on the day specified by division (E) of section 3501.01 of the Revised Code for the holding of a primary election, designated by the general assembly for the purpose of submitting amendments proposed by the general assembly to the voters of the state. These ballots shall be in the same form as has been approved for use at the election for which those ballots are to be voted, except that, in counties using voting machines, ballot cards may be used for absent voter's ballots and those absent voter's ballots shall be prepared in the same manner provided on the ballot card. In counties where precinct voter's ballots are used, absent voter's ballots shall be prepared to examine their marked ballots and remove any change that remains partially attached to the reverse of the ballot card.

(B) The notation of names of candidates and questions and issues shall be substantially complied with on absent voter's ballots, within the limitation of time allowed. Those ballots shall be designed as "Absent Voter's Ballots." Except as otherwise provided by division (D) of this section, those ballots shall be printed and ready for use as follows:

(1) For overseas voters and absent uniformed service members, the voter shall be able to vote under the Uniformed and Overseas Citizens Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended, ballots shall be printed and ready for use on the forty-fifth day before the day of the election.

(H) If the request is for primary election ballots, the elector's party affiliation.
(1) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.
Each application for absent voter's ballots shall be delivered to the elector's board not earlier than the first day of January of the year of the election for which the absent voter's ballots are requested or not earlier than thirty 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 voted, or not later than the close of regular business hours on the day before the day of the election at which the ballots are to be voted if the application is delivered in person to the office of the board.

A voter's election ballot shall not mail an absent voter's ballot application to an elector. The elector shall mail an application from the board of elections to the elector. The elector shall mail an application from the board of elections to the elector. The elector shall mail an application from the board of elections to the elector.

(H) If the request is for primary election ballots, the elector's party affiliation.

(1) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.

Each application for absent voter's ballots shall be delivered to the elector's board not earlier than the first day of January of the year of the election for which the absent voter's ballots are requested or not earlier than thirty 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 voted, or not later than the close of regular business hours on the day before the day of the election at which the ballots are to be voted if the application is delivered in person to the office of the board.

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- (1) The elector's name;
(2) The address at which the elector is registered to vote;
(3) The elector's date of birth;
(4) One of the following:
(1) The elector's driver's license number or state identification card number;
(2) The elector's social security number;
(3) A copy of the elector's current and valid photo identification, a copy of a military identification, a copy of a United States passport, 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-hand registered voter 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;
(F) A statement identifying the election for which absent voter's ballots are requested;
(G) A statement that the person requesting the ballots is a qualified elector.

(2) For all other voters, other than overseas voters and absent uniformed service members, who are applying to vote absent voter's ballots under this section, voters shall be printed and ready for use on the day before the election.

(C) Absent voter's ballots provided for use at a general or primary election, or special election to be held on the day specified by division (E) of section 3501.01 of the Revised Code for the holding of a primary election, designated by the general assembly for the purpose of submitting amendments proposed by the general assembly to the voters of the state, shall include any disseminated questions, issues, and candidates that have been lawfully ordered to the voters voting at that election.

(D)(1) If the laws governing the holding of a special election on a day other than the day on which a general election is held make it desirable to establish in division (B) of this section, absent voter's ballots for those special elections shall be ready for use many days before the day of the election as reasonably possible under the laws governing the holding of that special election.

(2) If, in accordance with Section 2 of Article XXVII, Ohio Constitution, an election is required to be held to fill a vacancy that occurs in the board of elections, the board of elections shall print and distribute ballots for that election to each absent voter who has requested a ballot for that election as many days before the election as reasonably possible. A copy of the absent voter's ballot shall be forwarded by the director of the board in each county to the secretary of state at least twenty-five days before the election.

(F) A statement identifying the election for which absent voter's ballots are requested;
(G) A statement that the person requesting the ballots is a qualified elector;
(H) If the request is for primary election ballots, the elector's party affiliation;
(1) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed;
(11) If the elector desires ballots to be mailed to the elector by facsimile machine, the telephone number to which they shall be so sent.

(B) Application to have absent voter's ballots mailed or sent by facsimile machine to a qualified elector who is a member of the organized militia called to active duty within the state and who will be unable to vote on election day on account of that active duty may be made by the spouse of the militia member or the father, mother, father-in-law, mother-in-law, grandparent, grandchild, brother or sister of the whole blood or half-blood, aunt, uncle, or niece of the militia member. The application shall be in writing on the application form furnished only by the elector's board of elections. The form of the application shall be prescribed by the secretary of state. The elector's board shall furnish that form to any of the relatives specified in this division desiring to make the application. The application, subscribed and sworn to by the applicant, shall contain all of the following:

(1) The full name of the elector as shown on the written request of such a relative mailed to the office of the board;
(2) The full name of the person at the office of the board;
(3) The address at which the elector is registered to vote;
(4) The elector's date of birth;
(5) One of the following:
(1) The elector's driver's license number or state identification card number;
(2) The elector's social security number;
(3) A copy of the elector's current and valid photo identification, a copy of a military identification, a copy of a United States passport, 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-hand registered voter 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;
(F) A statement identifying the election for which absent voter's ballots are requested;
(G) A statement that the person requesting the ballots is a qualified elector.

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(4) The elector's date of birth;
(5) One of the following:
(1) The elector's driver's license number or state identification card number;
(2) The elector's social security number;
(3) A copy of the elector's current and valid photo identification, a copy of a military identification, a copy of a United States passport, 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-hand registered voter 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;
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(4) The elector's date of birth;
(5) One of the following:
(1) The elector's driver's license number or state identification card number;
(2) The elector's social security number;
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(F) A statement identifying the election for which absent voter's ballots are requested;
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member. If the declaration of candidacy is for party nomination as a member of the legislative authority of a municipal corporation...

(3) No such petition, except the petition for a candidacy that is to be submitted to electors throughout the entire state, shall be accepted for filing...

(4) If the declaration of candidacy is one for election as a member of the state central committee or the county central committee of a political party...

(5) For purposes of signing or circulating a petition of candidacy for party nomination or election, an elector is considered to be a member of a political party...

(6) If the person voted as a member of a different political party at any primary election within the current year and the immediately preceding two calendar years...

as a protest against the candidacy of any person filing a declaration of candidacy singly.

(H)(1) The secretary of state shall, on the seventh day before the day of a primary election, certify to each board in the state the forms of the official ballots to be used at the primary election...

(2) The board of the most populous county in a district comprised of more than one county but less than all of the counties of the state shall, on the seventh day before the day of a primary election, certify to the board of each county in the district the form of that subdivision to be used at the primary election...

(3) The board of a county within which the major portion of the population of a subdivision smaller than the county and situated in more than one county is located shall, on the seventh day before the day of a primary election, certify to the board of each county in the portion of that subdivision to be used at the primary election...

Sec. 3513.12. At a presidential primary election, which shall be held on the first Tuesday after the first Monday in May in the year 2000...

delegates in every town-year thereafter, delegates and alternates to the national conventions of the different major political parties shall be chosen by direct vote of the electors as provided in this chapter.

Revised Code and except that whenever any group of candidates for delegate at large or alternate at large, or any group of candidates for delegate or alternates from districts, file with the secretary of state...

Revised Code provided that the person complies with the requirements of that section.

(2) Calculating the person's own petition of candidacy for party nomination in the primary election.

(3) If the declaration of candidacy is of one that is to be submitted only to electors within a county, or within a district or subdivision or part thereof smaller than a county, the petition shall be filed with the board of electors of the county.

(4) Each separate petition paper shall be circulated by one person only who shall be the candidate or a joint candidate or a member of the same political party as the candidate or joint candidate.

(5) The secretary of state shall promptly transmit to each board such separate petition papers of each petition accompanying a declaration of candidacy filed with the secretary of state as support to contain signatures of electors of the county of each board.

candidates equal in number to the whole number of delegates at large or alternates at large to be elected or equal in number to the whole number of delegates or alternates from a district to be elected.

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Each person seeking to be elected as delegate or alternate to the national convention of the person's political party shall file with the person's declaration of candidacy and certificate a statement in writing signed by the person in which the person shall state the person's first and second choices for nomination as the candidate of the person's party for the presidency of the United States.

A person who is a first choice for president of candidates seeking election as delegates and alternates shall file with the secretary of state, prior to the day of the election, a list indicating the order in which certificates of election are to be issued to delegate or alternate candidates to whose candidacy the person has consented.

For Election as (Delegate) (Alternate) to the (Name of political party) National Convention that it elected as (delegate) (alternate) to their national convention, I shall, to the best of my judgment and ability, support that candidate for President of the United States who shall have been selected at the primary by the voters of my party in the manner provided in Chapter 3513 of the Ohio Revised Code, as their candidate for such office.

The procedures for the selection of candidates for delegate and alternate to the national convention of a political party set forth in this section and in section 3513.12 of the Revised Code are alternative procedures, and if the procedures of this section are followed, the procedures of section 3513.12 of the Revised Code need not be followed.

accompanying declarations of candidacy filed with a board shall, under proper regulations, be open to public inspection until four p.m. of the eighth day before the day of the next primary election.

(3) Process against the candidacy of any person filing a declaration of candidacy for party nomination or for election to an office or position, as provided in this section, may be filed by any qualified elector who is a member of the same political party as the candidate and who is eligible to vote at the primary election.

They shall also forthwith mail notice of the time fixed for such hearing to the person who filed the protest. At the time fixed, such election officials shall hear the protest and determine the validity or invalidity of the declaration of candidacy and petition.

A protest against the candidacy of any person filing a declaration of candidacy for joint party nomination to the offices of governor and lieutenant governor shall be filed, heard, and determined in the same manner as a protest against the candidacy of any person filing a declaration of candidacy for party nomination or for election to an office or position.

sumames run for the same office in a primary election on the same ballot, the names of the candidates shall be differentiated on the ballot by varying combinations of first and middle names and initials.

hours after the final date for filing declarations of candidacy, petitions for candidacy, the director of the board of elections for local, regional, or general, or special, elections, or the director of the board of elections, or the secretary of state for state-wide general and special elections shall notify the persons with identical given names and surnames that the names of such persons will be differentiated on the ballot.

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which he the incumbent is designated on the ballot. If an incumbent does not make a choice within two days after notification or if none of the candidates is an incumbent, the board of elections within three days after notification shall designate the names by which the candidates are identified on the ballot. In case of a district candidate the board of elections in the most populous county shall make the determination. In case of a state-wide candidate, or in the case any board of elections fails to make a determination within three days after notification, the secretary of state shall immediately make the determination.

"Nonfriction" as required by this section shall be by the director of the board of elections or secretary of state by special delivery or telegram directed mail at the candidate's address listed in the candidates' declaration of candidacy.

but there shall be separate pollbooks, and tally sheets and ballot boxes provided at each polling place for each party participating in the election; and the holder of each voter shall be placed in the ballot box of the party with which the voter is affiliated. Each ballot box shall be plainly marked with the name of the political party whose holder it is to be placed therein, by letters printed or printed thereon or by a clearly marked seal or both, and no person shall be designated on the ballot by the name of the political party.

If a special election on a question or issue is held on the day of a primary election, there shall be provided in the pollbooks pages on which shall be recorded the names of all electors voting on said question or issue and not voting in such primary. It shall not be necessary for electors desiring to vote only on the question or issue to declare their political affiliation.

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name of which shall be stated in the declaration, and of participating in the succeeding primary election, held in even-numbered years, that occurs more than one hundred twenty three days after the date of filing. No such group of electors shall assume a name or designation that is similar in the opinion of the secretary of state, to that of an existing political party as to confuse or mislead the voters at an election. If any existing political party fails to cast five per cent of the total vote cast at an election for the office of governor or president, it shall cease to be a political party.

(2) A campaign committee shall be legally liable for any debts, contracts, or expenditures incurred or executed in its name.

(B) Notwithstanding the definitions found in section 3501.01 of the Revised Code, as used in this section and sections 3517.14 to 3517.19, and 3517.992 of the Revised Code:

(1) "Campaign committee" means a candidate or a combination of two or more persons authorized by a candidate under section 3517.081 of the Revised Code to receive contributions and make expenditures.

(2) "Campaign treasurer" means an individual appointed by a candidate under section 3517.081 of the Revised Code.

(3) "Candidate" has the same meaning as in division (H) of section 3501.01 of the Revised Code and also includes any person who, at any time before or after an election, receives contributions or makes expenditures or contributions or makes expenditures or other use of contributions, or appoints a campaign treasurer, for the purpose of bringing about the person's nomination or election, to public office. When two persons jointly seek the offices of governor and lieutenant governor, "candidate" means the pair of candidates jointly. "Candidate" does not include candidates for election to the office of member of a county or state central committee, presidential elector, and delegates to a national convention or conference of a political party.

(4) "Continuing association" means an association, other than a campaign committee, political party, legislative campaign fund, political contributing entity, or labor organization, that is organized for a permanent purpose, that has a primary purpose other than supporting or opposing specific candidates, political parties, or ballot issues, and that has a regular basis throughout the year. "Continuing association" includes an organization that is determined to be not organized for profit, includes subsection 501 and that are described in subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code.

(5) "Contribution" means a loan, gift, deposit, forgiveness of

district office, except an office of a political party, that is filed by an election and the offices of United States senator and representative.

(10) "Anything of value" has the same meaning as in section 1.03 of the Revised Code.

(11) "Beneficiary of a campaign fund" means a candidate, a public official or employee for whose benefit a campaign fund exists, and any other person who has ever been a candidate or public official or employee and for whom benefit a campaign fund exists.

(12) "Campaign fund" means money or other property, including contributions, that is:

(A) "Public official or employee" has the same meaning as in section 102.01 of the Revised Code;

(B) "Constituents" means all of the members of the house of representatives or all of the members of the senate of the general assembly who are members of the same political party;

(C) "Legislative campaign fund" means a fund that is established as an auxiliary of a legislative political party and associated with one of the houses of the general assembly.

(6) "In-kind contribution" means anything of value other than money that is used to influence the results of an election or is transferred to or used in support of or in opposition to a candidate, campaign committee, or legislative campaign fund, political party, political action committee, or political contributing entity and that is made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of the benefited candidate, committee, or party, or at the request or suggestion of the benefactor, distributor, or republisher, in whole or in part, of any broadcast or of any written, graphic, or electronic material prepared by the candidate, the candidate's campaign committee, or their authorized agents is an in-kind contribution to the candidate and an expenditure by the candidate.

(17) "Independent expenditure" means an expenditure by a person advocating the election or defeat of an identified candidate or candidates, that is not made, in the context of, in coordination, cooperation, or consultation with, or at the request or suggestion of any candidate or candidates or of the campaign committee or agent of the candidate or candidates. As used in division (B)(17) of this section:

(a) "Person" means an individual, partnership, unincorporated business organization or association, political action committee, or other political contributing entity, separate segregated fund, association, or other organization or group of persons, but not a labor organization or a corporation unless the labor

independence, donation, advance, payment, or transfer of funds or anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, which contribution is made, received, or used, for the purpose of influencing the results of an election. Any loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or of anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any campaign committee, political action committee, legislative campaign fund, political party, political contributing entity, or person other than the person to whom the services are rendered for the personal services of another person, that is made, received, or used by a state or county political party, other than a state or county political party receives from the Ohio political party fund pursuant to section 3517.17 of the Revised Code and the monies a state or county political party may receive under sections 3517.101, 3517.102, and 3517.103 of the Revised Code, shall be considered to be a "contribution" for the purpose of section 3517.10 of the Revised Code and shall be included on a statement of contributions filed under that section.

(C) "Service" does not include any of the following:

(a) Services provided without compensation by individuals volunteering a portion of their time on behalf of a person.

(b) Personal expenses of a volunteer paid for by that volunteer in the volunteer's home hospitality.

(c) Any gift given to a state or county political party pursuant to section 3517.101 of the Revised Code. As used in division (B)(3)(d) of this section, "political party" means only a political party.

(d) Any contribution as defined in section 3517.101 of the Revised Code that is made, received, or used to pay the direct cost of producing or airing an electronic communication.

(e) Any gift given to a state or county political party for the party's restricted fund under division (A)(2) of section 3517.102 of the Revised Code.

(f) Any gift given to a state political party for deposit in a LeVIN account pursuant to section 3517.103 of the Revised Code. As used in this division, "LeVIN account" has the same meaning as in that section.

(g) Any donation given to a transition fund under section 3517.104 of the Revised Code.

(8) Any gift given to a state political party for deposit in a LeVIN account pursuant to section 3517.103 of the Revised Code. As used in this division, "LeVIN account" has the same meaning as in that section.

(h) Any donation given to a transition fund under section 3517.104 of the Revised Code.

organization or corporation is a political contributing entity.

(9) "Advocating" means any communication containing a message advocating election or defeat.

(c) "Identified candidate" means the name of the candidate appears, a photograph or drawing of the candidate appears, or the identity of the candidate is otherwise apparent by unambiguous reference.

(d) "State in coordination, cooperation, or consultation with, or at the request or suggestion of, any candidate or the campaign committee or agent of that candidate" means a candidate or the campaign committee, or the candidate's agent prior to the publication, distribution, display, or broadcast of the communication. An expenditure is presumed to be so made when it is any of the following:

(i) Based on information about the candidate's plans, projects, or needs provided to the person making the expenditure by the candidate, or by the candidate's campaign committee or agent, with a view toward having an expenditure made;

(ii) Made by or through any person who is, or has been, authorized to raise or expend funds, who is, or has been, an officer of the candidate's campaign committee, or who is, or has been, receiving any form of compensation or reimbursement from the candidate or the candidate's campaign committee or agent;

(iii) Except as otherwise provided in division (D) of section 3517.105 of the Revised Code, made by a political party in support of a candidate, unless the expenditure is made by a political party to conduct voter registration or voter education efforts.

(e) "Agent" means any person who has actual oral or written authority, either express or implied, to make or to authorize the making of expenditures on behalf of a candidate, or means any person who has been placed in a position with the candidate's campaign committee or organization such that it would reasonably appear that in the ordinary course of campaign-related activities the person may authorize expenditures.

(18) "Labor organization" means a labor union, an employee organization, a federation of labor unions, groups, locals, or other employee organizations; an auxiliary of a labor union, or other employee organization; or any other bona fide organization in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, hours, and other terms and conditions of employment.

(9) "Expenditure" means the disbursement or use of a contribution for the purpose of influencing the results of an election or of making a charitable donation under division (G) of section 3517.08 of the Revised Code. Any disbursement or use of a contribution by a state or county political party is an expenditure and shall be considered either to be made for the purpose of influencing the results of an election or to be made as a charitable donation under division (G) of section 3517.08 of the Revised Code and shall be reported on a statement of expenditures filed under section 3517.10 of the Revised Code. During the thirty days preceding a primary or general election, any disbursement to pay the direct costs of producing or airing a broadcast, cable, or satellite communication that refers to a clearly identified candidate shall be considered to be made for the purpose of influencing the results of that election and shall be reported on a statement of expenditures under section 3517.10 of the Revised Code or as an independent expenditure under section 3517.10 or 3517.105 of the Revised Code, as applicable, except that the information required to be reported regarding contributors for those expenditures or independent expenditures shall be the same as the information required to be reported under divisions (D)(1) and (2) of section 3517.101 of the Revised Code.

As used in this division, "broadcast, cable, or satellite communication" and "refers to a clearly identified candidate" have the same meanings as in section 3517.101 of the Revised Code.

(7) "Personal expenses" includes, but is not limited to, ordinary expenses for accommodations, clothing, food, personal motor vehicle or airplane, and home telephones.

(8) "Political action committee" means a combination of two or more persons, the primary or major purpose of which is to support or oppose any candidate, political party, or issue, or to influence the result of any election through public advocacy, and that is not a political party, a campaign committee, a political contributing entity, or a legislative campaign fund. "Political action committee" does not include either of the following:

(a) A continuing association that makes disbursements for the direct costs of producing or airing electronic communications and that does not engage in express advocacy;

(b) A political club that is formed primarily for social purposes and that consists of one hundred members or less, has officers and periodic meetings, has less than two thousand five hundred dollars in its treasury at all times, and makes an aggregate total contribution of one thousand dollars or less per calendar year.

(9) "Public office" means any state, county, municipal, township, or

(19) "Separate segregated fund" means a separate segregated fund established pursuant to the Federal Election Campaign Act.

(20) "Federal Election Campaign Act" means the "Federal Election Campaign Act of 1971", 86 Stat. 11, 2 U.S.C.A. 431, as amended.

(21) "Restricted fund" means the fund a state or county political party must establish under division (A)(1) of section 3517.1012 of the Revised Code.

(22) "Electronic communication" has the same meaning as in section 3517.1011 of the Revised Code.

(23) "Express advocacy" means communication that contains express words advocating the nomination, election, or defeat of a candidate or that contains express words advocating the adoption or defeat of a question or issue, as determined by a final judgment of a court of competent jurisdiction.

(24) "Political committee" has the same meaning as in section 3517.1011 of the Revised Code.

(25) "Political contributing entity" means any entity, including a corporation, partnership, unincorporated business organization, or other organization, that is not an individual or a political action committee, campaign fund, designated state campaign committee, legislative campaign fund, or other fund, that is organized for the purpose of raising or expending funds under section 3509.03 of the Revised Code, to influence the nomination, election, or defeat of a candidate, or to influence the adoption or defeat of a question or issue, as determined by a final judgment of a court of competent jurisdiction.

(26) "Political meeting" means a meeting held in person or by electronic means, the primary purpose of which is to discuss the nomination, election, or defeat of a candidate, or to discuss the adoption or defeat of a question or issue, as determined by a final judgment of a court of competent jurisdiction.

(27) "Primary election" means an election held in person or by electronic means, the primary purpose of which is to elect a candidate for a public office, as determined by a final judgment of a court of competent jurisdiction.

(28) "State" means a state, county, or municipality, but does not include a township or village.

(29) "State or county political party" means a political party that is organized for the purpose of influencing the results of an election or of making a charitable donation under division (G) of section 3517.08 of the Revised Code, and that is not a political party, a campaign committee, a political contributing entity, or a legislative campaign fund.

Language appearing in Am. Sub. H. B. 194 constituting one or more provisions of law, sections or items of the bill, the subject legislation of this referendum, appears with horizontal arrows next to lines or portions of the bill text. The arrows direct the viewer to language that has been marked by 1) manually striking through it, 2) having been stricken through and marked by adjacent vertical lines and arrows and/or 3) appearing within a box and/or within an area appearing manually marked with an "X" drawn over bill text. All to show that this language will not become law by amendment, enactment or repeal until approved by a majority of the electors of Ohio. All other language not so marked as outlined in 1), 2) and/or 3) above is not the subject of this referendum.

(H) All of the following, if they exist: the contributor's post-office box number and city or village, state, and zip code as used in the contributor's post-office address.

(I) As used with regard to the reporting under this section of any expenditures, "address" means all of the following: if they exist, apartment number, street, road, or highway name and number, rural delivery route address, or post-office box. If an address concerning any expenditure is required in this section, a campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity may use the business or residence address of its treasurer or deputy treasurer or its post-office box number.

(2) "Statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, chief justice of the supreme court, or justice of the supreme court.

(3) "Candidate for county office" means a candidate for the office of county auditor, county treasurer, clerk of the court of common pleas, judge of the court of common pleas, sheriff, county recorder, county engineer, county commissioner, prosecuting attorney, or coroner.

(4) An independent expenditure shall be reported whenever and in the same manner that an expenditure is required to be reported under this section and shall be reported pursuant to division (B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code.

(X)(1) Except as otherwise provided in division (H)(2) of this section, if, during the combined pre-election and postelection reporting periods for an election, a campaign committee has received contributions of five hundred dollars or less and has made expenditures in the total amount of five hundred dollars or less, it may file a statement in that effect, under penalty of election falsification, in lieu of the statement required by division (A)(2) of this section. The statement shall indicate the total amount of contributions received and the total amount of expenditures made during those combined reporting periods.

(2) In the case of a successful candidate at a primary election, if either the total contributions received by or the total expenditures made by the candidate's campaign committee during the preliminary, postprimary, pregeneral, and postgeneral election periods combined equal more than five hundred dollars, the campaign committee may file the statement under division (X)(1) of this section only for the primary election. The first

and petition, nominating petition, or declaration of intent to be a write-in candidate through the day of the election at which the person seeks nomination to office if the person is not elected to office, or, if the candidate was nominated in a primary election, the day of the election at which the candidate seeks office.

(1) A political contributing entity that receives contributions from its officers, shareholders, or other assessments of its members or from its contributions received from those contributors shall aggregate amount of individuals making those contributions, for each filing period under divisions (A)(1), (2), (3), and (4) of this section, rather than reporting information as required under division (B)(4) of this section, reporting when applicable, the name of the current employer, if any, of a contributor, whose contribution exceeds one hundred dollars; or if such a contributor is self-employed, the contributor's occupation and the name of the contributor's business, if any. Division (B)(4) of this section applies to a political contributing entity with regard to contributions it receives from all other contributors.

Sec. 3517.102. (A) Except as otherwise provided in section 3517.103 of the Revised Code, as used in this section and sections 3517.103 and 3517.104 of the Revised Code:

(1) "Candidate" has the same meaning as in section 3517.01 of the Revised Code but includes only candidates for the offices of governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, member of the general assembly, chief justice of the supreme court, and justice of the supreme court.

(2) "Statewide candidate" or "any one statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, chief justice of the supreme court, or justice of the supreme court.

(3) "State candidate" means a candidate for the office of state senator.

(4) "House candidate" means a candidate for the office of state representative.

(5)(a) "Primary election period" for a candidate begins on the beginning date of the candidate's pre-filing period specified in division (A)(9) of section 3517.109 of the Revised Code and ends on the day of the primary election.

(b) In regard to any candidate, the "general election period" begins on

statement that the campaign committee files in regard to the general election shall reflect all contributions received and all expenditures made during the preprimary and postprimary election periods.

(3) Divisions (X)(1) and (2) of this section do not apply if a campaign committee receives contributions or makes expenditures prior to the first day of January of the year of the election at which the candidate seeks nomination to office or if the campaign committee does not file a nomination statement with its postprimary election statement in the case of an unsuccessful primary election candidate or with its postgeneral election statement in the case of other candidates.

(4) In the case of another unincorporated business from a partner of a partnership or an owner or a member of a partnership, the information provided by the partnership or other unincorporated business, provided that the information be certified to conclusively rely upon the information provided by the partnership or other unincorporated business, shall make the information included one of the following:

(a) The name of each partner, owner, or member as of the date of the contribution or contributions, and a statement that the total contributions are to be allocated equally among all of the partners, owners, or members; or

(b) The name of each partner, owner, or member as of the date of the contribution or contributions who is participating in the contribution or allocated to those individuals in accordance with the information provided by the partnership or other unincorporated business to the recipient of the contribution.

(3) For purposes of section 3517.102 of the Revised Code, the contribution shall be considered to have been made by the partner, owner, or member reported under division (I)(1) of this section.

(4) No contribution from a partner of a partnership or an owner or a member of another unincorporated business shall be accepted from any funds of the partnership or other unincorporated business unless the recipient reports the contribution under division (I)(1) of this section together with the information provided under division (I)(2) of this section.

(5) No partnership or other unincorporated business shall make a contribution or contributions solely in the name of the partnership or other unincorporated business.

the day after the primary election immediately preceding the general election at which the candidate seeks an office specified in division (A)(1) of this section and ends on the thirty-first day of December following that general election.

(6) "State candidate fund" means the state candidate fund established by a state or county political party under division (1)(3)(c) of section 3517.10 of the Revised Code.

(7) "Postgeneral election statement" means the statement filed under division (A)(2) of section 3517.10 of the Revised Code by the campaign committee of a candidate after the general election in which the candidate ran for office or filed by legislative campaign fund after the general election in an even-numbered year.

(8) "Contributor" means any contribution that is required to be reported in the statement of contributions under section 3517.10 of the Revised Code, ~~and an addition of the address of the contributor, as designated in section 3517.104 of the Revised Code, designated state campaign committee means:~~

(1) In the case of contributions to or from a state political party, a campaign committee of a statewide candidate, statewide officeholder, state candidate, house candidate, or member of the general assembly;

(2) In the case of contributions to or from a county political party, a campaign committee of a state candidate or house candidate who is a member of the general assembly whose district contains all or part of that county;

(3) In the case of contributions to or from a legislative campaign fund, a campaign committee of any of the following:

(i) A senate or house candidate who, if elected, will be a member of the same party that established the legislative campaign fund and the same house with which the legislative campaign fund is associated;

(ii) A state senator or state representative who is a member of the same party that established the legislative campaign fund and the same house with which the legislative campaign fund is associated.

(9) A campaign committee is no longer a "designated state campaign committee" after the campaign committee's candidate changes the designation of treasurer required to be filed under division (D)(1) of section 3517.10 of the Revised Code to indicate that the person intends to be a candidate for, or becomes a candidate for nomination or election to, any office that, if elected, would not qualify that candidate's campaign

(6) As used in division (1) of this section, "partnership or other unincorporated business includes, but is not limited to, a cooperative, a sole proprietorship, a general partnership, a limited partnership, a limited liability partnership, a limited liability partnership, and a limited liability company.

(7) A candidate shall have only one campaign committee at any given time for all of the offices for which the person is a candidate or holds office. (K)(1) In addition to a designation of appointment of a treasurer under division (D)(1) of this section, the campaign committee of any candidate for a state or county office that pays an annual amount of compensation of five thousand dollars or less, the campaign committee of any candidate for member of a board of education, except member of the state board of education, or the campaign committee of any candidate for township trustee, or township fiscal officer may sign, under penalty of election falsification, a certificate attesting that the committee will not accept contributions from a contributor and one hundred dollars from any individual and that the campaign committee will not make expenditures during an election period from a form pre-registered by the contributor.

The certificate shall be on a form pre-registered by the contributor, and shall be filed not later than ten days after the candidate files a declaration of candidacy and petition, a nominating petition, or a declaration of intent to be a write-in candidate.

(2) Except as otherwise provided in division (K)(3) of this section, a campaign committee that files a certificate under division (K)(1) of this section is not required to file the statements required by division (A) of this section.

(3) If, after filing a certificate under division (K)(1) of this section, a campaign committee exceeds any of the limitations described in that division during an election period, the certificate is void and therefore the campaign committee shall file the statements required by division (A) of this section. If the campaign committee has not previously filed a statement, then on the first statement the campaign committee is required to file under division (A) of this section after the committee's certificate is void, the committee shall report all contributions received and expenditures made from the time the candidate filed the candidate's declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate.

(4) As used in division (K) of this section, "election period" means the period of time beginning on the day a person files a declaration of candidacy

committee as a "designated state campaign committee" under division (A)(9)(a) of this section.

(B)(X)(6) No individual who is seven years of age or older shall make a contribution or contributions aggregating more than:

(i) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;

(ii) Ten thousand dollars to the campaign committee of any one candidate in a primary election period or in a general election period;

(iii) Ten thousand dollars to a county political party of the county in which the individual's designated Ohio residence is located;

(iv) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;

(v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;

(vi) Ten thousand dollars to any one political action committee in a calendar year;

(vii) Ten thousand dollars to any one political action committee in a calendar year;

(viii) Ten thousand dollars to any one political contributing entity in a calendar year;

(ix) No individual shall make a contribution or contributions to the state candidate fund of a county political party of any county other than the county in which the individual's designated Ohio residence is located.

(x) No individual who is under seven years of age shall make any contribution.

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- (v) Ten thousand dollars to another political action committee or to a political contributing entity in a calendar year. This division does not apply to a political action committee that makes a contribution to a political action committee or a political contributing entity affiliated with it. For purposes of this division, a political action committee is affiliated with it for political action committee or with a political contributing entity if they are the same established, financed, maintained, or controlled by or if they are, the same other person, including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person.
- (b) No political action committee shall make a contribution or contributions to a county political party for the party's state candidate fund.
- (3) No campaign committee shall make a contribution or contributions aggregating more than:
 - (a) Ten thousand dollars in a primary election period or in a general election period;
 - (b) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;
 - (c) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;
 - (d) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;
 - (e) Ten thousand dollars to any one political contributing entity in a calendar year.
- (4)(a) Subject to division (D)(3) of this section, no political party shall make a contribution or contributions aggregating more than ten thousand dollars to any one political action committee or to any one political contributing entity in a calendar year.
- (b) No county political party shall make a contribution or contributions to another county political party.
- (5)(a) Subject to division (B)(5)(b) of this section, no campaign committee, other than a designated state campaign committee, shall make a contribution or contributions aggregating in a calendar year more than:
 - (i) Thirty thousand dollars to any one state political party for the party's state candidate fund;
 - (ii) Fifteen thousand dollars to any one legislative campaign fund;
 - (iii) Ten thousand dollars to any one county political party for the party's state candidate fund.

- (f) Knowingly accept a contribution or contributions from any individual who is under seven years of age.
- (g) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, or from any one other campaign committee in a primary election period or in a general election period.
- (h) Accept a contribution or contributions aggregating more than two hundred fifty thousand dollars from any one or combination of state candidate funds of county political parties in a primary election period or in a general election period.
- (b) No campaign committee of a statewide candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from a county political party that has no state candidate fund and that is located in a county having a population of less than one hundred fifty thousand.
- (2)(a) Subject to division (D)(1) of this section and except for a designated state campaign committee, no campaign committee of a senate candidate shall do either of the following:
 - (i) Knowingly accept a contribution or contributions from any individual who is under seven years of age.
 - (ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, from any one state candidate fund of a county political party, or from any one other campaign committee in a primary election period or in a general election period.
 - (b) No campaign committee of a senate candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from a county political party that has no state candidate fund and that is located in a county having a population of less than one hundred fifty thousand.
 - (3)(a) Subject to division (D)(1) of this section and except for a designated state campaign committee, no campaign committee of a house candidate shall do either of the following:
 - (i) Knowingly accept a contribution or contributions from any individual who is under seven years of age.
 - (ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, from any one state candidate fund of a county political party, or from any one other campaign committee in a primary election period or in a general election period.

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- (b) No campaign committee shall make a contribution or contributions to a county political party for the party's state candidate fund unless one of the following applies:
 - (i) The campaign committee's candidate will appear on a ballot in that county.
 - (ii) The campaign committee's candidate is the holder of an elected public office that represents all or part of the population of that county at the time the contribution is made.
 - (6)(a) No state candidate fund of a county political party shall make a contribution or contributions, except a contribution or contributions to a designated state campaign committee, in a primary election period or a general election period, aggregating more than:
 - (i) Two hundred fifty thousand dollars to the campaign committee of any one statewide candidate;
 - (ii) Ten thousand dollars to the campaign committee of any one senate candidate;
 - (iii) Ten thousand dollars to the campaign committee of any one house candidate.
 - (b)(i) No state candidate fund of a state or county political party shall make a transfer or a contribution or transfers or contributions of cash or cash equivalents to a designated state campaign committee in a primary election period or in a general election period aggregating more than:
 - (i) Five hundred thousand dollars to the campaign committee of any one statewide candidate;
 - (ii) One hundred thousand dollars to the campaign committee of any one senate candidate;
 - (iii) Fifty thousand dollars to the campaign committee of any one house candidate.
 - (1d) Fifty thousand dollars to the campaign committee of any one house candidate.
 - (1e) No legislative campaign fund shall make a transfer or a contribution or transfers or contributions of cash or cash equivalents to a designated state campaign committee aggregating more than:
 - (i) One hundred thousand dollars in a primary election period or one hundred thousand dollars in a general election period to the campaign committee of any one statewide candidate;
 - (ii) Twenty-five thousand dollars in a primary election period or fifty thousand dollars in a general election period to the campaign committee of any one house candidate;
 - (iii) As used in divisions (B)(6)(b) and (C)(6) of this section, "transfer or contribution of cash or cash equivalents" does not include any in-kind or contributions.

- thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, from any one state candidate fund of a county political party, or from any one other campaign committee in a primary election period or in a general election period.
- (b) No campaign committee of a house candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from a county political party that has no state candidate fund and that is located in a county having a population of less than one hundred fifty thousand.
- (4)(a)(i) Subject to division (C)(4)(a)(ii) of this section and except for a designated state campaign committee, no county political party shall knowingly accept a contribution or contributions from any individual who is under seven years of age, or accept a contribution or contributions for the party's state candidate fund aggregating more than ten thousand dollars from any one individual whose designated Ohio residence is located within that county and who is seven years of age or older or from any one campaign committee in a calendar year.
- (ii) Subject to division (D)(1) of this section, no county political party shall accept a contribution or contributions for the party's state candidate fund from any individual whose designated Ohio residence is located outside of that county and who is seven years of age or older, from any campaign committee unless the campaign committee's candidate will appear on a ballot in that county or unless the campaign committee's candidate is the holder of an elected public office that represents all or part of the population of that county at the time the contribution is accepted, or from any political action committee or any political contributing entity.
- (iii) No county political party shall accept a contribution or contributions from any other county political party.
- (b) Subject to division (D)(1) of this section, no state political party shall do either of the following:
 - (i) Knowingly accept a contribution or contributions from any individual who is under seven years of age.
 - (ii) Accept a contribution or contributions for the party's state candidate fund aggregating more than thirty thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, or from any one campaign committee, other than a designated state campaign committee, in a calendar year.

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- (c) A county political party that has no state candidate fund and that is located in a county having a population of less than one hundred fifty thousand may make one or more contributions from other campaigns to any one statewide candidate or to any one designated state campaign committee that do not exceed, in the aggregate, two thousand five hundred dollars in any primary election period or general election period. As used in this division, "other accounts" does not include an account that contains the public moneys received from the Ohio political party fund under section 3517.17 of the Revised Code.
- (d) No legislative campaign fund shall make a contribution, other than to a designated state campaign committee or to the state candidate fund of a political party.
- (7)(a) Subject to division (D)(1) of this section, no political contributing entity shall make a contribution or contributions aggregating more than:
 - (i) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;
 - (ii) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;
 - (iii) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;
 - (iv) Fifteen thousand dollars to any one legislative campaign fund in a calendar year.
- (v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year.
- (vi) Ten thousand dollars to another political contributing entity or to a political action committee in a calendar year. This division does not apply to a political contributing entity that makes a contribution to a political contributing entity or a political action committee affiliated with it. For purposes of this division, a political contributing entity is affiliated with another political contributing entity or with a political action committee if they are the same established, financed, maintained, or controlled by or if they are, the same other person, including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person.
- (b) No political contributing entity shall make a contribution or contributions to a county political party for the party's state candidate fund.
- (C)(1)(a) Subject to division (D)(1) of this section, no campaign committee of a statewide candidate shall do any of the following:
 - (5) Subject to division (D)(1) of this section, no legislative campaign fund shall do either of the following:
 - (a) Knowingly accept a contribution or contributions from any individual who is under seven years of age.
 - (b) Accept a contribution or contributions aggregating more than fifteen thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, or from any one other campaign committee, other than a designated state campaign committee, in a calendar year.
 - (6)(a) No designated state campaign committee shall accept a transfer or contribution of cash or cash equivalents from a state candidate fund of a state political party aggregating in a primary election period or a general election period more than:
 - (i) Five hundred thousand dollars, in the case of a campaign committee of a statewide candidate;
 - (ii) One hundred thousand dollars, in the case of a campaign committee of a senate candidate;
 - (iii) Fifty thousand dollars, in the case of a campaign committee of a house candidate.
 - (b) No designated state campaign committee shall accept a transfer or contribution of cash or cash equivalents from a legislative campaign fund aggregating more than:
 - (i) Fifty thousand dollars in a primary election period or one hundred thousand dollars in a general election period, in the case of a campaign committee of a senate candidate;
 - (ii) Twenty-five thousand dollars in a primary election period or fifty thousand dollars in a general election period, in the case of a campaign committee of a house candidate.
 - (c) No campaign committee of a candidate for the office of member of the general assembly, including a designated state campaign committee, shall accept a transfer or contribution of cash or cash equivalents from any one or combination of state candidate funds of county political parties aggregating in a primary election period or a general election period more than:
 - (i) One hundred thousand dollars, in the case of a campaign committee of a senate candidate;
 - (ii) Fifty thousand dollars, in the case of a campaign committee of a house candidate.

- (5) Subject to division (D)(1) of this section, no legislative campaign fund shall do either of the following:
 - (a) Knowingly accept a contribution or contributions from any individual who is under seven years of age.
 - (b) Accept a contribution or contributions aggregating more than fifteen thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, or from any one other campaign committee, other than a designated state campaign committee, in a calendar year.
 - (6)(a) No designated state campaign committee shall accept a transfer or contribution of cash or cash equivalents from a state candidate fund of a state political party aggregating in a primary election period or a general election period more than:
 - (i) Five hundred thousand dollars, in the case of a campaign committee of a statewide candidate;
 - (ii) One hundred thousand dollars, in the case of a campaign committee of a senate candidate;
 - (iii) Fifty thousand dollars, in the case of a campaign committee of a house candidate.
 - (b) No designated state campaign committee shall accept a transfer or contribution of cash or cash equivalents from a legislative campaign fund aggregating more than:
 - (i) Fifty thousand dollars in a primary election period or one hundred thousand dollars in a general election period, in the case of a campaign committee of a senate candidate;
 - (ii) Twenty-five thousand dollars in a primary election period or fifty thousand dollars in a general election period, in the case of a campaign committee of a house candidate.
 - (c) No campaign committee of a candidate for the office of member of the general assembly, including a designated state campaign committee, shall accept a transfer or contribution of cash or cash equivalents from any one or combination of state candidate funds of county political parties aggregating in a primary election period or a general election period more than:
 - (i) One hundred thousand dollars, in the case of a campaign committee of a senate candidate;
 - (ii) Fifty thousand dollars, in the case of a campaign committee of a house candidate.
- (7)(a) Subject to division (D)(3) of this section, no political action committee and no political contributing entity shall do either of the

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Code shall be filed not later than fourteen days after the date the candidate's opponent fails to file a declaration of candidacy or nominating petition by the appropriate filing deadline or dies or withdraws. For purposes of calculating permitted filing dates under division (A)(4) of section 3517.09 of the Revised Code, the primary or general election period, whichever is applicable, shall be considered to have ended on the filing deadline. In the case of an opponent who fails to file a declaration of candidacy or nominating petition, or on the date of the opponent's death or withdrawal in such an event, the filing of any excess funds or required state funds under (B) of section 3517.10 of the Revised Code satisfies the candidate's obligation to file such a statement for that election period.

(B)(1) A campaign committee shall file a personal funds notice as required under division (C)(1) or (2) of this section.

(B)(2) The campaign committee shall accept any contribution in excess of the contribution limitation prescribed in section 3517.102 of the Revised Code.

(C) Unless a declaration of no further has been filed under division (B)(2) of this section:

(a) In violation of division (C)(1) of this section once the candidate who filed a personal funds notice under division (C)(1) or (2) of this section fails to file a withdrawal of candidacy or nominating petition or that candidate dies or withdraws.

(b) A campaign committee that violates division (B)(1) of this section shall not be eligible to receive any funds from the state or any political party or person under division (C)(1) or (2) of this section, whichever is appropriate to the committee.

(4) The candidate of any campaign committee that violates division (B) of this section shall forfeit the candidate's nomination if the candidate was nominated or the office to which the candidate was elected. The candidate was nominated or elected.

(F)(1) Whenever a campaign committee files a notice under division (C)(1) or (2) of this section or otherwise, the election administration personnel in section 3517.102 of the Revised Code shall apply to a not-designated state under division (C)(2) of the section. The committee is presented in section 3517.02 of the Revised Code with the following contribution limits: that campaign committee to a legislative campaign fund for a state candidate, that of a state or county political party.

(F)(2) Division (F)(1) of this section no longer applies to a campaign

candidate until the secretary of state is able to make available online to the public through the internet the contribution and expenditure information for all candidates for a particular office, or until the applicable filing deadline for that statement has passed, whichever is sooner. As soon as the secretary of state has received all of the contribution and expenditure information for all candidates for a particular office, or as soon as the applicable filing deadline for that statement has passed, whichever is sooner, the secretary of state shall simultaneously make available online to the public through the internet the information that candidates for that office.

If a statement filed by electronic means of transmission is found to be incomplete or inaccurate after the examination of the statement for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, the candidate or the committee shall file by electronic means of transmission any addendum to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the statement or, if required by the campaign committee of a candidate for statewide office, an addendum to the statement or an amended statement by electronic means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the contribution and expenditure information in the addendum available online to the public through the internet as provided in division (1) of this section.

(2) Subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to division (B)(1) of this section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, a political action committee and a political contributing entity described in division (B)(1)(b) of this section, a legislative campaign fund, and a state political party may file the statements prescribed by section 3517.10 of the Revised Code by electronic means of transmission or, if the total amount of the contributions received or the total amount of the expenditures made by the political action committee, political contributing entity, legislative campaign fund, or state political party for the applicable reporting period as specified in division (A) of section 3517.10 of the Revised Code exceeds ten thousand dollars, shall file those statements by electronic means of transmission.

Within five business days after a statement filed by a political action committee or a political contributing entity described in division (B)(1)(b)

committee after both of the following periods:

(a) The primary or general election period during which the contribution limitations prescribed in section 3517.02 of the Revised Code do not apply after being removed pursuant to division (B) of the section.

(b) When the campaign committee has disposed of all excess funds and excess aggregate contributions or required under section 3517.10 of the Revised Code.

Sec. 3517.106 (A) As used in this section:

(1) "Statewide officer" means any of the officers of government, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, chief justice of the supreme court, and justice of the supreme court.

(2) "Addendum to a statement" includes an amendment or other correction to that statement.

(B)(1) The secretary of state shall store on computer the information contained in statements of contributions and expenditures and monthly statements required to be filed under section 3517.10 of the Revised Code and in statements of independent expenditures required to be filed under section 3517.105 of the Revised Code by any of the following:

(a) The campaign committees of candidates for statewide office; described in division (A)(1) of section 3517.11 of the Revised Code;

(b) Legislative campaign funds;

(c) State political parties;

(d) Individuals, partnerships, corporations, labor organizations, or other entities that make independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question;

(e) The campaign committees of candidates for the office of member of the general assembly;

(f) County political parties, with respect to their state candidate funds.

(B) The secretary of state shall store on computer the information contained in disclosure of electorizing communications statements.

(C) The secretary of state shall store on computer the information contained in deposit and disbursement statements required to be filed with the file of the secretary of state under section 3517.1012 of the Revised Code.

(4) The secretary of state shall store on computer the gift and disbursement information contained in statements required to be filed with the office of the secretary of state under section 3517.1013 of the Revised Code.

of this section, a legislative campaign fund, or a state political party is received by the secretary of state by electronic or other means of transmission, the secretary of state shall make available online to the public through the internet, as provided in division (1) of this section, the contribution and expenditure information in that statement.

If a statement filed by electronic means of transmission is found to be incomplete or inaccurate after the examination of the statement for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, the political action committee, political contributing entity, legislative campaign fund, or state political party shall file by electronic means of transmission any addendum to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives from a political action committee or a political contributing entity described in division (B)(1)(b) of this section, a legislative campaign fund, or a state political party an addendum to the statement or an amended statement by electronic means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the contribution and expenditure information in the addendum available online to the public through the internet as provided in division (1) of this section.

(3) Subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to division (B)(1) of this section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, a county political party shall file the statements prescribed by section 3517.10 of the Revised Code with respect to its state candidate fund by electronic means of transmission to the office of the secretary of state.

Within five business days after a statement filed by a county political party with respect to its state candidate fund is received by the secretary of state by electronic means of transmission, the secretary of state shall make available online to the public through the internet, as provided in division (1) of this section, the contribution and expenditure information in that statement.

If a statement is found to be incomplete or inaccurate after the examination of the statement for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, a county political

(5) The secretary of state shall store on computer the information contained in donation and disbursement statements required to be filed with the office of the secretary of state under section 3517.1014 of the Revised Code.

(C)(1) The secretary of state shall make available to the campaign committees, political action committees, political contributing entities, corporations, labor organizations, treasurers of transmission funds, and other entities described in division (B) of this section, and to members of the news media and other interested persons, for a reasonable fee, computer programs that are compatible with Reason, for a reasonable fee, of storing the information contained in the statements.

(2) The secretary of state shall make the information required to be stored under division (B) of this section available on computer at the individual's or state's office so that it is available to any member of the news media and other interested persons, for a reasonable fee, of storing the information for any given year, subject to the limitation expressed in division (D) of this section.

(D) The secretary of state shall keep the information stored on computer under division (B) of this section for at least six years.

(E)(1) Subject to division (1) of this section and subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to division (B)(1) of this section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, the campaign committee of each candidate for statewide office may file the statements prescribed by section 3517.10 of the Revised Code by electronic means of transmission or, if the total amount of the contributions received or the total amount of the expenditures made by the campaign committee for the applicable reporting period as specified in division (A) of section 3517.10 of the Revised Code exceeds ten thousand dollars, shall file those statements by electronic means of transmission.

Except as otherwise provided in this division, within five business days after a statement filed by a campaign committee of a candidate for statewide office is received by the secretary of state by electronic or other means of transmission, the secretary of state shall make available online to the public through the internet, as provided in division (1) of this section, the contribution and expenditure information in that statement. The secretary of state shall not make available online to the public through the internet any contribution or expenditure information contained in a statement for any

party shall file by electronic means of transmission any addendum to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives from a county political party an addendum to the statement or an amended statement by electronic means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the contribution and expenditure information in the addendum available online to the public through the internet as provided in division (1) of this section.

(F)(1) Subject to division (4) of this section and subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to division (B)(1) of this section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, a campaign committee of a candidate for the office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals may file the statements prescribed by section 3517.10 of the Revised Code in accordance with division (A)(2) of section 3517.11 of the Revised Code or by electronic means of transmission to the office of the secretary of state or, if the total amount of the contributions received by the campaign committee for the applicable reporting period as specified in division (A) of section 3517.10 of the Revised Code exceeds ten thousand dollars, shall file those statements by electronic means of transmission to the office of the secretary of state.

Except as otherwise provided in this division, within five business days after a statement filed by a campaign committee of a candidate for the office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals is received by the secretary of state by electronic or other means of transmission, the secretary of state shall make available online to the public through the internet any contribution or expenditure information contained in a statement for any candidate until the secretary of state is able to make available online to the public through the internet the contribution and expenditure information for all candidates for a particular office, or until the applicable filing deadline for that statement has passed, whichever is sooner. As soon as the secretary of state has available all of the contribution

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and expenditure information for all candidates for a particular office, or as soon as the applicable filing deadline for a statement has passed, whichever is sooner, the secretary of state shall simultaneously make available online to the public through the Internet the information for all candidates for that office.

If a statement filed by electronic means of transmission is found to be incomplete or inaccurate after the examination of the statement, for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, the campaign committee shall file by electronic means of transmission to the office of the secretary of state any addendum to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives from a campaign committee of a candidate for the office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals an addendum to the statement or an amended statement by electronic or other means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the contribution and expenditure information in the addendum or amended statement available online to the public through the Internet as provided in division (I) of this section.

(2) If a statement, addendum, or amended statement is not filed by electronic means of transmission to the office of the secretary of state but is filed by printed version only under division (A)(2) of section 3517.11 of the Revised Code with the appropriate board of elections, the campaign committee of a candidate for the office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals shall file two copies of the printed version of the statement, addendum, or amended statement with the board of elections. The board of elections shall forward one copy by e-mailed mail or an electronic copy to the secretary of state before the close of business on the day the board of elections receives the statement, addendum, or amended statement.

(3) Subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state and (D)(6) of section 3517.10 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, any individual, partnership, or other entity that makes campaign expenditures in support of or opposition to a statewide candidate or a statewide ballot

the Revised Code.
(b) A library that is created, maintained, and regulated under Chapter 3375 of the Revised Code.

(2) The secretary of state shall notify all libraries of the location on the Internet at which the contribution and expenditure, contribution and disbursement, deposit and disbursement, gift and disbursement, or donation and disbursement information in campaign finance statements required to be made available online to the public through the Internet pursuant to division (I) of this section may be accessed.

If that location is part of the world wide web and if the secretary of state has notified a library of that world wide web location as required by this division, the library shall include a link to that world wide web location on each Internet-connected computer it maintains that is accessible to the public.

(3) If the system the secretary of state prescribes for the filing of campaign finance statements by electronic means of transmission pursuant to division (H)(1) of this section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised Code includes filing those statements through the Internet via the world wide web, the secretary of state shall notify all libraries of the world wide web location at which those statements may be filed.

If those statements may be filed through the Internet via the world wide web and if the secretary of state has notified a library of that world wide web location as required by this division, the library shall include a link to that world wide web location on each Internet-connected computer it maintains that is accessible to the public.

(5) It is an affirmative defense to a complaint or charge brought against any campaign committee, political action committee, political contributing entity, legislative campaign fund, or political party, any individual, partnership, or other entity, any person making disbursements to pay the direct costs of producing or airing electioneering communications, or any person making a transition fund, for the failure to file by electronic means of transmission a transition fund statement as required by this section or section 3517.10, 3517.10A, 3517.10B, 3517.10C, 3517.10D, 3517.10E, or 3517.10F of the Revised Code that all of the following apply to the campaign committee, political action committee, political contributing entity, legislative campaign fund, political party, the individual, partnership, or other entity: the person making disbursements to pay the direct costs of producing or airing electioneering communications, or the treasurer of a transition fund that failed to so file.

issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission or, if the total amount of independent expenditures made during the reporting period under that division exceeds ten thousand dollars, shall file the statement specified in that division by electronic means of transmission.

Within five business days after a statement filed by an individual, partnership, or other entity is received by the secretary of state by electronic or other means of transmission, the secretary of state shall make available online to the public through the Internet, as provided in division (I) of this section, the expenditure information in that statement.

If a statement or inaccurate after the means of transmission is found to be incomplete or inaccurate pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, the individual, partnership, or other entity shall file by electronic means of transmission any addendum to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives from an individual, partnership, or other entity described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code an addendum to the statement or an amended statement by electronic or other means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the expenditure information in the addendum or amended statement available online to the public through the Internet as provided in division (I) of this section.

(H)(1) The secretary of state, by rule adopted pursuant to section 3517.23 of the Revised Code, shall prescribe one or more techniques by which a person who executes and transmits by electronic means a statement of contributions and expenditures, a statement of independent expenditures, a disclosure of electioneering communications statement, or a donation and disbursement statement, an addendum to any of those statements, an amended statement of contributions and expenditures, an amended statement of independent expenditures, an amended disclosure of electioneering communications statement, an amended deposit and disbursement statement, an amended gift and disbursement statement, an amended donation and disbursement statement, or an amended deposit and disbursement statement, under this section or section 3517.10, 3517.105, 3517.10A, 3517.10B, 3517.10C, 3517.10D, or 3517.10E of the Revised Code shall

(1) The campaign committee, political action committee, political contributing entity, legislative campaign fund, or political party, the individual, partnership, or other entity, the person making disbursements to pay the direct costs of producing or airing electioneering communications, or the treasurer of a transition fund attempting to file by electronic means of transmission the required statement prior to the deadline set forth in the applicable section.

(2) The campaign committee, political action committee, political contributing entity, legislative campaign fund, or political party, the individual, partnership, or other entity, the person making disbursements to pay the direct costs of producing or airing electioneering communications, or the treasurer of a transition fund attempting to file by electronic means of transmission due to an expected or unexpected failure of the whole or part of the electronic campaign finance statement-filing system, such as for maintenance or because of hardware, software, or network connection failure.

(3) The campaign committee, political action committee, political contributing entity, legislative campaign fund, or political party, the individual, partnership, or other entity, the person making disbursements to pay the direct costs of producing or airing electioneering communications, or the treasurer of a transition fund filing by electronic means of transmission, the required statement within a reasonable period of time after being unable to so file it under the circumstance described in division (K)(2) of this section.

(L)(1) The secretary of state shall adopt rules pursuant to Chapter 119 of the Revised Code to permit a campaign committee of a candidate for statewide office that makes expenditures of less than twenty-five thousand dollars during the filing period or a campaign committee for the office of member of the general assembly or the office of judge of a court of appeals that would otherwise be required to file campaign finance statements by electronic means of transmission under division (E) or (F) of this section to file those statements by paper with the office of the secretary of state. Those rules shall provide for all of the following:

(a) An eligible campaign committee that wishes to file a campaign finance statement by paper instead of by electronic means of transmission shall file the statement on paper with the office of the secretary of state not sooner than twenty-four hours after the end of the filing period set forth in section 3517.10 of the Revised Code that is covered by the applicable statement.
(b) The statement shall be accompanied by a fee, the amount of which

electronically sign the statement, addendum, or amended statement. Any technique prescribed by the secretary of state pursuant to this division shall create an electronic signature that satisfies all of the following:

(a) It is unique to the signer.
(b) It objectively identifies the signer.
(c) It involves the use of a signature device or other means or method that is under the sole control of the signer and that cannot be readily duplicated or copied.
(d) It is created and linked to the electronic record to which it relates in a manner that, if the record or signature is unreasonably or unimproperly changed after signing, the electronic signature is invalidated.

(2) An electronic signature prescribed by the secretary of state under division (H)(1) of this section shall be attached to or associated with the statement of contributions and expenditures, the statement of independent expenditures, the disclosure of electioneering communications statement, or the donation and disbursement statement, the addendum to any of those statements, the amended statement of contributions and expenditures, the amended statement of independent expenditures, the amended disclosure of electioneering communications statement, the amended deposit and disbursement statement, the amended gift and disbursement statement, or the amended donation and disbursement statement that is transmitted by electronic means by the person to whom a receipt and signature is attributed. The electronic signature that is attached to or associated with the statement, addendum, or amended statement under this division shall be binding on all persons and for all purposes under the campaign finance reporting law as if the signature had been handwritten in ink on a printed form.

(3) The secretary of state shall make the contribution and expenditures, the contribution and disbursement, the deposit and disbursement, the gift and disbursement, or the donation and disbursement information in all statements, all addenda to the statements, and all amended statements that are filed with the secretary of state by electronic or other means of transmission under this section or section 3517.10, 3517.105, 3517.10A, 3517.10B, 3517.10C, 3517.10D, or 3517.10E of the Revised Code available online to the public by any means that are searchable, viewable, and accessible through the Internet.

(4)(C) As used in this division, "library" means a library that is open to the public and that is one of the following:
(a) A library that is maintained and regulated under section 715.13 of

the secretary of state shall determine by rule. The amount of the fee established under this division shall not exceed the data entry and data verification costs the secretary of state will incur to convert the information on the statement to an electronic format as required under division (I) of this section.

(c) The secretary of state shall arrange for the information in campaign finance statements filed pursuant to division (L) of this section to be made available online to the public through the Internet in the same manner, and at the same times, as information is made available under divisions (E), (F), and (I) of this section for candidates whose campaign committees file those statements by electronic means of transmission.

(d) The candidate of an eligible campaign committee that intends to file a campaign finance statement pursuant to division (L) of this section shall file and make available online the statement by electronic means of transmission and shall not constitute a hardship for the candidate or for the eligible campaign committee.

(e) An eligible campaign committee that files a campaign finance statement pursuant to division (L) of this section shall review the contribution and expenditure information made available online by the secretary of state with respect to that filing and shall notify the secretary of state of any errors with respect to that filing that appear in the data made available on that web site.

(f) If an eligible campaign committee whose candidate has filed a notice in accordance with rules adopted under division (L)(1)(b) of this section subsequently fails to file that statement on paper by the date established in rules adopted under division (L)(1)(d) of this section, penalties for the late filing of the campaign finance statement shall apply if the campaign committee had filed the statement after the applicable deadline set forth in division (A) of section 3517.10 of the Revised Code.

(2) The process for permitting campaign committees that would otherwise be required to file those campaign finance statements by electronic means of transmission to file those statements on paper with the office of the secretary of state that is required to be developed under division (L)(1) of this section shall be in effect and available for use by eligible campaign committees for all campaign finance statements that are required to be filed on or after June 30, 2005. Notwithstanding any provision of the Revised Code to the contrary, if the process the secretary of state is required to develop under division (L)(1) of this section is not in effect and available for

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use on and after June 30, 2005, all penalties for the failure of campaign committees to file campaign finance statements by electronic means of transmission shall be suspended until such time as that process is in effect and available for use.

(3) Notwithstanding any provision of the Revised Code to the contrary, any eligible campaigning committee that files campaign finance statements on paper with the office of the secretary of state pursuant to division (L)(1) of this section shall be deemed to have filed those campaign finance statements by electronic means of transmission to the office of the secretary of state.

Sec. 3517.107 (A) As used in this section, "federal political committee" means a political committee, as defined in the Federal Election Campaign Act, that is registered with the federal election commission under that act.

(B) Any federal political committee may make contributions, expenditures, or independent expenditures from its federal account in connection with any state or local election in Ohio. Prior to making any such contribution, expenditure, or independent expenditure, the federal political committee shall register with the secretary of state by filing a copy of its most recent federal statement of organization. A federal political committee registered with the secretary of state under this division shall file with the secretary of state any amendment to its statement of organization that is required under the Federal Election Campaign Act to be reported to the federal election commission.

(C) When, during any federal reporting period under the Federal Election Campaign Act, a federal political committee makes a contribution, expenditure, or independent expenditure from its federal account in connection with a state or local election in Ohio, the committee shall file with the secretary of state or local election in Ohio, the committee shall file required to be filed with the appropriate federal office or officer under the Federal Election Campaign Act, copies of the following pages from that report:

- (1) The summary page;
(2) The detailed summary page;
(3) The page or pages that contain a itemized list of the contributions, expenditures, and independent expenditures made in connection with state and local elections in Ohio.

The total amount of contributions, expenditures, and independent expenditures made in connection with state and local elections in Ohio shall be reflected on the summary page or on a form that the secretary of state shall prescribe.

(D) When, during any calendar year, a federal political committee between the date that the person becomes a candidate and the thirtieth day prior to the primary election, and between the date of the primary election and the thirtieth day prior to the general election at which a candidate will be elected to that office:

(a) If the person becomes a candidate after the day of the primary election at which candidates were nominated for election to that office, between the date of the primary election and the thirtieth day prior to the general election at which a candidate will be elected to that office.

(b) If the person becomes a candidate before the day of the primary election at which candidates were nominated for election to that office, between the date of the primary election and the thirtieth day prior to the general election at which a candidate will be elected to that office.

(c) If the person becomes a candidate after the day of the primary election at which candidates were nominated for election to that office, between the date of the primary election and the thirtieth day prior to the general election at which a candidate will be elected to that office.

(d) A communication that is publicly disseminated through a means of communication, other than a broadcast, cable, or satellite television or radio station, for example, "electronic communication" does not include newspaper, magazine, journal, brochure, bumper sticker, yard sign, poster, billboard, or other written materials, including mailings, communications over the internet, including electronic mail, or telephone communications.

(e) A communication that appears in a news story, commentary, public service announcement, or other news programming, or editorially distributed station, unless those facilities are owned or controlled by any political party, political committee, or candidate.

(f) A communication that constitutes an expenditure or an independent expenditure under section 3517.01 of the Revised Code.

(g) A communication that constitutes a candidate debate or forum or that solely promotes a candidate debate or forum and is made by or on behalf of the person sponsoring the debate or forum.

makes a contribution from its federal account in connection with a state or local election in Ohio to a state or local political action committee that is required under section 3517.11 of the Revised Code to file any statement prepared by section 3517.10 of the Revised Code, and the federal political committee and state or local political action committee are established, financed, maintained, or controlled by the same corporation, organization, division, department, or unit of that corporation, organization, association, or other person, the federal political action committee shall be treated as if it were a political committee of the state for the purposes of this section.

(E) The filing requirements of divisions (B) and (C) of this section shall not apply to a federal political committee of a member of, or a candidate to become a member of, the United States congress representing Ohio or any district in Ohio.

Sec. 3517.101 (A) As used in this section:

(1) "Address" has the same meaning as in section 3517.10 of the Revised Code.

(2) "Broadcast, cable, or satellite communication" means a communication that is publicly distributed by a television station, radio station, or satellite television system, or satellite system.

(3) "Candidate" has the same meaning as in section 3501.01 of the Revised Code.

(4) "Contribution" means any loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or of anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, that is made, received, or used to pay the direct costs of producing or airing electronic communications.

(5) "Coordinated electronic communication" means any electronic communication that is made in connection with any campaign, contribution, or election by a candidate or a candidate's campaign committee, or by an officer, agent, employee, or consultant of a candidate or a candidate's campaign committee, or by a former officer, former agent,

(c) Any state, county, or local committee of a political party that does any of the following:

(i) Receives contributions aggregating in excess of five thousand dollars during a calendar year.

(ii) Makes payments that do not constitute contributions or expenditures aggregating in excess of five thousand dollars during a calendar year.

(iii) Makes contributions or expenditures aggregating in excess of one thousand dollars during a calendar year.

(12) "Publicly distributed" means aired, broadcast, cablecast, or otherwise disseminated for a fee.

(13) "Refers to a clearly identified candidate" means that the candidate's name, nickname, photograph, or drawing appears, or the identity of the candidate is otherwise apparent through an unambiguous reference to the person such as "the chief justice," "the governor," "member of the Ohio senate," "member of the Ohio house of representatives," "county auditor," "mayor," or "township trustee" or through an unambiguous reference to the person's status as a candidate.

(B) For the purposes of this section, a person shall be considered to have made a disbursement if the person has entered into a contract to make the disbursement.

former employee, or former consultant of a candidate or a candidate's campaign committee prior to the airing, broadcasting, or cablecasting of the communication. An electronic communication is presumed to be a coordinated electronic communication when it is either of the following:

(1) Based on information about a candidate's plans, projects, or needs provided to the person making the disbursement by the candidate or the candidate's campaign committee, by an officer, agent, employee, or former officer, former agent, former employee, or former consultant of the candidate or the candidate's campaign committee, with a view toward having the communication made.

(2) Made by or for that person who is, or has been, authorized to raise or expend funds on behalf of a candidate or the candidate's campaign committee, who is, or has been, an officer, agent, employee, or consultant of the candidate or the candidate's campaign committee, or who is, or has been, receiving any form of compensation, or former officer, agent, employee, or consultant of the candidate or the candidate's campaign committee or former officer, agent, employee, or consultant of the candidate or of the candidate's campaign committee.

(3) An electronic communication shall not be presumed to be a coordinated electronic communication under division (A)(5)(B)(i) of this section if the communication is made through any person who provides a service that does not affect the content of the communication, such as a communications placed through the efforts of a media buyer, unless that person also affects the content of the communication.

(4) "Disclosure date" means both of the following:

(a) The first date during any calendar year by which a person makes disbursements for the direct costs of producing or airing electronic communications aggregating in excess of ten thousand dollars.

(b) The same day of the week of each remaining week in the same calendar year as the day of the week of the initial disclosure date established under division (A)(6)(a) of this section, if during that remaining week, the person makes disbursements for the direct costs of producing or airing electronic communications aggregating in excess of one dollar.

(5) "Electronic communication" means any broadcast, cable, or satellite communication that refers to a clearly identified candidate and that is made during either of the following periods of time:

(i) If the person becomes a candidate before the day of the primary election at which candidates will be nominated for election to that office,

(ii) If the person becomes a candidate after the day of the primary election at which candidates will be nominated for election to that office, between the date of the primary election and the thirtieth day prior to the general election at which a candidate will be elected to that office.

(6) The nominations or elections to which the electronic communications pertain and the names, if known, of the candidates identified or to be identified:

(i) If the disbursements were paid out of a segregated bank account that consists of funds contributed solely by individuals who are United States citizens or nationals or lawfully admitted for permanent residence as defined in section 101(a)(20) of the Immigration and Nationality Act directly to the account for electronic communications, the individual who opened the account for electronic communications, the individual who specified an aggregate amount of two hundred dollars or more to be segregated into the account and whose contributions were used for making the disbursement or disbursements required to be reported under division (D) of this section prohibits or shall be construed to prohibit the use of funds in such a segregated bank account for a purpose other than electronic communications.

(ii) If the disbursements were paid out of funds not described in division (D)(1)(e) of this section, the information specified in division (D)(2) of this section for all contributors who contributed an aggregate amount of two hundred dollars or more to the person making the disbursement and whose contributions were used for making the disbursement or disbursements covered by the statement.

(2) For each contributor for which information is required to be reported under division (D)(1)(e) or (f) of this section, all of the following shall be reported:

(a) The month, day, and year that the contributor made the contribution or contributions aggregating two hundred dollars or more;

(d) The nominations or elections to which the electronic communications pertain and the names, if known, of the candidates identified or to be identified:

(i) If the disbursements were paid out of a segregated bank account that consists of funds contributed solely by individuals who are United States citizens or nationals or lawfully admitted for permanent residence as defined in section 101(a)(20) of the Immigration and Nationality Act directly to the account for electronic communications, the individual who opened the account for electronic communications, the individual who specified an aggregate amount of two hundred dollars or more to be segregated into the account and whose contributions were used for making the disbursement or disbursements required to be reported under division (D) of this section prohibits or shall be construed to prohibit the use of funds in such a segregated bank account for a purpose other than electronic communications.

(ii) If the disbursements were paid out of funds not described in division (D)(1)(e) of this section, the information specified in division (D)(2) of this section for all contributors who contributed an aggregate amount of two hundred dollars or more to the person making the disbursement and whose contributions were used for making the disbursement or disbursements covered by the statement.

(2) For each contributor for which information is required to be reported under division (D)(1)(e) or (f) of this section, all of the following shall be reported:

(a) The month, day, and year that the contributor made the contribution or contributions aggregating two hundred dollars or more;

(b) The full name and address of the contributor, and, if the contributor is a political action committee, the registration number assigned to the political action committee under division (D)(1) of section 3517.10 of the Revised Code;

(c) If the contributor is an individual, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any;

(d) If the contribution is transmitted pursuant to section 3599.031 of the Revised Code from amounts deducted from the wages and salaries of two or more employees that exceed in the aggregate one hundred dollars during the period specified in division (D)(1)(e) or (f) of this section, as applicable, the full name of the employees' employer and the full name of the labor

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organization of which the employees are members, if any.

(g) A description of the contribution, if other than money.

(4) The value in dollars and cents of the contribution.

(5) Subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of section 3517.106 and division (H)(1) of section 3517.106 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, a person shall file the disclosure of electorating communications statement prescribed under divisions (D)(1) and (2) of this section by electronic means of transmission to the office of the secretary of state.

Within five business days after the secretary of state receives a disclosure of electorating communications statement under this division, the secretary of state shall make available online to the public through the Internet, as provided in division (I) of section 3517.106 of the Revised Code, the contribution and disbursement information in that statement.

If a filed disclosure of electorating communications statement is found to be incomplete or inaccurate after its examination for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.111 of the Revised Code, the secretary shall file by electronic means of transmission to the office of the secretary of state any addendum, amendment, or other correction to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives an addendum, amendment, or other correction to a disclosure of electorating communications statement or an amended statement by electronic means of transmission under this division (B)(3)(a) of section 3517.111 of the Revised Code, the secretary of state shall make the contribution and disbursement information in the addendum, amendment, or other correction to the statement or amended statement available online to the public through the Internet, as provided in division (I) of section 3517.106 of the Revised Code.

(E)(1) Any person who makes a contribution for the purpose of funding the direct cost of producing or airing an electorating communication or recipient of the contribution shall provide the person's full name and address to the secretary of state.

(2) Any individual who makes a contribution or contributions aggregating two hundred dollars or more for the purpose of funding the direct costs of producing or airing an electorating communication under

penalties of those sections. The secretary of state, by certified mail, return receipt requested, shall notify all candidates required to file those statements with the secretary of state's office. The board of elections of every county shall notify by first class mail any candidate who has personally appeared at the office of the board on or before the tenth day before the statements are required to be filed and signed a form, to be provided by the secretary of state, asserting that the candidate has been notified of the candidate's obligations under the campaign finance law. The board shall forward the completed form to the secretary of state. The board shall use certified mail, return receipt requested, to notify all other candidates required to file those statements with it.

(3)(a) Any statement required to be filed under sections 3517.081 to 3517.117 of the Revised Code that is found to be incomplete or inaccurate by the officer to whom it is submitted shall be accepted on a conditional basis, and the person who filed it shall be notified by certified mail as to the incomplete or inaccurate nature of the statement. The secretary of state may examine the statement filed for candidates for the office of member of the general assembly and candidates for the office of judge of a court of appeals for completeness and accuracy. The secretary of state shall examine for completeness and accuracy statements that campaign committees of candidates for the office of member of the general assembly and campaign committees of candidates for the office of judge of a court of appeals file for an officer of the board of elections or (L) or section 3517.106 of the Revised Code. If an officer of the board of elections where a statement filed for a candidate for the office of member of the general assembly or for a candidate for the office of judge of a court of appeals finds the statement to be incomplete or inaccurate, the officer shall immediately notify the secretary of state of its incomplete or otherwise inaccurate nature. If either an officer at the board of elections or the secretary of state finds a statement filed for a candidate for the office of judge of a court of appeals to be incomplete or inaccurate, only the secretary of state shall send the notification as to the incomplete or inaccurate nature of the statement filed to the candidate.

Within twenty-one days after receipt of the notice, in the case of a pre-election statement, a postelection statement, a legislative statement, an annual statement, or a semiannual statement prescribed by sections 3517.10, 3517.11, 3517.12, 3517.13, 3517.14, 3517.15, 3517.16, 3517.17, 3517.18, 3517.19, 3517.20, 3517.21, 3517.22, 3517.23, 3517.24, 3517.25, 3517.26, 3517.27, 3517.28, 3517.29, 3517.30, 3517.31, 3517.32, 3517.33, 3517.34, 3517.35, 3517.36, 3517.37, 3517.38, 3517.39, 3517.40, 3517.41, 3517.42, 3517.43, 3517.44, 3517.45, 3517.46, 3517.47, 3517.48, 3517.49, 3517.50, 3517.51, 3517.52, 3517.53, 3517.54, 3517.55, 3517.56, 3517.57, 3517.58, 3517.59, 3517.60, 3517.61, 3517.62, 3517.63, 3517.64, 3517.65, 3517.66, 3517.67, 3517.68, 3517.69, 3517.70, 3517.71, 3517.72, 3517.73, 3517.74, 3517.75, 3517.76, 3517.77, 3517.78, 3517.79, 3517.80, 3517.81, 3517.82, 3517.83, 3517.84, 3517.85, 3517.86, 3517.87, 3517.88, 3517.89, 3517.90, 3517.91, 3517.92, 3517.93, 3517.94, 3517.95, 3517.96, 3517.97, 3517.98, 3517.99, 3518.00, 3518.01, 3518.02, 3518.03, 3518.04, 3518.05, 3518.06, 3518.07, 3518.08, 3518.09, 3518.10, 3518.11, 3518.12, 3518.13, 3518.14, 3518.15, 3518.16, 3518.17, 3518.18, 3518.19, 3518.20, 3518.21, 3518.22, 3518.23, 3518.24, 3518.25, 3518.26, 3518.27, 3518.28, 3518.29, 3518.30, 3518.31, 3518.32, 3518.33, 3518.34, 3518.35, 3518.36, 3518.37, 3518.38, 3518.39, 3518.40, 3518.41, 3518.42, 3518.43, 3518.44, 3518.45, 3518.46, 3518.47, 3518.48, 3518.49, 3518.50, 3518.51, 3518.52, 3518.53, 3518.54, 3518.55, 3518.56, 3518.57, 3518.58, 3518.59, 3518.60, 3518.61, 3518.62, 3518.63, 3518.64, 3518.65, 3518.66, 3518.67, 3518.68, 3518.69, 3518.70, 3518.71, 3518.72, 3518.73, 3518.74, 3518.75, 3518.76, 3518.77, 3518.78, 3518.79, 3518.80, 3518.81, 3518.82, 3518.83, 3518.84, 3518.85, 3518.86, 3518.87, 3518.88, 3518.89, 3518.90, 3518.91, 3518.92, 3518.93, 3518.94, 3518.95, 3518.96, 3518.97, 3518.98, 3518.99, 3519.00, 3519.01, 3519.02, 3519.03, 3519.04, 3519.05, 3519.06, 3519.07, 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3529.07, 3529.08, 3529.09, 3529.10, 3529.11, 3529.12, 3529.13, 3529.14, 3529.15, 3529.16, 3529.17, 3529.18, 3529.19, 3529.

or of the total expenditures or disbursements made during the reporting period.

(D) No certificate of nomination or election shall be issued to a person, and no person elected to an office shall enter upon the performance of the duties of that office, until that person or that person's campaign committee, as appropriate, has fully complied with this section and sections 3517.08, 3517.081, 3517.10 and 3517.13 of the Revised Code.

(E) Upon the filing of a complaint by a complainant with the Ohio election commission, which shall be made by affidavit of any person, on filing of a complaint, and by the secretary of state or an official at the board of elections, acting forth with the secretary of state or an official at the board of elections in sections 3517.08 to 3517.10, 3517.11, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code, the commission shall proceed in accordance with sections 3517.154 to 3517.157 of the Revised Code.

(F) The commission shall prescribe the form for complaints made under division (A) of this section. The secretary of state and the board of elections shall furnish the information that the commission requires. The commission may issue subpoenas to any person in the state compelling the attendance of witnesses and the production of relevant papers, books, accounts, and reports. Section 101.42 of the Revised Code governs the issuance, and subpoenas issued as applicable. Upon the refusal of any person to obey a subpoena or to be sworn or to answer as a witness the commission may apply to the court of common pleas of Franklin county under section 2705.03 of the Revised Code. The court shall hold proceedings in accordance with Chapter 2705 of the Revised Code.

(G) No person shall obstruct for a violation of a provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code unless a complainant has been filed with the commission under this section and all proceedings of the commission or a panel of the commission, as appropriate, under sections 3517.154 to 3517.157 of the Revised Code are completed.

(H) The commission may recommend legislation and render advisory opinions concerning sections 3517.08, 3517.082, 3517.082, 3517.092, 3517.102, 3517.104, 3517.105, 3517.104, 3517.13, 3517.18, 3517.20 to 3517.22, 3599.03, and 3599.031 of the Revised Code for persons over whom such it has or may have jurisdiction. When the commission renders an advisory opinion relating to a specific set of circumstances involving any of those

(I) If the complainant involves a statement required to be filed under section 3517.10, section (E) of section 3517.102, or section 3517.102, 3517.105, 3517.107, 3517.108, 3517.109, 3517.101, 3517.102, 3517.103, or 3517.104 of the Revised Code that is incomplete, the degree to which it is incomplete.

(J) If the complainant involves the receipt of contributions in violation of section 3599.03 of the Revised Code, the dollar amount and number of contributions received in violation of that section.

(K) If the complainant involves a failure to make the identification or a misstatement of the identification required under section 3517.105 or 3517.20 of the Revised Code, whether the failure or misstatement was purposely made.

(L) If the complainant sees forth a failure to comply with a violation of a section of the Revised Code described in division (A)(2)(C) of this section, whether the person or entity against whom the complaint has been made has committed more than one such failure or violation within reasonable amount of time, or whether the cumulative nature of the failures or violations indicates a systematic disregard for the law.

(M) Prior to making a determination under division (A)(3)(G) of this section that the complainant should receive an expedited hearing under section 3517.156 of the Revised Code, the attorney shall take into consideration the number of panels of the commission that have cases pending before them and the number of cases pending before the panels and shall not make a determination that will place an undue burden on a panel of the commission.

(N) If the attorney determines that the complainant should receive an expedited hearing under section 3517.156 of the Revised Code, the attorney shall recommend to the commission that the complainant receive an expedited hearing, and, if a majority of the members of the commission agrees with the recommendation, the complainant shall receive an expedited hearing with that section.

(O) The attorney may join two or more complainants if the attorney determines that the allegations in each complaint are of the same or similar character, are based on the same act or failure to act, or are based on two or more acts or failures to act constituting parts of a common scheme or plan. If one complainant contains two or more allegations, the attorney may separate the allegations if they are not of the same or similar character, if they are not based on the same act or failure to act, or if they are not based on two or more acts or failures to act constituting parts of a common scheme or plan. If the attorney separates the allegations in a complaint, the attorney may make separate recommendations under division (A)(2) or (3) of this section

(P) The attorney may join two or more complainants if the attorney determines that the allegations in each complaint are of the same or similar character, are based on the same act or failure to act, or are based on two or more acts or failures to act constituting parts of a common scheme or plan. If one complainant contains two or more allegations, the attorney may separate the allegations if they are not of the same or similar character, if they are not based on the same act or failure to act, or if they are not based on two or more acts or failures to act constituting parts of a common scheme or plan. If the attorney separates the allegations in a complaint, the attorney may make separate recommendations under division (A)(2) or (3) of this section

sections stating that there is no violation of a provision in those sections, the person to whom the opinion is directed or a person who is similarly situated may reasonably rely on the opinion and its issuance and its final pronouncement and a civil action including, without limitation, a civil action for removal from public office or employment, based on facts and circumstances covered by the opinion.

(E) The commission shall establish a web site on which it shall post, at a minimum, all decisions and advisory opinions issued by the commission and copies of each decision law as it is amended by the commission. The commission shall update the web site regularly to reflect any changes to those decisions and advisory opinions and any new decisions and advisory opinions.

Sec. 3517.154. (A)(1) The full-time attorney for the Ohio elections commission shall review each complaint filed with the commission under section 3517.153 of the Revised Code, shall determine the nature of the complaint, and, unless division (A)(2)(B) of this section requires that the complainant receive an automatic expedited hearing, shall make a recommendation to the commission for its disposition, in accordance with this section. The attorney shall make the determination, in accordance with the recommendation, if required, not later than one business day after the complainant is filed.

(2)(A) If the attorney determines that the complainant sees forth a violation of division (B) of section 3517.21 or division (B) of section 3517.22 of the Revised Code and that the complainant is filed during one of the periods of time specified in division (B)(1) of section 3517.156 of the Revised Code, or that the complainant sees forth a violation of section 3517.102 of the Revised Code, the complainant shall receive an automatic expedited hearing under section 3517.156 of the Revised Code.

(B) If the attorney determines that the complainant sees forth a failure to comply with or a violation of division (G), (I), (J), (K), (L), (M), or (N) of section 3517.13, division (A) of section 3517.21, or division (A) of section 3517.22 of the Revised Code and that the complainant is filed during one of the periods of time specified in division (B)(1) of section 3517.156 of the Revised Code, the attorney shall recommend to the commission that the complainant receive an expedited hearing under section 3517.156 of the Revised Code, and if the complainant shall receive such a hearing.

(C) If the attorney determines that the complainant sees forth a failure to comply with or a violation of a section of the Revised Code over which the commission has jurisdiction to hear complaints other than the sections

for each allegation.

(B) Whenever a person or other entity files a complaint with the commission that alleges a failure to comply with or a violation of a section of the Revised Code as described in division (A)(2)(C) of this section and the complainant is filed during one of the periods of time specified in division (B)(1) of section 3517.156 of the Revised Code, the person or entity may request an expedited hearing under the Revised Code, at the time the complaint is filed. The attorney for the commission shall inform the members of the commission of that request at the time the attorney makes a recommendation under division (A) of this section. The commission may grant the request for an expedited hearing under this division if it determines that an expedited hearing is practicable.

Sec. 3517.155. (A)(1) Except as otherwise provided in division (B) of this section, the Ohio elections commission shall hold its first regular meeting under section 3517.156 of the Revised Code, not later than ninety business days after the complainant is filed under the commission has good cause to hold the hearing after that time, in which case it shall hold the hearing not later than one hundred eighty business days after the complaint is filed. At the hearing, the commission shall determine whether or not the failure to act or the violation alleged in the complaint has occurred and shall do only one of the following, except as otherwise provided in division (B) of this section or in division (B) of section 3517.151 of the Revised Code:

(a) Enter a finding that good cause has been shown and to impose a fine or not to refer the matter to the appropriate prosecutor.

(b) Impose a fine under section 3517.993 of the Revised Code.

(c) Refer the matter to the appropriate prosecutor.

(4) Before the secretary of state or appropriate board of elections with the authority to certify a candidate to the ballot to remove a candidate's name from the ballot of the candidate is barred from the ballot under division (B) of section 3517.149 of the Revised Code.

(2) As used in division (A) of this section, "appropriate prosecutor" means a prosecutor as defined in section 2935.01 of the Revised Code and either of the following:

(a) In the case of a failure to comply with or a violation of law involving a campaign committee or the committee's candidate, a political party, a legislative campaign fund, a political action committee, or a political contributing entity, that is required to file a statement of contributions and expenditures with the secretary of state under division (A) of section 3517.11 of the Revised Code, the prosecutor of Franklin county;

language appearing in Am. Sub. H. B. 194 constituting one or more provisions of law, sections or items of the bill, the subject legislation of this referendum, enactment or repeal until approved by a majority of the electors of Ohio. All other language not so marked as outlined in 1), 2) and/or 3) above is not the subject of this referendum.

to language that has been marked by 1) manually striking through it, 2) having been stricken through and marked by adjacent vertical lines and arrows and/or 3) appearing within a box and/or within an area appearing manually marked with an "X" drawn over the bill text, all to show that this language will not become law by amendment, enactment or repeal until approved by a majority of the electors of Ohio. All other language not so marked as outlined in 1), 2) and/or 3) above is not the subject of this referendum.

(B) In the case of a failure to comply with or a violation of law involving any other campaign committee or committee's candidate, or any other political party, political action committee, or political contributing entity (I) The presence of the man county.

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equal to three times the amount given in excess of the amount permitted by that division.

(2) Any state or county political party that violates division (C)(3)(b) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.

(B)(D)(1) Any campaign committee or person who violates division (C)(1)(b) or (c) of section 3517.1014 of the Revised Code shall be fined an amount equal to three times the amount donated in excess of the amount permitted by that division.

(2) Any other holder or treasurer of a trust fund who violates division (C)(3)(b) or (c) of section 3517.1014 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.

Sec. 3519.01. (A) Only one proposal of law or constitutional amendment to be proposed by initiative petition shall be contained in an initiative petition to enable the voters to vote on that proposal separately. A provision shall include the text of any existing statute or constitutional provision that would be amended or repealed if the proposed law or constitutional amendment is adopted.

Whoever seeks to propose a law or constitutional amendment by initiative petition shall, by a written petition signed by one thousand qualified electors, submit the proposed law or constitutional amendment and a summary of it to the attorney general for examination. Within ten days after the receipt of the written petition and the summary of it, the attorney general shall conduct an examination of the summary. If, in the opinion of the attorney general, the summary is a fair and truthful statement of the proposed law or constitutional amendment, the attorney general shall so certify and then forward the submitted petition to the Ohio ballot board for its use and then forward the submitted petition to the Ohio ballot board. If with its certification as described in that division, the attorney general shall then file with the secretary of state a verified copy of the proposed law or constitutional amendment together with its summary and the attorney general's certification.

Whenever the Ohio ballot board divides an initiative petition into individual petitions containing only one proposed law or constitutional amendment under division (A) of section 3505.062 of the Revised Code resulting in the need for the petitioners to reappear to the attorney general appropriate summaries for each of the individual petitions arising from the

return the petitions together with their report. The secretary of state shall notify, by certified mail, the chairperson and each member of the committee in charge of the circulation as to the sufficiency or insufficiency of the petition and the extent of the insufficiency.

If the petition is found insufficient because of an insufficient number of valid signatures, the committee shall be allowed ten additional days after the notification by first, member of the committee receives notice of the petition's insufficiency by certified mail from the secretary of state for the filing of additional signatures to the petition. No additional signatures may be collected by the circulation of the petition until the secretary of state determines the authenticity of the signatures that the circulation ordinarily filed with the secretary of state. The part-petitions of the supplementary petition that appear to the secretary of state to be properly verified, upon their receipt by the secretary of state, shall forthwith be forwarded to the boards of the several counties together with the part-petitions of the original petition that have been properly verified. They shall be immediately examined and passed upon as to the validity and sufficiency of the signatures on them by each of the boards and returned within five days to the secretary of state with the report of each board. No signature on a supplementary part-petition that is the name of a signature on an original part-petition shall be counted. The number of signatures in both the original part-petition and the supplementary part-petition, shall be used by the secretary of state in determining the total number of signatures to the petition and the number of valid signatures to the petition. If they are as required by law, if the petition is found insufficient, the secretary of state shall notify the committee in charge of the circulation of the petition.

Sec. 3599.05. (A)(1) Except as otherwise provided in sections 3541.02 and 3541.03, a donor or persons provided in sections 3541.02 and 3541.03, who contributes (A)(2) of section 3517.1012 of the Revised Code to a political action committee, shall not be considered a contributor to the committee for purposes of sections 3517.1012 and 3517.1013 of the Revised Code.

(B) A person who contributes to a political action committee shall not be considered a contributor to the committee for purposes of sections 3517.1012 and 3517.1013 of the Revised Code if the contribution is made to the committee for the election of a candidate to public office, a political action committee, or a legislative campaign fund, or any organization that supports

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board's division of the initiative petition, the attorney general shall review the returned summaries, within ten days after their receipt, to determine if they are a fair and truthful statement of the respective proposed laws or constitutional amendments and, if so, certify them. These submissions shall contain the explanations or arguments. Then, the attorney general shall file with the secretary of state a verified copy of each of the proposed laws or constitutional amendments together with their respective summaries and the attorney general's certification of each.

(B)(1) When one seeks to file an initiative petition against any law, section, or item in any law shall, by a written petition signed by one thousand qualified electors, submit the petition to be returned by the business day before or after that day, submit a copy of the petition, measure, and summary to the attorney general.

(2) Not later than ten business days after receiving the petition, measure, and summary, the secretary of state shall do both of the following: (a) Have the validity of the signatures on the petition verified; (b) After comparing the text of the measure to be returned with the copy of the enrolled act on file in the secretary of state's office containing the law, section, or item of law, determine whether the text is correct and, if it is, so certify.

(3) Not later than ten business days after receiving a copy of the petition, measure, and summary, the attorney general shall examine the summary and, if in the attorney general's opinion, the summary is a fair and truthful statement of the measure to be returned, so certify.

(C) Any person who is aggrieved by a certification decision under division (A) or (B) of this section may challenge the certification or failure to certify of the attorney general in the supreme court, which shall have exclusive, original jurisdiction in all challenges of those certification decisions.

Sec. 3519.16. The date of the election of any part-petition, the committee interested in the petition, or any elector may file with the board of elections a protest against the board's findings made pursuant to section 3519.14 of the Revised Code. Protest shall be in writing and shall specify reasons for the protest. Protests for all initiative and referendum petitions other than those to be voted on by electors throughout the entire state shall be filed not later than five days after the secretary of state certifies the election or referendum of the signatures and the certification of those signatures in an election before the secret of common files in the county. The election shall

be filed with the board of elections not later than five days after the secretary of state certifies the election or referendum of the signatures and the certification of those signatures in an election before the secret of common files in the county. The election shall

Whoever makes any such candidate or for-segmented-petition, shall violate any law requiring the filing of an affidavit of citizenship, respecting such use of those funds, or shall pay or use the money of another person or organization in making, for the expenses of a local, state, or national political action committee, if an employee of or labor organization member's right to attend such an event is prejudiced or the employee's or member's contribution to the corporation's or labor organization's political action committee.

(A) Nothing in this section prohibits a labor organization from making a contribution to a political action committee, or to another political entity or governmental independent expenditure.

(B) Whoever violates division (A)(1)(A) of this section shall be fined not less than five hundred nor more than five thousand dollars.

(C) No officer, stockholder, attorney, or agent of a corporation or nonprofit corporation, no member, including an officer, attorney, or agent, of a labor organization, no candidate, political party official, or other individual shall knowingly aid, advise, solicit, or receive money or other property in violation of division (A)(1)(A) of this section.

(2) Whoever violates division (B)(1) of this section shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both.

(3) A corporation, nonprofit corporation, or labor organization may use its funds or property for in aid of or opposition to a proposed or certified ballot issue. Such use of funds or property shall be reported on a form prescribed by the secretary of state. Reports of contributions in connection with statewide ballot issues shall be filed with the secretary of state. Reports of contributions in connection with local issues shall be filed with the board of elections of the most populous county of the district in which the issue is submitted or to be submitted to the electors. Reports made pursuant to this division shall be filed by the times specified in divisions (A)(1) and (2) of section 3517.10 of the Revised Code.

(D)(1) Any gift made pursuant to section 3517.10 of the Revised Code does not constitute a violation of this section or of any other section of the Revised Code.

be brought within three days after the protest is filed and it shall be heard forthwith by a judge of the court, whose decision shall be certified to the board of elections. The judge or judges who hear the protest shall be considered the judges of the court. The board of elections shall be considered the court for purposes of this section. The board of elections shall be considered the court for purposes of this section. The board of elections shall be considered the court for purposes of this section.

(1) An electronic copy of the petition filed along with a certification that the electronic copy is a true representation of the original paper petition filed with the secretary of state.

(2) A summary of the number of part-petitions filed per county and the number of signatures on each part-petition.

(3) An index of the electronic copy.

(4) For a request made under Chapter 149 of the Revised Code for the inspection or copying of the original petition filed with the secretary of state, the request is fulfilled when the secretary of state provides inspection, or a copy of the electronic copy filed by the certification of the petition. This section applies from the time of the initial filing of the petition until the secretary of state and remains applicable until the part-petitions are returned to the secretary of state from the local board of elections after a determination of authenticity of the petition pursuant to section 3519.15 of the Revised Code.

(D) Discrepancies between the electronic copy filed under division (B)(1) of this section and the original paper petition, as filed with the secretary of state shall not render the petition invalid. Discrepancies between the electronic copy and the original paper petition, if the product of fraud, shall be subject to criminal penalties under section 3599.16 of the Revised Code.

(E) The property verified part-petitions, together with the report of the board, shall be returned to the secretary of state not later than sixty days before the election provided that in the case of an initiative law to be presented to the general assembly, the boards shall promptly check and

(B) Any compensation or fees paid by a financial institution to a state political party for services rendered pursuant to division (B) of section 3517.19 of the Revised Code do not constitute a violation of this section or of any other section of the Revised Code.

(F)(1) The use by a nonprofit corporation of its money or property for communicating information for a purpose specified in division (A) of this section is not a violation of that division if the stockholders, members, donors, insurers, or officers of the nonprofit corporation are the predominant recipients of the communication.

(2) The placement of a campaign sign on the property of a corporation, nonprofit corporation, or labor organization is not a use of property in violation of division (A) of this section by that corporation, nonprofit corporation, or labor organization.

(3) The use by a corporation or labor organization of its money or property for communicating information for a purpose specified in division (A) of this section is not a violation of that division if it is not a communication made by mass broadcast such as radio or television or made by advertising in a newspaper of general circulation that is a communication sent exclusively to members, employees, officers, or directors of that labor organization or shareholders, employees, officers, or directors of that corporation or to members of the immediate families of any such individuals or if the communication intended to be so sent exclusively is unintentionally sent as well to a de minimis number of other individuals.

(G) In addition to the laws listed in division (A) of section 4117.10 of the Revised Code that prevail over conflicting agreements between employer organizations and public employers, this section prevails over any conflicting provisions of agreements between labor organizations and public employers that are entered into on or after March 31, 2005, pursuant to Chapter 4117, of the Revised Code.

(H) As used in this section, "labor organization" has the same meaning as in section 3517.01 of the Revised Code.

Sec. 3599.07. No judge of the state election official, observer, or police officer admitted into the polling rooms at the election, at any time while the polls are open, shall have in the individual's possession, disburse, or give out any ballot or ticket to any person on any pretense, directing, receiving, counting, or certifying of the votes, or have any ballot or ticket in the individual's possession or control, except in the proper discharge of the individual's official duty in receiving, counting, or canvassing the votes. This section does not prevent the lawful exercise by a judge of elections, precinct election official or observer of the individual right to vote at such

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election. Sec. 3599.17. (A) No elections official serving as a registrar or judge-of- elections election official shall do any of the following: (1) Fail to appear before the board of elections, or its representative, after notice has been served personally upon the official or left at the official's usual place of residence, for examination as to the official's qualifications; (2) Fail to appear at the polling place to which the official is assigned at the hour and during the hours set for the registration or election; (3) Fail to take the oath prescribed by section 3501.31 of the Revised Code, unless excused by such board; (4) Refuse or sanction the refusal of another registrar or judge-of- elections precinct election official to administer an oath required by law; (5) Fail to send notice to the board of the appointment of a judge- precinct election official to fill a vacancy; (6) Act as registrar or judge- precinct election official without having been appointed and having received a certificate of appointment, except a judge- precinct election official appointed to fill a vacancy caused by absence or removal; (7) Fail in any other way to perform any duty imposed by law. Sec. 3599.19. (A) No judge-of- elections precinct election official shall knowingly do any of the following: (1) Unlawfully open or permit to be opened the sealed package containing registration lists, ballots, blanks, pollbooks, and other papers and materials to be used in an election; (2) Unlawfully mix, carry, away, negligently lose or permit to be taken from the judge- precinct election official, fail to deliver, or destroy any such papers, ballots, or materials; (3) Register, papers, or materials; (4) Refuse or sanction a person who refused to answer a question in accordance with the election law; (5) Refuse to receive a ballot from a person, knowing that person to be a qualified elector; (6) Permit a fraudulent ballot to be placed in the ballot box; (7) Place or permit to be placed in any ballot box any ballot known by the judge- precinct election official to be improper or falsified; (8) Count or permit to be counted any illegal or fraudulent ballot; (9) Mistaken an elector who is physically unable to prepare the elector's

certificate of appointment to the appointee. Certificates of appointment shall be in such form as the secretary of state shall prescribe. (C) When an elected candidate fails to qualify for the office to which the candidate has been elected, the office shall be filled as in the case of a vacancy. Until so filled, the incumbent officer shall continue to hold office. This section does not postpone the time for such election beyond that at which it would have been held had no such vacancy occurred, or affect the election term, or the time for the commencement thereof, of any person elected to such office before the occurrence of such vacancy. Sec. 302.09. When a vacancy occurs in the board of county commissioners or in the office of county auditor, county treasurer, prosecuting attorney, clerk of the court of common pleas, sheriff, county recorder, county engineer, or coroner occurs more than fifty-six days before the next general election for state and county officers, a successor shall be elected at such election. If no such successor is elected at such election, the vacancy shall be filled as provided for in divisions (A) and (B) of section 305.02 of the Revised Code. (A) If a vacancy in the office of county commissioner, prosecuting attorney, county auditor, county treasurer, clerk of the court of common pleas, sheriff, county recorder, county engineer, or coroner occurs more than fifty-six days before the next general election for state and county officers, a successor shall be elected at such election. If no such successor is elected at such election, the vacancy shall be filled as provided for in divisions (A) and (B) of section 305.02 of the Revised Code. (B) If a vacancy occurs from any cause in any of the offices named in this division (A) of this section, the county central committee of the political party with which the last occupant of the office was affiliated shall appoint a person to hold the office and to perform the duties thereof until a special election is held, and has qualified, except that if such vacancy occurs because of the death, resignation, or inability to take the office of an officer-elect whose term has not yet begun, an appointment to take such office at the beginning of the term shall be made by the central committee of the political party with which such officer-elect was affiliated. (C) Not less than five nor more than forty-five days after a vacancy occurs, the county central committee shall meet for the purpose of making an appointment under this section. Not less than four days before the date of such meeting the chairperson or secretary of such central committee shall send by first class mail to every member of such central committee a written notice which shall state the time and place of such meeting and the purpose

ballot, mark a ballot for such elector otherwise than as directed by that elector, or disclose to any person, except when legally required to do so, how such elector voted; (9) Alter or mark or permit any alteration or marking on any ballot when counting the ballots; (10) Unlawfully count or tally or sanction the wrongful counting or tallying of votes; (11) After the counting of votes commences, as required by law, postpone or sanction the postponement of the counting of votes, adjourn at any time or to any place, or remove the ballot box from the place of voting, or from the custody or presence of all the judges-of- elections precinct election officials; (12) Permit any ballot to remain or to be in the ballot box at the opening of the polls, or to be put in the box during the counting of the ballots, or to be left in the box without being counted; (13) Admit or sanction the admission to the polling room at an election during the receiving, counting, and certifying of votes of any person not qualified by law to be so admitted; (14) Refuse to admit or sanction the refusal to admit any person, upon lawful request for admission, who is legally qualified to be present; (15) Permit or sanction the counting of the ballots contrary to the manner prescribed by law; (16) Neglect or unlawfully execute any duty enjoined upon the judge- precinct election official by law. (B) Whoever violates division (A) of this section is guilty of a misdemeanor of the first degree. Sec. 3599.20. No school operated by a school district, no community school established under Chapter 3316.4 of the Revised Code, and no other educational institution shall, during the regular school day, transport or store any materials to a polling place or board of elections for the purposes of conducting an election. No officer of the law shall fail to obey forthwith an order of the presiding judge voting location manager and aid in enforcing a lawful order of the presiding judge voting location manager at an election, against persons unlawfully congregating or loitering within one hundred feet of a polling place, soliciting or attempting to influence an elector in casting the elector's vote, or interfering with the registration of voters or casting and counting of the ballots.

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Whenever violates this section is guilty of a misdemeanor of the first degree. Section 2. That existing sections 7.101, 511.27, 1545.21, 2101.44, 3501.01, 3501.05, 3501.07, 3501.10, 3501.11, 3501.13, 3501.14, 3501.17, 3501.20, 3501.26, 3501.27, 3501.28, 3501.29, 3501.30, 3501.31, 3501.32, 3501.33, 3501.35, 3501.37, 3501.38, 3503.02, 3503.06, 3503.14, 3503.15, 3503.16, 3503.19, 3503.21, 3503.24, 3503.28, 3503.28, 3504.02, 3504.04, 3504.05, 3505.07, 3505.08, 3505.11, 3505.13, 3505.16, 3505.17, 3505.18, 3505.19, 3505.20, 3505.21, 3505.24, 3505.26, 3505.28, 3505.29, 3505.30, 3505.31, 3505.32, 3506.12, 3506.15, 3509.02, 3509.03, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.09, 3511.10, 3511.11, 3511.13, 3511.14, 3513.05, 3513.05, 3513.12, 3513.13, 3513.18, 3513.19, 3513.21, 3513.26, 3513.30, 3513.04, 3517.01, 3517.02, 3517.03, 3517.04, 3517.05, 3517.06, 3517.07, 3517.08, 3517.11, 3517.15, 3517.16, 3517.17, 3517.18, 3517.19, 3517.20, 3517.21, 3517.22, 3517.23, 3517.24, 3517.25, 3517.26, 3517.27, 3517.28, 3517.29, 3517.30, 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3523.97, 3523.98, 3523.99, 3524.00, 3524.01, 3524.02, 3524.03, 3524.04, 3524.05, 3524.06, 3524.07, 3524.08, 3524.09, 3524.10, 3524.11, 3524.12, 3524.13, 3524.14, 3524.15, 3524.16, 3524.17, 3524.18, 3524.19, 3524.20, 3524.21, 3524.22, 3524.23, 3524.24, 3524.25, 3524.26, 3524.27, 3524.28, 3524.29, 3524.30, 3524.31, 3524.32, 3524.33, 3524.34, 3524.35, 3524.36, 3524.37, 3524.38, 3524.39, 3524.40, 3524.41, 3524.42, 3524.43, 3524.44, 3524.45, 3524.46, 3524.47, 3524.48, 3524.49, 3524.50, 3524.51, 3524.52, 3524.53, 3524.54, 3524.55, 3524.56, 3524.57, 3524.58, 3524.59, 3524.60, 3524.61, 3524.62, 3524.63, 3524.64, 3524.65, 3524.66, 3524.67, 3524.68, 3524.69, 3524.70, 3524.71, 3524.72, 3524.73, 3524.74, 3524.75, 3524.76, 3524.77, 3524.78, 3524.79, 3524.80, 3524.81, 3524.82, 3524.83, 3524.84, 3524.85, 3524.86, 3524.87, 3524.88, 3524.89, 3524.90, 3524.91, 3524.92, 3524.93, 3524.94, 3524.95, 3524.96, 3524.97, 3524.98, 3524.99, 3525.00, 3525.01, 3525.02, 3525.03, 3525.04, 3525.05, 3525.06, 3525.07, 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has qualified, except that if such vacancy occurs because of the death, resignation, or inability to take the office of an officer-elect whose term has not yet begun, an appointment to take such office at the beginning of the term shall be made by the members of the central committee who reside in the city where the vacancy occurs.

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

(E) If the last occupant of the office or the officer-elect, as provided in division (D) of this section, was elected as an independent candidate, the mayor of the city shall make the appointment at the time the vacancy occurs. (F) Appointments made under this section shall be certified by the appointing county central committee or by the mayor of the municipal corporation to the county board of elections and to the secretary of state, provided by law for the offices to which they are appointed.

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

Sec. 1901.10. (A)(1)(c) 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 officer 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 months or more, as determined under this section, of the judge and also 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

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

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

In Carroll, Clinton, Hocking, Meigs, Pickaway, Pelee, Shelby, Van Wert, and Williams counties, one judge to be elected in 1952, term to begin January 1, 1953, and one to be elected in 2008, term to begin February 10, 2009.

In Champane county, two judges, one to be elected in 1954, term to begin April 16, 1955.

In Harrison and Noble counties, one judge to be elected in 1954, term to begin February 9, 1955, and one to be elected in 1978, term to begin May 9, 1957, and one to be elected in 2004, term to begin January 1, 2005.

In Putnam county, one judge, to be elected in 1956, term to begin May 9, 1957.

In Hudson county, one judge, to be elected in 1952, term to begin May 14, 1953.

In Perry county, one judge, to be elected in 1954, term to begin July 6, 1956.

In Sandusky county, two judges, one to be elected in 1954, term to begin January 10, 1955, and one to be elected in 1978, term to begin January 1, 1979.

(B) In Allen county, three judges, one to be elected in 1956, term to begin February 9, 1959, and the third to be elected in 1992, term to begin January 1, 1993.

In Ashland county, three judges, one to be elected in 1954, term to begin February 9, 1955, and one to be elected in 1960, term to begin January 1, 1961, and one to be elected in 1978, term to begin January 2, 1979.

In Athens county, two judges, one to be elected in 1954, term to begin February 9, 1955, and one to be elected in 1990, term to begin July 1, 1991.

In Erie county, four judges, one to be elected in 1956, term to begin January 1, 1957, the second to be elected in 1970, term to begin January 2, 1971, the third to be elected in 2004, term to begin February 9, 2005, and the fourth to be elected in 2008, term to begin February 9, 2009.

In Fairfield county, three judges, one to be elected in 1954, term to begin February 9, 1955, the second to be elected in 1970, term to begin

consecutive months shall be determined and declared by the legislative authority.

(A) 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-seventh day before the day of the general election, all nominating petitions with 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 six days before the fifty-seventh day before the general election, the deadline for filing shall be four p.m. on the fifth 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 3313.261 of the Revised Code and shall be signed by at least fifty qualified electors of the territory of the office on which the petition is filed. All copies of the petition and more than five times the minimum aggregate number of signatures required by this section shall be filed with the municipal court that has only one judge temporarily absent, incapacitated, or otherwise unavailable. The judge may appoint a substitute who has the qualifications required by section 1901.06 of the Revised Code or a retired judge of a court of record who is a qualified elector and a resident of the territory of the court. If the judge is unable to make the appointment, the chief justice of the supreme court shall appoint a substitute. The appointee shall serve during the absence of the judge and shall have the qualifications of the incumbent judge, shall have the judicial powers conferred upon the judge of the municipal court, and shall be paid and bearing and records and shall perform all acts pertaining to the office, except that of removal and appointment of officers of the court. All copies of the judicial notice of the election and powers of the acting judge shall be filed with the incumbent judge. The incumbent judge shall establish the amount of compensation of an acting judge upon either a per diem, hourly, or other basis, but the rate of pay shall not exceed the per diem amount received by the incumbent judge.

(B) When the volume of cases pending in any municipal court necessitates an additional judge, the chief justice of the supreme court, upon the written request of the judge or presiding judge of that municipal court, may designate a judge of another municipal court or county court to serve for any period of time that the chief justice may prescribe. The

language appearing in Am. Sub. H. B. 194 constituting one or more provisions of law, sections or items of the bill, the subject legislation of this referendum, appears with horizontal arrows next to lines or portions of the bill text. The arrows direct the viewer to language that has been marked by 1) manually striking through 2) having been stricken through and marked by adjacent vertical lines and arrows and/or 3) appearing within a box and/or within an area appearing manually marked with an "X" drawn over bill text, all to show that this language will not become law by amendment, enactment or repeal until approved by a majority of the electors of Ohio. All other language not so marked as outlined in 1), 2) and/or 3) above is not the subject of this referendum.

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January 1, 1971, and the third to be elected in 1994, term to begin January 2, 1995.

In Geauga county, two judges, one to be elected in 1956, term to begin January 1, 1957, and the second to be elected in 1976, term to begin January 6, 1977.

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

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

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

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

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

In Miami county, two judges, one to be elected in 1954, term to begin February 9, 1955, and one to be elected in 1970, term to begin January 1, 1971.

In Mahoning county, three judges, one to be elected in 1968, term to begin August 9, 1969, one to be elected in 1978, term to begin January 1, 1979, and one to be elected in 2002, term to begin January 2, 2003.

In Perry county, three judges, one to be elected in 1956, term to begin January 1, 1957, the second to be elected in 1960, term to begin January 1, 1961, and the third to be elected in 1986, term to begin January 2, 1987.

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

In Scioto county, three judges, one to be elected in 1954, term to begin February 9, 1955, the second to be elected in 1960, term to begin January 1, 1961, and the third to be elected in 1994, term to begin January 2, 1995.

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

In Warren county, four judges, one to be elected in 1954, term to begin

compensation of a judge so designated shall be paid from the city treasury or, in the case of a county-operated municipal court, from the county treasury. In addition to the annual salary provided for in section 1901.11 of the Revised Code and in addition to any compensation under division (A)(5) or (6) of section 141.04 of the Revised Code to which the judge is entitled in connection with the judge's own court, a full-time or part-time judge while holding court outside the judge's territory on the designation of the chief justice shall receive actual and necessary expenses and compensation as follows:

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

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

If a request is made by a judge or the presiding judge of a municipal court to require a judge of another municipal court because of the volume of cases in the court for which the request is made and the chief justice reports in writing to the municipal or county court judge is available to appoint a substitute as provided in section (A)(2) of this section, who may serve for any period of time that is prescribed by the chief justice. The substitute judge shall be paid in the same manner as the incumbent judge, except that, if the substitute judge is entitled to compensation under division (A)(5) or (6) of section 141.04 of the Revised Code, then section 1901.121 of the Revised Code shall govern the payment for each county, the time for the next election of the judges in the general election, and the beginning of their terms shall be as follows:

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

In Brown, Crawford, DeFiance, Highland, Holmes, Morgan, Ottawa, and Union counties, one judge, to be elected in 1954, term to begin February 9, 1955.

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

In Coshocton, Darke, Fulton, Gallia, Guernsey, Hamilton, Jackson, Knox, Madison, Mercer, Monroe, Paulding, Vinton, and Wyoandot counties, one judge, to be elected in 1956, term to begin January 1, 1957.

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February 9, 1955, the second to be elected in 1970, term to begin January 1, 1971, the third to be elected in 1986, term to begin January 1, 1987, and the fourth to be elected in 2004, term to begin January 2, 2005.

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

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

In Belmont and Jefferson counties, two judges, to be elected in 1954, term to begin January 1, 1955, and February 9, 1955, respectively.

In Clark county, four judges, one to be elected in 1952, term to begin January 1, 1953, the second to be elected in 1956, term to begin January 2, 1957, the third to be elected in 1986, term to begin January 2, 1987, and the fourth to be elected in 1994, term to begin January 2, 1995.

In Clermont county, five judges, one to be elected in 1956, term to begin January 1, 1957, the second to be elected in 1964, term to begin January 1, 1965, the third to be elected in 1982, term to begin January 2, 1983, the fourth to be elected in 1986, term to begin January 2, 1987, and the fifth to be elected in 2006, term to begin January 2, 2007.

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

In Delaware county, two judges, one to be elected in 1990, term to begin February 9, 1991.

In Lake county, six judges, one to be elected in 1958, term to begin January 1, 1959, the second to be elected in 1960, term to begin January 2, 1961, the third to be elected in 1964, term to begin January 3, 1965, the fourth and fifth to be elected in 1978, terms to begin January 4, 1979, and January 5, 1979, respectively, and the sixth to be elected in 2004, term to begin January 6, 2001.

In Licking county, four judges, one to be elected in 1954, term to begin February 9, 1955, one to be elected in 1964, term to begin January 1, 1965, one to be elected in 1990, term to begin January 1, 1991, and one to be elected in 2004, term to begin January 1, 2005.

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

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filled by an intermediate or minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made as in the manner provided for a major political party.

(D) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the voters of a district within a county, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by a district committee consisting of those members of the county central committee or county executive committee who were present at the meeting at which the person nominated was certified. The district committee shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the district committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the district committee are present at the district committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the district committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the eighth-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy that may be filled by an intermediate or minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made as in the manner provided for a major political party.

(E) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the voters of a subdivision within a county, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by a subdivision committee consisting of those members of the county central committee or, if so authorized, those members of the county executive committee in that county of the major political party that made the nomination at that primary election who represent the precincts or the wards

election official not later than four p.m. on the tenth day following the day on which the vacancy occurs, provided that when the vacancy occurs fewer than six days before the fifth-sixth day before the general election, the deadline for filing shall be four p.m. on the fifth-sixth day before the election. The nominating petition shall contain at least seven hundred fifty signatures and no more than one thousand five hundred signatures of qualified electors of the district, political subdivision, or portion of a political subdivision in which the office is to be voted upon, or the amount provided for in section 3513.267 of the Revised Code, whichever is less.

(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 a candidate is not 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, subject 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.

Section 4. That existing sections 3.02, 3.02.09, 3.05.02, 3.03.24, 7.33.31, 19.01.10, 23.01.02, 35.01.02, and 3513.31 of the Revised Code are hereby repealed.

Section 5. Directives 2011-01 and 2009-21 issued by the secretary of state are hereby void and shall not be enforced or have effect on or after the effective date of sections 3517.01 and 3517.012 of the Revised Code, as amended by this act.

Section 6. A board of elections shall reorganize and combine precincts within the applicable county as necessary to comply with the minimum precinct size requirements established in section 3501.18 of the Revised Code, as amended by this act, not later than December 31, 2011.

Section 7. The amendment of section 3517.01 of the Revised Code by sections 1 and 2 of this act shall supersede the provisions of rule 117-3-05

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and townships within that subdivision, if the committee's chairperson and secretary certify the name of the person selected to fill the vacancy. The time specified in this division, as a meeting called for that purpose.

(F) If a person nominated by petition as an independent or nonpartisan candidate or is disqualified at the next general election withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy so created may be filled by a majority of the committee of five, as designated on the candidate's nominating petition, if a member of that committee certifies in writing and under oath to the board of the county, not later than the eighth-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified and shall be made in the manner provided for a major political party.

(G) If a person nominated in a primary election as a party candidate for election at the next general election dies, the vacancy so created may be filled by the same committee in the same manner as provided in this section for the filling of similar vacancies created by withdrawals or disqualifications under section 3513.052 of the Revised Code, except that the certification, when filing a vacancy created by death, may not be filed with the secretary of state or with a board of the most populous county of a district, or with the board of a county in which the major portion of the population of a subdivision is located, later than four p.m. of the tenth day

of the Administrative Code. On and after the effective date of section 3517.01 of the Revised Code, as amended by this act, rule 117-3-05 of the Administrative Code shall be void and have no further effect.

Section 8. It is the intent of the General Assembly that the provisions of H.B. 159 of the 129th General Assembly, if enacted, prevail over any conflicting provisions of this act for the purpose of determining the types of identification that are acceptable for voting under Title XXXV of the Revised Code.

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before the day of the fifth general election, or with any other board later than four p.m. of the fifth day before the day of such general election.

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

(I) If a person holding an elective office dies or resigns subsequent to the one hundred fiftieth day before the day of a primary election and prior to the eighth-sixth day before the day of the next general election and, under the laws of this state, a person may be elected at that general election to the unexpired term of the person who has died or resigned, the appropriate committee of each political party, acting as in the case of a vacancy in a party nomination, as provided in divisions (A) to (D) of this section, may select a person as the party candidate for election for such unexpired term at that general election, and certify the person's name to the appropriate election official not later than four p.m. on the eighth-sixth day before the day of that general election, or on the tenth day following the day on which the vacancy occurs, whichever is later. When the vacancy occurs on or subsequent to the eighth-sixth day and six or more days prior to the fifth-sixth day before the general election, the appropriate committee may select a person as the party candidate and certify the person's name, as provided in the preceding sentence, not later than four p.m. on the fifth-sixth day following the day on which the vacancy occurs. When the vacancy occurs fewer than six days before the fourth day before the general election, the deadline for filing shall be four p.m. on the fifth-sixth day before the general election. Thereupon the name shall be printed as the party candidate under proper titles and in the proper place on the proper ballots for use at the election. If that person has been nominated in a primary election, the authorized committee of that political party shall not select and certify a person as the party candidate.

(J) Each person desiring to become an independent candidate to fill the unexpired term shall file a statement of candidacy and nominating petition, as provided in section 3513.261 of the Revised Code, with the appropriate

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Approved _____ 2011
Governor
Speaker _____
of the House of Representatives
President _____
of the Senate
Passed June 29 2011

STATEMENT OF CIRCULATOR

I, _____, declare under penalty of election falsification that I am the

(Full name of petition circulator)

circulator for the foregoing petition paper containing the signatures of _____ 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 further declare under penalty of election falsification in accordance with section 3501.38 of the Revised Code

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.

For paid circulators only (volunteers leave blank): I am employed to circulate this petition by:

_____ Name and address of company/employer:

_____ (Name and address of entity employing circulator to circulate petition)

(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.)

(Signed)

Address of circulator's permanent residence (Number and Street, Road or Rural Route)

City, state and zip code of circulator

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