

**As Passed by the Senate**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. S. B. No. 194**

**Senator Rulli**

**Cosponsors: Senators Schaffer, Schuring, Antonio, Blessing, Brenner, Burke, Coley, Craig, Dolan, Eklund, Fedor, Gavarone, Hackett, Hoagland, Hottinger, Huffman, M., Huffman, S., Johnson, Kunze, Lehner, Maharath, Manning, McColley, Obhof, O'Brien, Peterson, Roegner, Sykes, Thomas, Williams, Wilson, Yuko**

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**A BILL**

To amend sections 3506.01, 3506.04, 3506.05, 1  
3506.06, 3506.07, 3506.10, 3513.041, 3513.05, 2  
3513.262, and 3513.263 and to enact section 3  
3506.16 of the Revised Code to rename the Board 4  
of Voting Machine Examiners as the Board of 5  
Voting Systems Examiners, to require the Board 6  
to approve voter registration systems for use in 7  
Ohio, and to require a board of elections to 8  
decide a protest against a candidate filing by a 9  
particular deadline. 10

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

**Section 1.** That sections 3506.01, 3506.04, 3506.05, 11  
3506.06, 3506.07, 3506.10, 3513.041, 3513.05, 3513.262, and 12  
3513.263 be amended and section 3506.16 of the Revised Code be 13  
enacted to read as follows: 14

**Sec. 3506.01.** As used in this chapter and Chapters 3501., 15  
3503., 3505., 3509., 3511., 3513., 3515., 3517., 3519., 3521., 16

3523., and 3599. of the Revised Code: 17

(A) "Marking device" means an apparatus operated by a 18  
voter to record the voter's choices through the marking of 19  
ballots enabling them to be examined and counted by automatic 20  
tabulating equipment. 21

(B) "Ballot" means the official election presentation of 22  
offices and candidates, including write-in candidates, and of 23  
questions and issues, and the means by which votes are recorded. 24

(C) "Automatic tabulating equipment" means a machine or 25  
electronic device, or interconnected or interrelated machines or 26  
electronic devices, that will automatically examine and count 27  
votes recorded on ballots. Automatic tabulating equipment may 28  
allow for the voter's selections to be indicated by marks made 29  
on a paper record by an electronic marking device. 30

(D) "Central counting station" means a location, or one of 31  
a number of locations, designated by the board of elections for 32  
the automatic examining, sorting, or counting of ballots. 33

(E) "Voting machines" means mechanical or electronic 34  
equipment for the direct recording and tabulation of votes. 35

(F) "Direct recording electronic voting machine" means a 36  
voting machine that records votes by means of a ballot display 37  
provided with mechanical or electro-optical components that can 38  
be actuated by the voter, that processes the data by means of a 39  
computer program, and that records voting data and ballot images 40  
in internal or external memory components. A "direct recording 41  
electronic voting machine" produces a tabulation of the voting 42  
data stored in a removable memory component and in printed copy. 43  
"Direct recording electronic voting machine" does not include a 44  
voting machine that captures votes by means of a ballot display 45

but that transfers those votes onto an optical scan ballot or 46  
other paper record for tabulation. 47

(G) "Help America Vote Act of 2002" means the "Help 48  
America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666. 49

(H) "Voter verified paper audit trail" means a physical 50  
paper printout on which the voter's ballot choices, as 51  
registered by a direct recording electronic voting machine, are 52  
recorded. The voter shall be permitted to visually or audibly 53  
inspect the contents of the physical paper printout. The 54  
physical paper printout shall be securely retained at the 55  
polling place until the close of the polls on the day of the 56  
election; the secretary of state shall adopt rules under Chapter 57  
119. of the Revised Code specifying the manner of storing the 58  
physical paper printout at the polling place. After the physical 59  
paper printout is produced, but before the voter's ballot is 60  
recorded, the voter shall have an opportunity to accept or 61  
reject the contents of the printout as matching the voter's 62  
ballot choices. If a voter rejects the contents of the physical 63  
paper printout, the system that produces the voter verified 64  
paper audit trail shall invalidate the printout and permit the 65  
voter to recast the voter's ballot. On and after the first 66  
federal election that occurs after January 1, 2006, unless 67  
required sooner by the Help America Vote Act of 2002, any system 68  
that produces a voter verified paper audit trail shall be 69  
accessible to disabled voters, including visually impaired 70  
voters, in the same manner as the direct recording electronic 71  
voting machine that produces it. 72

(I) "Voter registration system" means software and any 73  
related equipment used by a board of elections or the secretary 74  
of state to process, store, organize, maintain, or retrieve 75

voter registration records. 76

**Sec. 3506.04.** (A) If it is impracticable to supply each 77  
election precinct with voting machines or marking devices for 78  
use at the next election following the adoption of such 79  
equipment, as many shall be supplied for that election and the 80  
succeeding elections as it is practicable to procure either by 81  
purchase or lease, or by a combination of both, and such 82  
equipment may be used in election precincts within the county as 83  
the board of elections directs until such time as it is 84  
practicable to provide the total number of voting machines or 85  
marking devices necessary to supply all precincts within the 86  
county, provided that the total number of voting machines or 87  
marking devices necessary to supply all precincts shall be 88  
procured by purchase or lease, or by a combination of both as 89  
soon as practicable after their adoption. 90

(B) The board of elections shall be charged with the 91  
custody of all equipment acquired by the county, and shall see 92  
that all such equipment is kept in proper working order and in 93  
good repair. The board of county commissioners of any county or 94  
the board of elections, upon recommendation of the board of 95  
elections, may, prior to the adoption of such equipment, acquire 96  
by purchase or lease or by loan, for the experimental use in a 97  
limited number of precincts, such equipment, and such 98  
experimental use shall be valid for all purposes as if such 99  
equipment had been formally adopted, provided that such 100  
equipment has been approved by the board of voting ~~machine-~~ 101  
systems examiners for experimental use. 102

(C) All equipment acquired by any county by any of the 103  
methods provided for in this section shall be exempt from levy 104  
and taxation. 105

Sec. 3506.05. (A) As used in this section:	106
(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.	107 108 109
(2) Except when used as part of the phrase "tabulating equipment" or "automatic tabulating equipment," "equipment" means a voting machine, marking device, automatic tabulating equipment, software, <del>or an electronic pollbook,</del> <u>or a voter registration system.</u>	110 111 112 113 114
(3) "Vendor" means the person that owns, manufactures, distributes, or has the legal right to control the use of equipment, or the person's agent.	115 116 117
(B) <del>No voting machine, marking device, automatic tabulating equipment, or software for the purpose of casting or tabulating votes or for communications among systems involved in the tabulation, storage, or casting of votes, and no electronic pollbook, Except as otherwise provided in division (B) of section 3505.16 of the Revised Code, none of the following shall be purchased, leased, put in use, or continued to be used, except for experimental use as provided in division (B) of section 3506.04 of the Revised Code, unless it, a manual of procedures governing its use, and training materials, service, and other support arrangements have been certified by the secretary of state and unless the any board of elections of each county where that will use the equipment will be used has assured that a demonstration of the use of the equipment has been made available to all interested electors of the county:</del>	118 119 120 121 122 123 124 125 126 127 128 129 130 131 132
<u>(1) A voting machine;</u>	133
<u>(2) A marking device;</u>	134

<u>(3) Automatic tabulating equipment;</u>	135
<u>(4) Software used for the purpose of casting or tabulating</u> <u>votes or for communication among systems involved in the</u> <u>tabulation, storage, or casting of votes;</u>	136 137 138
<u>(5) An electronic pollbook;</u>	139
<u>(6) A voter registration system. The</u>	140
<u>(C) (1) The secretary of state shall appoint a board of</u> <u>voting <del>machine</del>-<u>systems</u> examiners to examine and approve</u> <u>equipment and its related manuals and support arrangements. The</u>	141 142 143
<u>(2) (a) The board shall consist of four <u>voting members</u>, who</u> shall be appointed as follows:	144 145
<del>(1)</del> <u>(i) Two members appointed by the secretary of state;</u>	146
<del>(2)</del> <u>(ii) One member appointed by either the speaker of the</u> 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 secretary of state belongs;	147 148 149 150
<del>(3)</del> <u>(iii) One member appointed by either the president of</u> 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.	151 152 153 154
<u>(b) The secretary of state also shall appoint a</u> <u>cybersecurity expert, who shall serve as a nonvoting member of</u> <u>the board.</u>	155 156 157
<u>(3) In all cases of a tie vote or a disagreement in the</u> board, if no 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	158 159 160 161

decision shall be final. Each member of the board shall be a 162  
competent and experienced election officer or a person who is 163  
knowledgeable about the operation of voting equipment and shall 164  
serve during the secretary of state's term. Any vacancy on the 165  
board shall be filled in the same manner as the original 166  
appointment. The secretary of state shall provide staffing 167  
assistance to the board, at the board's request. 168

(4) For the member's service, each member of the board 169  
shall receive three hundred dollars per day for each combination 170  
of marking device, tabulating equipment, voting machine, ~~or~~ 171  
electronic pollbook, or voter registration system examined and 172  
reported, but in no event shall a member receive more than six 173  
hundred dollars to examine and report on any one marking device, 174  
item of tabulating equipment, voting machine, ~~or~~ electronic 175  
pollbook, or voter registration system. Each member of the board 176  
shall be reimbursed for expenses the member incurs during an 177  
examination or during the performance of any related duties that 178  
may be required by the secretary of state. Reimbursement of 179  
these expenses shall be made in accordance with, and shall not 180  
exceed, the rates provided for under section 126.31 of the 181  
Revised Code. 182

(5) Neither the secretary of state nor the board, nor any 183  
public officer who participates in the authorization, 184  
examination, testing, or purchase of equipment, shall have any 185  
pecuniary interest in the equipment or any affiliation with the 186  
vendor. 187

~~(C) (1) - (D) (1)~~ (1) A vendor who desires to have the secretary 188  
of state certify equipment shall first submit the equipment, all 189  
current related procedural manuals, and a current description of 190  
all related support arrangements to the board of voting ~~machine~~ 191

systems examiners for examination, testing, and approval. The 192  
submission shall be accompanied by a fee of two thousand four 193  
hundred dollars and a detailed explanation of the construction 194  
and method of operation of the equipment, a full statement of 195  
its advantages, and a list of the patents and copyrights used in 196  
~~operations essential to the processes of vote recording and~~ 197  
~~tabulating, vote storage, system security, pollbook storage and~~ 198  
~~security, and other crucial operations of the equipment as may~~ 199  
~~be~~ determined by the board. An additional fee, in an amount to 200  
be set by rules promulgated by the board, may be imposed to pay 201  
for the costs of alternative testing or testing by persons other 202  
than board members, record-keeping, and other extraordinary 203  
costs incurred in the examination process. Moneys not used shall 204  
be returned to the person or entity submitting the equipment for 205  
examination. 206

(2) Fees collected by the secretary of state under this 207  
section shall be deposited into the state treasury to the credit 208  
of the board of voting ~~machine~~-systems examiners fund, which is 209  
hereby created. All moneys credited to this fund shall be used 210  
solely for the purpose of paying for the services and expenses 211  
of each member of the board or for other expenses incurred 212  
relating to the examination, testing, reporting, or 213  
certification of equipment, the performance of any related 214  
duties as required by the secretary of state, or the 215  
reimbursement of any person submitting an examination fee as 216  
provided in this chapter. 217

~~(D)~~-(E) Within sixty days after the submission of the 218  
equipment and payment of the fee, or as soon thereafter as is 219  
reasonably practicable, but in any event within not more than 220  
ninety days after the submission and payment, the board of 221  
voting ~~machine~~-systems examiners shall examine the equipment and 222



file with the secretary of state a written report on the 223  
equipment with its recommendations and, if applicable, its 224  
determination or condition of approval regarding whether the 225  
equipment, manual, and other related materials or arrangements 226  
meet the applicable criteria ~~set forth in sections 3506.07 and~~ 227  
~~3506.10 of the Revised Code~~ and can be safely used by the voters 228  
at elections under the conditions prescribed in Title XXXV of 229  
the Revised Code, or a written statement of reasons for which 230  
testing requires a longer period. The board may grant temporary 231  
approval for the purpose of allowing experimental use of 232  
equipment. If the board finds that the equipment meets ~~any the~~ 233  
~~applicable criteria set forth in sections 3506.06, 3506.07, and~~ 234  
~~3506.10 of the Revised Code~~, can be used safely and, if 235  
applicable, can be depended upon to record and count accurately 236  
and continuously the votes of electors, and has the capacity to 237  
be warranted, maintained, and serviced, it shall approve the 238  
equipment and recommend that the secretary of state certify the 239  
equipment. The secretary of state shall notify all boards of 240  
elections of any such certification. Equipment of the same model 241  
and make, if it operates in an identical manner, may then be 242  
adopted for use ~~at elections~~. 243

~~(E)~~ (F) The vendor shall notify the secretary of state, 244  
who shall then notify the board of voting ~~machine systems~~ 245  
examiners, of any enhancement and any significant adjustment to 246  
the hardware or software that could result in a patent or 247  
copyright change or that significantly alters the ~~methods of~~ 248  
~~recording voter intent, system security, voter privacy,~~ 249  
~~retention of the vote, communication of records, and connections~~ 250  
~~between the system and other systems~~ crucial operations of the 251  
equipment as determined by the board. The vendor shall provide 252  
the secretary of state with an updated operations manual for the 253

equipment, and the secretary of state shall forward the manual 254  
to the board. Upon receiving such a notification and manual, the 255  
board may require the vendor to submit the equipment to an 256  
examination and test in order for the equipment to remain 257  
certified. The board or the secretary of state shall 258  
periodically examine, test, and inspect certified equipment to 259  
determine continued compliance with ~~the~~ all applicable 260  
~~requirements of this chapter~~ and the initial certification. Any 261  
examination, test, or inspection conducted for the purpose of 262  
continuing certification of any equipment in which a significant 263  
problem has been uncovered or in which a record of continuing 264  
problems exists shall be performed pursuant to divisions ~~(C)~~ (D) 265  
and ~~(D)~~ (E) of this section, in the same manner as the 266  
examination, test, or inspection is performed for initial 267  
approval and certification. 268

~~(F)~~ (G) If, at any time after the certification of 269  
equipment, the board of voting ~~machine systems~~ examiners or the 270  
secretary of state is notified by a board of elections of any 271  
significant problem with the equipment or determines that the 272  
equipment fails to meet the requirements necessary for approval 273  
or continued compliance with ~~the~~ all applicable requirements ~~of~~ 274  
~~this chapter~~, or if the board of voting ~~machine systems~~ 275  
examiners determines that there are significant enhancements or 276  
adjustments to the hardware or software, or if notice of such 277  
enhancements or adjustments has not been given as required by 278  
division ~~(E)~~ (F) of this section, the secretary of state shall 279  
notify the users and vendors of that equipment that 280  
certification of the equipment may be withdrawn. 281

~~(G) (1)~~ (H) (1) The notice given by the secretary of state 282  
under division ~~(F)~~ (G) of this section shall be in writing and 283  
shall specify both of the following: 284

(a) The reasons why the certification may be withdrawn;	285
(b) The date on which certification will be withdrawn	286
unless the vendor takes satisfactory corrective measures or	287
explains why there are no problems with the equipment or why the	288
enhancements or adjustments to the equipment are not	289
significant.	290
(2) A vendor who receives a notice under division <del>(F)</del> <u>(G)</u>	291
of this section shall, within thirty days after receiving it,	292
submit to the board of voting <del>machine</del> <u>systems</u> examiners in	293
writing a description of the corrective measures taken and the	294
date on which they were taken, or the explanation required under	295
division <del>(G) (1) (b)</del> <u>(H) (1) (b)</u> of this section.	296
(3) Not later than fifteen days after receiving a written	297
description or explanation under division <del>(G) (2)</del> <u>(H) (2)</u> of this	298
section from a vendor, the board shall determine whether the	299
corrective measures taken or the explanation is satisfactory to	300
allow continued certification of the equipment, and the	301
secretary of state shall send the vendor a written notice of the	302
board's determination, specifying the reasons for it. If the	303
board has determined that the measures taken or the explanation	304
given is unsatisfactory, the notice shall include the effective	305
date of withdrawal of the certification. This date may be	306
different from the date originally specified in division <del>(G) (1)</del>	307
<del>(b)</del> <u>(H) (1) (b)</u> of this section.	308
(4) A vendor who receives a notice under division <del>(G) (3)</del>	309
<u>(H) (3)</u> of this section indicating a decision to withdraw	310
certification may, within thirty days after receiving it,	311
request in writing that the board hold a hearing to reconsider	312
its decision. Any interested party shall be given the	313
opportunity to submit testimony or documentation in support of	314

or in opposition to the board's recommendation to withdraw 315  
certification. Failure of the vendor to take appropriate steps 316  
as described in division ~~(G) (1) (b)~~ (H) (1) (b) or to comply with 317  
division ~~(G) (2)~~ (H) (2) of this section results in a waiver of 318  
the vendor's rights under division ~~(G) (4)~~ (H) (4) of this 319  
section. 320

~~(H) (1)~~ (I) (1) The secretary of state, in consultation with 321  
the board of voting ~~machine systems~~ examiners, shall establish, 322  
by rule, guidelines for the approval, certification, and 323  
continued certification of the ~~voting machines, marking devices,~~ 324  
~~tabulating equipment, and electronic pollbooks~~ to be used under 325  
Title XXXV of the Revised Code. The guidelines shall establish 326  
procedures requiring vendors or computer software developers to 327  
place in escrow with an independent escrow agent approved by the 328  
secretary of state a copy of all source code and related 329  
documentation, together with periodic updates as they become 330  
known or available. The secretary of state shall require that 331  
the documentation include a system configuration and that the 332  
source code include all relevant program statements in low- or 333  
high-level languages. As used in this division, "source code" 334  
does not include variable codes created for specific elections. 335

(2) Nothing in any rule adopted under division ~~(H)~~ (I) of 336  
this section shall be construed to limit the ability of the 337  
secretary of state to follow or adopt, or to preclude the 338  
secretary of state from following or adopting, any guidelines 339  
proposed by the federal election commission, any entity 340  
authorized by the federal election commission to propose 341  
guidelines, the election assistance commission, or any entity 342  
authorized by the election assistance commission to propose 343  
guidelines. 344

(3) (a) Before the initial certification of any direct 345  
recording electronic voting machine with a voter verified paper 346  
audit trail, and as a condition for the continued certification 347  
and use of those machines, the secretary of state shall 348  
establish, by rule, standards for the certification of those 349  
machines. Those standards shall include, but are not limited to, 350  
all of the following: 351

(i) A definition of a voter verified paper audit trail as 352  
a paper record of the voter's choices that is verified by the 353  
voter prior to the casting of the voter's ballot and that is 354  
securely retained by the board of elections; 355

(ii) Requirements that the voter verified paper audit 356  
trail shall not be retained by any voter and shall not contain 357  
individual voter information; 358

(iii) A prohibition against the production by any direct 359  
recording electronic voting machine of anything that legally 360  
could be removed by the voter from the polling place, such as a 361  
receipt or voter confirmation; 362

(iv) A requirement that paper used in producing a voter 363  
verified paper audit trail be sturdy, clean, and resistant to 364  
degradation; 365

(v) A requirement that the voter verified paper audit 366  
trail shall be capable of being optically scanned for the 367  
purpose of conducting a recount or other audit of the voting 368  
machine and shall be readable in a manner that makes the voter's 369  
ballot choices obvious to the voter without the use of computer 370  
or electronic codes; 371

(vi) A requirement, for office-type ballots, that the 372  
voter verified paper audit trail include the name of each 373

candidate selected by the voter; 374

(vii) A requirement, for questions and issues ballots, 375  
that the voter verified paper audit trail include the title of 376  
the question or issue, the name of the entity that placed the 377  
question or issue on the ballot, and the voter's ballot 378  
selection on that question or issue, but not the entire text of 379  
the question or issue. 380

(b) The secretary of state, by rule adopted under Chapter 381  
119. of the Revised Code, may waive the requirement under 382  
division ~~(H) (3) (a) (v)~~ (I) (3) (a) (v) of this section, if the 383  
secretary of state determines that the requirement is cost 384  
prohibitive. 385

(4) (a) Except as otherwise provided in divisions ~~(H) (4) (b)~~ 386  
(I) (4) (b) and (c) of this section, any ~~voting machine, marking~~ 387  
~~device, or automatic tabulating~~ equipment used in this state 388  
shall meet, as a condition of continued certification and use, 389  
the voting system standards adopted by the federal election 390  
commission in 2002 or the voluntary voting system guidelines 391  
most recently adopted by the federal election assistance 392  
commission. ~~A voting machine, marking device, or automatic~~ 393  
~~tabulating equipment~~ Equipment initially certified or acquired 394  
on or after December 1, 2008, also shall have the most recent 395  
federal certification number issued by the election assistance 396  
commission. 397

(b) Division ~~(H) (4) (a)~~ (I) (4) (a) of this section does not 398  
apply to any ~~voting machine, marking device, or automatic~~ 399  
~~tabulating~~ equipment that the federal election assistance 400  
commission does not certify as part of its testing and 401  
certification program. 402

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

(iii) 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 of providing additional machines, devices, or equipment required to meet the allocation requirements established pursuant to division (I) of section 3501.11 of the Revised Code.

**Sec. 3506.06.** No marking device shall be approved by the board of voting ~~machine systems~~ examiners or certified by the secretary of state, or be purchased, rented, or otherwise acquired, or used, unless it fulfills the following requirements:

(A) It shall permit and require voting in absolute secrecy, and shall be so constructed that no person can see or know for whom any other elector has voted or is voting, except an elector who is assisting a voter as prescribed by section 3505.24 of the Revised Code.

(B) It shall permit each elector to vote at any election

for all persons and offices for whom and for which the elector 432  
is lawfully entitled to vote, whether or not the name of any 433  
such person appears on a ballot as a candidate; to vote for as 434  
many persons for an office as the elector is entitled to vote 435  
for; and to vote for or against any question upon which the 436  
elector is entitled to vote. 437

(C) It shall permit each elector to write in the names of 438  
persons for whom the elector desires to vote, whose names do not 439  
appear upon the ballot, if such write-in candidates are 440  
permitted by law. 441

(D) It shall permit each elector, at all presidential 442  
elections, by one mark to vote for candidates of one party for 443  
president, vice president, and presidential electors. 444

(E) It shall be durably constructed of material of good 445  
quality in a neat and workerlike manner, and in form that shall 446  
make it safely transportable. 447

(F) It shall be so constructed that a voter may readily 448  
learn the method of operating it and may expeditiously cast the 449  
voter's vote for all candidates of the voter's choice. 450

(G) It shall not provide to a voter any type of receipt or 451  
voter confirmation that the voter legally may retain after 452  
leaving the polling place. 453

**Sec. 3506.07.** No automatic tabulating equipment shall be 454  
approved by the board of voting ~~machine~~-systems examiners or 455  
certified by the secretary of state, or be purchased, rented, or 456  
otherwise acquired, or used, unless it has been or is capable of 457  
being manufactured for use and distribution beyond a prototype 458  
and can be set by election officials, to examine ballots and to 459  
count votes accurately for each candidate, question, and issue, 460



excluding any ballots marked contrary to the instructions 461  
printed on such ballots, provided that such equipment shall not 462  
be required to count write-in votes or the votes on any ballots 463  
that have been voted other than at the regular polling place on 464  
election day. 465

**Sec. 3506.10.** No voting machine shall be approved by the 466  
board of voting ~~machine~~-systems examiners or certified by the 467  
secretary of state, or be purchased, rented, or otherwise 468  
acquired, or used, except when specifically allowed for 469  
experimental use, as provided in section 3506.04 of the Revised 470  
Code, unless it fulfills the following requirements: 471

(A) It shall permit and require voting in absolute 472  
secrecy, and shall be so constructed that no person can see or 473  
know for whom any other elector has voted or is voting, except 474  
an elector who is assisting a voter as prescribed by section 475  
3505.24 of the Revised Code. 476

(B) It shall permit each elector to vote at any election 477  
for all persons and offices for whom and for which the elector 478  
is lawfully entitled to vote, whether or not the name of any 479  
such person appears on a ballot label as a candidate; to vote 480  
for as many persons for an office as the elector is entitled to 481  
vote for; and to vote for or against any question upon which the 482  
elector is entitled to vote. 483

(C) It shall preclude each elector from voting for any 484  
candidate or upon any question for whom or upon which the 485  
elector is not entitled to vote, from voting for more persons 486  
for any office than the elector is entitled to vote for, and 487  
from voting for any candidates for the same office or upon any 488  
question more than once. 489

(D) It shall permit each voter to deposit, write in, or 490  
affix, upon devices provided for that purpose, ballots 491  
containing the names of persons for whom the voter desires to 492  
vote, whose names do not appear upon the voting machine. Those 493  
devices shall be susceptible of identification as to party 494  
affiliations when used at a primary election. 495

(E) It shall permit each elector to change the elector's 496  
vote for any candidate or upon any question appearing upon the 497  
ballot labels, up to the time the elector starts to register the 498  
elector's vote. 499

(F) It shall permit each elector, at all presidential 500  
elections, by one device to vote for candidates of one party for 501  
president, vice-president, and presidential electors. 502

(G) It shall be capable of adjustment by election officers 503  
so as to permit each elector, at a primary election, to vote 504  
only for the candidates of the party with which the elector has 505  
declared the elector's affiliation and shall preclude the 506  
elector from voting for any candidate seeking nomination by any 507  
other political party; and to vote for the candidates for 508  
nonpartisan nomination or election. 509

(H) It shall have separate voting devices for candidates 510  
and questions, which shall be arranged in separate rows or 511  
columns. It shall be so arranged that one or more adjacent rows 512  
or columns may be assigned to the candidates of each political 513  
party at primary elections. 514

(I) It shall have a counter, or other device, the register 515  
of which is visible from the outside of the machine, and which 516  
will show at any time during the voting the total number of 517  
electors who have voted; and also a protective counter, or other 518

device, the register of which cannot be reset, which will record 519  
the cumulative total number of movements of the internal 520  
counters. 521

(J) It shall be provided with locks and seals by the use 522  
of which, immediately after the polls are closed or the 523  
operation of the machine for an election is completed, no 524  
further changes to the internal counters can be allowed. 525

(K) It shall have the capacity to contain the names of 526  
candidates constituting the tickets of at least five political 527  
parties, and independent groups and such number of questions not 528  
exceeding fifteen as the secretary of state shall specify. 529

(L) It shall be durably constructed of material of good 530  
quality in a neat and workerlike manner, and in form that shall 531  
make it safely transportable. 532

(M) It shall be so constructed that a voter may readily 533  
learn the method of operating it, may expeditiously cast a vote 534  
for all candidates of the voter's choice, and when operated 535  
properly shall register and record correctly and accurately 536  
every vote cast. 537

(N) It shall be provided with a screen, hood, or curtain, 538  
which will conceal the voter while voting. During the voting, it 539  
shall preclude every person from seeing or knowing the number of 540  
votes registered for any candidate or question and from 541  
tampering with any of the internal counters. 542

(O) It shall not provide to a voter any type of receipt or 543  
voter confirmation that the voter legally may retain after 544  
leaving the polling place. 545

(P) On and after the first federal election that occurs 546  
after January 1, 2006, unless required sooner by the Help 547

America Vote Act of 2002, if the voting machine is a direct 548  
recording electronic voting machine, it shall include a voter 549  
verified paper audit trail. 550

Before any voting machine is purchased, rented, or 551  
otherwise acquired, or used, the person or corporation owning or 552  
manufacturing that machine or having the legal right to control 553  
the use of that machine shall give an adequate guarantee in 554  
writing and post a bond in an amount sufficient to cover the 555  
cost of any recount or new election resulting from or directly 556  
related to the use or malfunction of the equipment, accompanied 557  
by satisfactory surety, all as determined by the secretary of 558  
state, with the board of county commissioners, guaranteeing and 559  
securing that those machines have been and continue to be 560  
certified by the secretary of state in accordance with section 561  
3506.05 of the Revised Code, comply fully with the requirements 562  
of this section, and will correctly, accurately, and 563  
continuously register and record every vote cast, and further 564  
guaranteeing those machines against defects in workmanship and 565  
materials for a period of five years from the date of their 566  
acquisition. 567

Sec. 3506.16. (A) The secretary of state shall adopt 568  
standards for the security and integrity of voter registration 569  
systems. Except as otherwise provided in division (B) of this 570  
section, no voter registration system shall be approved by the 571  
board of voting systems examiners, certified by the secretary of 572  
state, or acquired by the secretary of state or a board of 573  
elections, unless it meets those standards. 574

(B) Notwithstanding any contrary provision of this 575  
chapter, a county that used a voter registration system before 576  
the effective date of this section may continue to use that 577

system until the county acquires a new voter registration 578  
system, which shall meet the requirements of this chapter. 579

**Sec. 3513.041.** A write-in space shall be provided on the 580  
ballot for every office, except in an election for which the 581  
board of elections has received no valid declarations of intent 582  
to be a write-in candidate under this section. Write-in votes 583  
shall not be counted for any candidate who has not filed a 584  
declaration of intent to be a write-in candidate pursuant to 585  
this section. A qualified person who has filed a declaration of 586  
intent may receive write-in votes at either a primary or general 587  
election. Any candidate shall file a declaration of intent to be 588  
a write-in candidate before four p.m. of the seventy-second day 589  
preceding the election at which such candidacy is to be 590  
considered. If the election is to be determined by electors of a 591  
county or a district or subdivision within the county, such 592  
declaration shall be filed with the board of elections of that 593  
county. If the election is to be determined by electors of a 594  
subdivision located in more than one county, such declaration 595  
shall be filed with the board of elections of the county in 596  
which the major portion of the population of such subdivision is 597  
located. If the election is to be determined by electors of a 598  
district comprised of more than one county but less than all of 599  
the counties of the state, such declaration shall be filed with 600  
the board of elections of the most populous county in such 601  
district. Any candidate for an office to be voted upon by 602  
electors throughout the entire state shall file a declaration of 603  
intent to be a write-in candidate with the secretary of state 604  
before four p.m. of the seventy-second day preceding the 605  
election at which such candidacy is to be considered. In 606  
addition, candidates for president and vice-president of the 607  
United States shall also file with the secretary of state by 608

that seventy-second day a slate of presidential electors 609  
sufficient in number to satisfy the requirements of the United 610  
States constitution. 611

A board of elections shall not accept for filing the 612  
declaration of intent to be a write-in candidate of a person 613  
seeking to become a candidate if that person, for the same 614  
election, has already filed a declaration of candidacy, a 615  
declaration of intent to be a write-in candidate, or a 616  
nominating petition, or has become a candidate through party 617  
nomination at a primary election or by the filling of a vacancy 618  
under section 3513.30 or 3513.31 of the Revised Code, for any 619  
federal, state, or county office, if the declaration of intent 620  
to be a write-in candidate is for a state or county office, or 621  
for any municipal or township office, for member of a city, 622  
local, or exempted village board of education, or for member of 623  
a governing board of an educational service center, if the 624  
declaration of intent to be a write-in candidate is for a 625  
municipal or township office, or for member of a city, local, or 626  
exempted village board of education, or for member of a 627  
governing board of an educational service center. 628

No person shall file a declaration of intent to be a 629  
write-in candidate for the office of governor unless the 630  
declaration also shows the intent of another person to be a 631  
write-in candidate for the office of lieutenant governor. No 632  
person shall file a declaration of intent to be a write-in 633  
candidate for the office of lieutenant governor unless the 634  
declaration also shows the intent of another person to be a 635  
write-in candidate for the office of governor. No person shall 636  
file a declaration of intent to be a write-in candidate for the 637  
office of governor or lieutenant governor if the person has 638  
previously filed a declaration of intent to be a write-in 639

candidate to the office of governor or lieutenant governor at 640  
the same primary or general election. A write-in vote for the 641  
two candidates who file such a declaration shall be counted as a 642  
vote for them as joint candidates for the offices of governor 643  
and lieutenant governor. 644

The secretary of state shall not accept for filing the 645  
declaration of intent to be a write-in candidate of a person for 646  
the office of governor unless the declaration also shows the 647  
intent of another person to be a write-in candidate for the 648  
office of lieutenant governor, shall not accept for filing the 649  
declaration of intent to be a write-in candidate of a person for 650  
the office of lieutenant governor unless the declaration also 651  
shows the intent of another person to be a write-in candidate 652  
for the office of governor, and shall not accept for filing the 653  
declaration of intent to be a write-in candidate of a person to 654  
the office of governor or lieutenant governor if that person, 655  
for the same election, has already filed a declaration of 656  
candidacy, a declaration of intent to be a write-in candidate, 657  
or a nominating petition, or has become a candidate through 658  
party nomination at a primary election or by the filling of a 659  
vacancy under section 3513.30 or 3513.31 of the Revised Code, 660  
for any other state office or any federal or county office. 661

Protests against the candidacy of any person filing a 662  
declaration of intent to be a write-in candidate may be filed by 663  
any qualified elector who is eligible to vote in the election at 664  
which the candidacy is to be considered. The protest shall be in 665  
writing and shall be filed not later than four p.m. of the 666  
sixty-seventh day before the day of the election. The protest 667  
shall be filed with the ~~board of elections~~ election officials 668  
with ~~which~~ whom the declaration of intent to be a write-in 669  
candidate was filed. Upon the filing of the protest, the ~~board~~ 670

election officials with which whom it is filed shall promptly 671  
fix the time for hearing it and shall proceed in regard to the 672  
hearing in the same manner as for hearings set for protests 673  
filed under section 3513.05 of the Revised Code. At the time 674  
fixed, the ~~board~~ election officials shall hear the protest and 675  
shall determine the validity or invalidity of the declaration of 676  
intent to be a write-in candidate not later than the fifty- 677  
seventh day before the day of the election. If the ~~board finds-~~ 678  
election officials find that the candidate is not an elector of 679  
the state, district, county, or political subdivision in which 680  
the candidate seeks election to office or has not fully complied 681  
with the requirements of Title XXXV of the Revised Code in 682  
regard to the candidate's candidacy, the candidate's declaration 683  
of intent to be a write-in candidate shall be determined to be 684  
invalid and shall be rejected; otherwise, it shall be determined 685  
to be valid. The determination of the ~~board~~ election officials 686  
is final. 687

The secretary of state shall prescribe the form of the 688  
declaration of intent to be a write-in candidate. 689

**Sec. 3513.05.** Each person desiring to become a candidate 690  
for a party nomination at a primary election or for election to 691  
an office or position to be voted for at a primary election, 692  
except persons desiring to become joint candidates for the 693  
offices of governor and lieutenant governor and except as 694  
otherwise provided in section 3513.051 of the Revised Code, 695  
shall, not later than four p.m. of the ninetieth day before the 696  
day of the primary election, file a declaration of candidacy and 697  
petition and pay the fees required under divisions (A) and (B) 698  
of section 3513.10 of the Revised Code. The declaration of 699  
candidacy and all separate petition papers shall be filed at the 700  
same time as one instrument. When the offices are to be voted 701



for at a primary election, persons desiring to become joint 702  
candidates for the offices of governor and lieutenant governor 703  
shall, not later than four p.m. of the ninetieth day before the 704  
day of the primary election, comply with section 3513.04 of the 705  
Revised Code. The prospective joint candidates' declaration of 706  
candidacy and all separate petition papers of candidacies shall 707  
be filed at the same time as one instrument. The secretary of 708  
state or a board of elections shall not accept for filing a 709  
declaration of candidacy and petition of a person seeking to 710  
become a candidate if that person, for the same election, has 711  
already filed a declaration of candidacy or a declaration of 712  
intent to be a write-in candidate, or has become a candidate by 713  
the filling of a vacancy under section 3513.30 of the Revised 714  
Code for any federal, state, or county office, if the 715  
declaration of candidacy is for a state or county office, or for 716  
any municipal or township office, if the declaration of 717  
candidacy is for a municipal or township office. 718

If the declaration of candidacy declares a candidacy which 719  
is to be submitted to electors throughout the entire state, the 720  
petition, including a petition for joint candidates for the 721  
offices of governor and lieutenant governor, shall be signed by 722  
at least one thousand qualified electors who are members of the 723  
same political party as the candidate or joint candidates, and 724  
the declaration of candidacy and petition shall be filed with 725  
the secretary of state; provided that the secretary of state 726  
shall not accept or file any such petition appearing on its face 727  
to contain signatures of more than three thousand electors. 728

Except as otherwise provided in this paragraph, if the 729  
declaration of candidacy is of one that is to be submitted only 730  
to electors within a district, political subdivision, or portion 731  
thereof, the petition shall be signed by not less than fifty 732

qualified electors who are members of the same political party 733  
as the political party of which the candidate is a member. If 734  
the declaration of candidacy is for party nomination as a 735  
candidate for member of the legislative authority of a municipal 736  
corporation elected by ward, the petition shall be signed by not 737  
less than twenty-five qualified electors who are members of the 738  
political party of which the candidate is a member. 739

No such petition, except the petition for a candidacy that 740  
is to be submitted to electors throughout the entire state, 741  
shall be accepted for filing if it appears to contain on its 742  
face signatures of more than three times the minimum number of 743  
signatures. When a petition of a candidate has been accepted for 744  
filing by a board of elections, the petition shall not be deemed 745  
invalid if, upon verification of signatures contained in the 746  
petition, the board of elections finds the number of signatures 747  
accepted exceeds three times the minimum number of signatures 748  
required. A board of elections may discontinue verifying 749  
signatures on petitions when the number of verified signatures 750  
equals the minimum required number of qualified signatures. 751

If the declaration of candidacy declares a candidacy for 752  
party nomination or for election as a candidate of a minor 753  
party, the minimum number of signatures on such petition is one- 754  
half the minimum number provided in this section, except that, 755  
when the candidacy is one for election as a member of the state 756  
central committee or the county central committee of a political 757  
party, the minimum number shall be the same for a minor party as 758  
for a major party. 759

If a declaration of candidacy is one for election as a 760  
member of the state central committee or the county central 761  
committee of a political party, the petition shall be signed by 762

five qualified electors of the district, county, ward, township, 763  
or precinct within which electors may vote for such candidate. 764  
The electors signing such petition shall be members of the same 765  
political party as the political party of which the candidate is 766  
a member. 767

For purposes of signing or circulating a petition of 768  
candidacy for party nomination or election, an elector is 769  
considered to be a member of a political party if the elector 770  
voted in that party's primary election within the preceding two 771  
calendar years, or if the elector did not vote in any other 772  
party's primary election within the preceding two calendar 773  
years. 774

If the declaration of candidacy is of one that is to be 775  
submitted only to electors within a county, or within a district 776  
or subdivision or part thereof smaller than a county, the 777  
petition shall be filed with the board of elections of the 778  
county. If the declaration of candidacy is of one that is to be 779  
submitted only to electors of a district or subdivision or part 780  
thereof that is situated in more than one county, the petition 781  
shall be filed with the board of elections of the county within 782  
which the major portion of the population thereof, as 783  
ascertained by the next preceding federal census, is located. 784

A petition shall consist of separate petition papers, each 785  
of which shall contain signatures of electors of only one 786  
county. Petitions or separate petition papers containing 787  
signatures of electors of more than one county shall not thereby 788  
be declared invalid. In case petitions or separate petition 789  
papers containing signatures of electors of more than one county 790  
are filed, the board shall determine the county from which the 791  
majority of signatures came, and only signatures from such 792

county shall be counted. Signatures from any other county shall 793  
be invalid. 794

Each separate petition paper shall be circulated by one 795  
person only, who shall be the candidate or a joint candidate or 796  
a member of the same political party as the candidate or joint 797  
candidates, and each separate petition paper shall be governed 798  
by the rules set forth in section 3501.38 of the Revised Code. 799

The secretary of state shall promptly transmit to each 800  
board such separate petition papers of each petition 801  
accompanying a declaration of candidacy filed with the secretary 802  
of state as purport to contain signatures of electors of the 803  
county of such board. The board of the most populous county of a 804  
district shall promptly transmit to each board within such 805  
district such separate petition papers of each petition 806  
accompanying a declaration of candidacy filed with it as purport 807  
to contain signatures of electors of the county of each such 808  
board. The board of a county within which the major portion of 809  
the population of a subdivision, situated in more than one 810  
county, is located, shall promptly transmit to the board of each 811  
other county within which a portion of such subdivision is 812  
located such separate petition papers of each petition 813  
accompanying a declaration of candidacy filed with it as purport 814  
to contain signatures of electors of the portion of such 815  
subdivision in the county of each such board. 816

All petition papers so transmitted to a board and all 817  
petitions accompanying declarations of candidacy filed with a 818  
board shall, under proper regulations, be open to public 819  
inspection until four p.m. of the eightieth day before the day 820  
of the next primary election. Each board shall, not later than 821  
the seventy-eighth day before the day of that primary election, 822

examine and determine the validity or invalidity of the 823  
signatures on the petition papers so transmitted to or filed 824  
with it and shall return to the secretary of state all petition 825  
papers transmitted to it by the secretary of state, together 826  
with its certification of its determination as to the validity 827  
or invalidity of signatures thereon, and shall return to each 828  
other board all petition papers transmitted to it by such board, 829  
together with its certification of its determination as to the 830  
validity or invalidity of the signatures thereon. All other 831  
matters affecting the validity or invalidity of such petition 832  
papers shall be determined by the secretary of state or the 833  
board with whom such petition papers were filed. 834

Protests against the candidacy of any person filing a 835  
declaration of candidacy for party nomination or for election to 836  
an office or position, as provided in this section, may be filed 837  
by any qualified elector who is a member of the same political 838  
party as the candidate and who is eligible to vote at the 839  
primary election for the candidate whose declaration of 840  
candidacy the elector objects to, or by the controlling 841  
committee of that political party. The protest shall be in 842  
writing, and shall be filed not later than four p.m. of the 843  
seventy-fourth day before the day of the primary election. The 844  
protest shall be filed with the election officials with whom the 845  
declaration of candidacy and petition was filed. Upon the filing 846  
of the protest, the election officials with whom it is filed 847  
shall promptly fix the time for hearing it, and shall forthwith 848  
mail notice of the filing of the protest and the time fixed for 849  
hearing to the person whose candidacy is so protested. They 850  
shall also forthwith mail notice of the time fixed for such 851  
hearing to the person who filed the protest. At the time fixed, 852  
such election officials shall hear the protest and shall 853

determine the validity or invalidity of the declaration of 854  
candidacy and petition not later than the sixty-fourth day 855  
before the day of the primary election. If they find that such 856  
candidate is not an elector of the state, district, county, or 857  
political subdivision in which the candidate seeks a party 858  
nomination or election to an office or position, or has not 859  
fully complied with this chapter, the candidate's declaration of 860  
candidacy and petition shall be determined to be invalid and 861  
shall be rejected; otherwise, it shall be determined to be 862  
valid. That determination shall be final. 863

A protest against the candidacy of any persons filing a 864  
declaration of candidacy for joint party nomination to the 865  
offices of governor and lieutenant governor shall be filed, 866  
heard, and determined in the same manner as a protest against 867  
the candidacy of any person filing a declaration of candidacy 868  
singly. 869

The secretary of state shall, on the seventieth day before 870  
the day of a primary election, certify to each board in the 871  
state the forms of the official ballots to be used at the 872  
primary election, together with the names of the candidates to 873  
be printed on the ballots whose nomination or election is to be 874  
determined by electors throughout the entire state and who filed 875  
valid declarations of candidacy and petitions. 876

The board of the most populous county in a district 877  
comprised of more than one county but less than all of the 878  
counties of the state shall, on the seventieth day before the 879  
day of a primary election, certify to the board of each county 880  
in the district the names of the candidates to be printed on the 881  
official ballots to be used at the primary election, whose 882  
nomination or election is to be determined only by electors 883

within the district and who filed valid declarations of 884  
candidacy and petitions. 885

The board of a county within which the major portion of 886  
the population of a subdivision smaller than the county and 887  
situated in more than one county is located shall, on the 888  
seventieth day before the day of a primary election, certify to 889  
the board of each county in which a portion of that subdivision 890  
is located the names of the candidates to be printed on the 891  
official ballots to be used at the primary election, whose 892  
nomination or election is to be determined only by electors 893  
within that subdivision and who filed valid declarations of 894  
candidacy and petitions. 895

**Sec. 3513.262.** The nominating petitions of all candidates 896  
required to be filed before four p.m. of the day before the day 897  
of the primary election immediately preceding the general 898  
election shall be processed as follows: 899

If such petition is filed with the secretary of state, the 900  
secretary of state shall, not later than the fifteenth day of 901  
June following the filing of such petition, or if the primary 902  
election was a presidential primary election, not later than the 903  
end of the sixth week after the day of that election, transmit 904  
to each board such separate petition papers as purport to 905  
contain signatures of electors of the county of such board. If 906  
such petition is filed with the board of the most populous 907  
county of a district or of a county in which the major portion 908  
of the population of a subdivision is located, such board shall, 909  
not later than the fifteenth day of June, or if the primary 910  
election was a presidential primary election, not later than the 911  
end of the sixth week after the day of that election, transmit 912  
to each board within such district such separate petition papers 913

of the petition as purport to contain signatures of electors of 914  
the county of such board. 915

All petition papers so transmitted to a board and all 916  
nominating petitions filed with a board shall, under proper 917  
regulations, be open to public inspection from the fifteenth day 918  
of June until four p.m. of the thirtieth day of that month, or 919  
if the primary election was a presidential primary election, 920  
from the end of the sixth week after the election until four 921  
p.m. of the end of the seventh week after the election. Each 922  
board shall, not later than the next fifteenth day of July, or 923  
if the primary election was a presidential primary election, not 924  
later than the end of the tenth week after the day of that 925  
election, examine and determine the sufficiency of the 926  
signatures on the petition papers transmitted to or filed with 927  
it, and the validity of the petitions filed with it, and shall 928  
return to the secretary of state all petition papers transmitted 929  
to it by the secretary of state, together with its certification 930  
of its determination as to the validity or invalidity of 931  
signatures thereon, and shall return to each other board all 932  
petition papers transmitted to it by such other board, as 933  
provided in this section, together with its certification of its 934  
determination as to the validity or invalidity of signatures 935  
thereon. A signature on a nominating petition is not valid if it 936  
is dated more than one year before the date the nominating 937  
petition was filed. All other matters affecting the validity or 938  
invalidity of such petition papers shall be determined by the 939  
secretary of state or the board with whom such petition papers 940  
were filed. 941

Written protests against nominating petitions may be filed 942  
by any qualified elector eligible to vote for the candidate 943  
whose nominating petition the elector objects to, not later than 944



four p.m. of the thirtieth day of July, or if the primary 945  
election was a presidential primary election, not later than the 946  
end of the twelfth week after the day of that election. Such 947  
protests shall be filed with the election officials with whom 948  
the nominating petition was filed. Upon the filing of such 949  
protest, the election officials with whom it is filed shall 950  
promptly fix the time and place for hearing it, and shall 951  
forthwith mail notice of the filing of such protest and the time 952  
and place for hearing it to the person whose nomination is 953  
protested. They shall also forthwith mail notice of the time and 954  
place fixed for the hearing to the person who filed the protest. 955  
At the time fixed, such election officials shall hear the 956  
protest and shall determine the validity or invalidity of the 957  
petition not later than the tenth day after the deadline to file 958  
a protest against the petition. Such determination shall be 959  
final. 960

A protest against the nominating petition filed by joint 961  
candidates for the offices of governor and lieutenant governor 962  
shall be filed, heard, and determined in the same manner as a 963  
protest against the nominating petition of a candidate who files 964  
individually. 965

**Sec. 3513.263.** The nominating petitions of all candidates 966  
required to be filed before four p.m. of the ninetieth day 967  
before the day of the general election, shall be processed as 968  
follows: 969

If such petition is filed with the secretary of state, the 970  
secretary of state shall promptly transmit to each board such 971  
separate petition papers as purports to contain signatures of 972  
electors of the county of such board. 973

If such petition is filed with the board of a county in 974

which the major portion of the population of a subdivision is 975  
located, such board shall promptly transmit to the board of each 976  
county in which other portions of such subdivision are located 977  
such separate petition papers of the petition as purport to 978  
contain signatures of electors of such county. 979

All petition papers so transmitted to a board of 980  
elections, and all nominating petitions filed with a board of 981  
elections shall, under proper regulation, be open to public 982  
inspection until four p.m. of the eightieth day before the day 983  
of such general election. Each board shall, not later than the 984  
seventy-eighth day before the day of such general election 985  
examine and determine the sufficiency of the signatures on the 986  
petition papers transmitted to or filed with it and the validity 987  
or invalidity of petitions filed with it, and shall return to 988  
each other board all petition papers transmitted to it by such 989  
other board, together with its certification of its 990  
determination as to the validity or invalidity of signatures 991  
thereon. A signature on a nominating petition is not valid if it 992  
is dated more than one year before the date the nominating 993  
petition was filed. All other matters affecting the validity or 994  
invalidity of such petition papers shall be determined by the 995  
board with whom such petition papers were filed. 996

Written protests against such nominating petitions may be 997  
filed by any qualified elector eligible to vote for the 998  
candidate whose nominating petition the elector objects to, not 999  
later than the seventy-fourth day before the general election. 1000  
Such protests shall be filed with the election officials with 1001  
whom the nominating petition was filed. Upon the filing of such 1002  
protests, the election officials with whom it is filed shall 1003  
promptly fix the time and place for hearing it, and shall 1004  
forthwith mail notice of the filing of such protest and the time 1005

and place for hearing it to the person whose nomination is 1006  
protested. They shall also forthwith mail notice of the time and 1007  
place fixed for the hearing to the person who filed the protest. 1008  
At the time and place fixed, such election officials shall hear 1009  
the protest and shall determine the validity or invalidity of 1010  
the petition not later than the sixty-fourth day before the day 1011  
of the general election. Such determination shall be final. 1012

**Section 2.** That existing sections 3506.01, 3506.04, 1013  
3506.05, 3506.06, 3506.07, 3506.10, 3513.041, 3513.05, 3513.262, 1014  
and 3513.263 of the Revised Code are hereby repealed. 1015