

Frequently Asked Questions

Ohio – General Election 2024

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Note: This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter's contact information should follow-up be necessary.

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REGISTERING TO VOTE

1. **ELIGIBILITY:** Can I register to vote?

Any individual who meets the below qualifications can register to vote in Ohio:

- Voter is a citizen of the United States;
- Voter will be at least 18 years old on or before the day of the next general election. (If the voter will be 18 on or before the general election, the voter may vote in the primary election to nominate candidates, but not on issues or party central committees until the voter is 18);
- Voter will be a resident of Ohio for at least 30 days immediately before the election in which the voter want to vote;

- Voter is not incarcerated (in prison or jail) for a felony conviction under the laws of this state, another state, or the United States;
- Voter has not been declared incompetent for voting purposes by a probate court; and
- Voter has not been permanently disenfranchised for violating the election laws.

Note— for unhoused voters see Question 82.

2. **PRIMARY ELECTION:** Can I vote in the primary election? Do I need to be registered with a political party? Can I change my party registration to vote in another party's primary election? When I voted, the poll worker asked my party affiliation. Are they allowed to do that?

In Ohio, voters do not affiliate with a political party when they register to vote. Instead, a voter declares their political party by requesting the ballot of a political party in a partisan primary election. Therefore, their party affiliation is declared the day of the vote. A voter must affiliate with a party to vote in a partisan primary election, and a voter can only vote in a partisan primary of the party they affiliate with. However, an unaffiliated voter may vote the Official Questions & Issues Ballot.¹

Precinct election officials, board of elections members, directors, deputy directors, and clerks can challenge the right to vote of any elector in a primary on the grounds that the voter is not affiliated with or is not a member of the political party whose ballot the person desires to vote. In the event of such a challenge, party affiliation will be determined by examining the voter's voting record for the current year and the immediately preceding two calendar years, as shown on the voter's registration card. Nevertheless, a voter may vote via regular ballot if the challenged voter selects a party under penalty of perjury.²

3. **STATUS:** Am I registered to vote?

The voter can visit the Ohio Secretary of State's "Look Up Your Voter Registration" website, which shows the voter's registration status and precinct/polling place: https://voterlookup.ohiosos.gov/voterlookup.aspx

Please note that this lookup is by county. If the voter does not find themselves in their current county of residence, they should check their previous county of residence.

Voters can also call their local county board of elections. Phone numbers available at this online directory: <u>County Boards of Elections Directory</u>. Alternatively, the voter's local county board of elections may have its own voter lookup tool on its website.

4. **HOW:** How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?

The voter can register to vote online, by mail, or in person:

¹ See https://www.ohiosos.gov/elections/voters/register/; Ohio Rev. Code Ann. § 3503.011.

² Ohio Rev. Code Ann. § 3513.19(B) (if challenged, "membership in or political affiliation with a political party shall be determined by the person's statement, made under penalty of election falsification, that the person desires to be affiliated with and supports the principles of the political party whose primary ballot the person desires to vote.)

Online Registration: visit the Ohio Secretary of State's Online Voter Registration System at https://olvr.ohiosos.gov to register to vote in Ohio or to update the voter's registration address.

Important: Online registration requires an Ohio driver's license or Ohio identification card number, *and* the last four digits of a Social Security number. Please note, if a resident recently received their Ohio driver's license or identification card, this may not work, because the Secretary of State must have a digital copy of their signature. The online form also rejects applications if the driver's license address does not match the voter registration address.

Registration By Mail: Access Ohio's Voter Registration form by clicking: <u>Voter Registration and Information Update Form</u>. The voter may also use the National Mail Voter Registration form: <u>www.eac.gov/voter resources/register to vote.aspx</u>. Registering by mail requires a printer to print out Ohio's Voter Registration form, which is then mailed.

If the voter does not have access to a printer, the voter can also ask any county board of elections or the Secretary of State's office to mail the voter a voter registration form. Phone numbers for the county boards of elections are available at this online directory: <u>County Boards of Elections Directory</u>.

In Person Registration: by obtaining a voter registration form at any of the following locations, as explained here <u>Register to Vote and Update Your Registration</u> - Government locations:

- The office of the Secretary of State;
- The office of any of the 88 county boards of elections;
- The office of the registrar or any deputy registrar of the Ohio Bureau of Motor Vehicles;
- Public libraries;
- Public high schools or vocational schools;
- County treasurers' offices; or
- Offices of designated agencies, including:
 - The Department of Job and Family Services;
 - The Department of Health (including the Women, Infants and Children (WIC) program);
 - o The Department of Mental Health;
 - o The Department of Developmental Disabilities;
 - o Opportunities for Ohioans with Disabilities; or
 - The office of any state-assisted college or university responsible for providing assistance to students with disabilities.

The voter may either personally deliver, or send by U.S. Mail, their voter registration form to a county board of elections or the Secretary of State's office. The voter, or another person acting on the voter's behalf, also may deliver the application to one of the offices listed above, but should make sure the application reaches a board of elections or the Secretary of State by the voter registration deadline, which is 30 days before the election at which the voter wants to vote (i.e. October 7th deadline for the November 5, 2024 General Election).

5. **IDENTIFICATION:** What ID is required to register to vote?

Online: The voter must provide their Ohio driver's license or Ohio identification card number, name, date of birth, address, **and** the last four digits of their Social Security number.

In Person or By Mail: The voter will need to provide an Ohio driver's license/state ID card number, OR the last four digits of their social security number.

6. **DEADLINES:** When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?

The voter must register or update their voter registration no later than 30 days prior to an election, regardless of whether the voter registers online, by mail, or in-person. If the voter registration deadline falls on a Sunday or a legal holiday, then the deadline is extended to the next day that is not a Sunday or a legal holiday.³

The voter registration deadline is October 7, 2024 for the November 5, 2024 General Election.⁴

7. **SAME DAY:** Does my state have Same Day Registration? If so, what is the process?

No, Ohio does not have same day registration.5

8. **PERMANENT MOVE:** I have moved permanently and I didn't update my voter registration, can I vote?

If the voter moved **before** the registration deadline (see <u>Question #6</u>), the voter should update their registration with the county board of elections. Voters can update their address online, by mail, or in person (see <u>Question #4</u>).

If the voter moved after the voter registration deadline has passed (see <u>Question #6</u>) but before Election Day, then the voter may file a change of residence form or vote by provisional ballot at their local board of elections (assuming the voter is registered to vote at a prior address in Ohio), **depending on circumstances of move (see chart below).** ⁶

However, if the voter moved before the registration deadline but did not update their registration before the deadline, they should proceed as if they moved after the deadline and file a change of residence form or vote by provisional ballot at their local board of elections (assuming the voter is registered to vote at a prior address in Ohio).

³ Ohio Secretary of State, Register to Vote or Update Your Voter Registration Information, https://www.ohiosos.gov/elections/voters/register/#register.

⁴ Ohio Secretary of State, Register to Vote or Update Your Voter Registration Information, https://olvr.ohiosos.gov/; Ohio Secretary of State, 2024 Elections Calendar.

⁵ https://www.sos.state.oh.us/elections/voters/register/; Same Day Voter Registration, National Conference of State Legislatures (Sept. 20, 2021) Brief Same-Day Voter Registration;

⁶ Ohio Rev. Code Ann. § 3503.16(A).

Refer to the table below. The answer to this question depends on whether the voter moved within the same county/election jurisdiction or moved to a new county.

Moved within the same precinct	Moved to a different precinct but within the same county	Moved to a different election jurisdiction (typically county)	Moved from a different state
(a) go to the polling place for their new/current address (which should be the same as they are still in the same precinct); (b) complete and sign a change of residence form; (c) vote a regular ballot.7 If in a multi-precinct polling place make sure both of the voter's addresses are actually in the same precinct.	(a) go to either: the polling place for their new/current address, or the local board of elections; (b) complete and sign the written affirmation on the provisional ballot envelope; vote a provisional ballot; (c) complete and sign a statement attesting that the voter moved, voted a provisional ballot using their current address, and will not try to vote at another location. ⁸ The precinct official must make sure the voter is in the correct precinct or polling place. If not, the election official must direct the voter to the correct precinct and provide the telephone number of the board of elections. ⁹	(a) go to the local board of elections for their new address; (b) complete and sign the written affirmation on the provisional ballot envelope; (c) vote a provisional ballot; (d) complete and sign a statement attesting that the voter moved, voted a provisional ballot using their current address, and will not try to vote at another location. ¹⁰	If the voter is a primary resident of Ohio for least 30 days before the election: ¹¹ (a) register to vote in Ohio (see Question #4) before the registration deadline (see Question #6); (b) as applicable, contact their prior state of primary residency for instructions on canceling their previous voter registration. If a voter has not been a primary resident of Ohio for at least 30 days before the election, they cannot vote in that election, but may vote in future elections.

9. **TEMPORARY MOVE:** I have moved temporarily. How can I vote?

⁷ Ohio Rev. Code Ann. § 3503.16(B)(1)(a).

⁸ Ohio Rev. Code Ann. § 3503.16(B)(2).

⁹ Ohio Rev. Code Ann. §§ 3505.181(C)(1).

¹⁰ Ohio Rev. Code Ann. § 3503.16(C).

¹¹ Ohio Rev. Code Ann. § 3503.06(A).

If the voter's primary residence is in Ohio and the voter temporarily moved to another state with an intention to return to Ohio, or temporarily moved to another county within Ohio without the intention of making that county their permanent residence, and the voter is registered in Ohio before the registration deadline (see Question #6), the voter may:

- Vote a regular ballot in-person at their designated polling place (see this link for polling place locations Polling Location Search).
- Request in advance and vote an absentee ballot, which must either be dropped off at the voter's county Board of Elections office by 7:30 p.m. on November 5, or postmarked on or before November 4 and received by the Board of Elections by November 9.¹²

10. **STUDENT:** I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?

College students attending school in Ohio may register to vote and vote using their Ohio school residence address. The student must consider their school residence to be their permanent residence at the time of voting.¹³ Remember: online registration requires an Ohio DL or state ID (an unexpired license or ID card with a prior address is acceptable if the voter is in the poll book at the current (college address)) However, a voter does not need a driver's license or ID card to register by mail, submit an application for an absentee ballot by mail, or vote and return the absentee ballot. They can use the last four digits of their social security number instead.

College students with primary residence in Ohio can also opt to participate in their Ohio hometown elections, no matter where they attend college, by maintaining their permanent Ohio address as their voting residence and casting their ballot by:

- Requesting an <u>absentee ballot</u> from their county board of elections and voting by mail;
- Voting early in person during the 28 days before a primary or general election at their home county board of elections if they won't be at home on Election Day (but not longer the day before the election);
- Or, if they will be at home on Election Day, going to their assigned polling location for their home precinct and voting in-person.

***Note: It is suggested that an out of state student who wants to cast their ballot in Ohio NOT obtain a BMV issued ID just for the purpose of voting. Rather, they should register and cast their ballot by mail using the last 4 digits of their social security number OR vote in person with one of the approved alternate forms of ID, like a U.S. Passport.

***Note: Like all Ohio voters, students must either return their mail ballots themselves or give them to "near relatives" to mail, deliver to county election offices or to a drop box. (spouse or the voter's father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, or sister of the whole or half blood, or the son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece.)¹⁴ Friends are not on the list.

For more information on college voting, see College Voters.

¹² Ohio Rev. Code Ann. § 3509.05(D)(2)(a).

¹³ Ohio Secretary of State, Voter Eligibility & Residency Requirements, Voter Eligibility & Residency Requirements.

¹⁴ Ohio Rev. Code Ann.3509.05(C)(1).

11. LIVING ABROAD: I am living abroad and/or serving in the military. How can I register and/or vote?

If the voter is serving in the uniformed services (U.S. Armed Services, merchant marines, the commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration of the United States, the National Guard and organized militia) and meets the requirements for voting at their Ohio voting residence, they may vote a uniformed services absentee ballot. The voter's spouse and dependents may also vote a uniformed services absentee ballot. The voting residence of a service member is the place in Ohio where the service member resided for at least 30 days immediately before beginning their service. To request an absentee ballot as an eligible voter serving in the uniformed services (or the voter's eligible spouse or dependents), the voter should visit: https://www.fvap.gov/Ohio.

A U.S. citizen living outside the U.S. is eligible to vote in the Ohio precinct where the voter resided immediately before leaving the U.S. if the voter (1) was, or could have been, registered to vote in Ohio while residing there, or (2) is currently eligible under Ohio law to vote in Ohio.¹⁶

A U.S. citizen who was born outside the U.S. is deemed to have a voting residence in Ohio at the place in the Ohio precinct where the person's parent or guardian continuously resided for at least 30 days immediately before leaving the United States.¹⁷ Overseas voters may request information at the following: https://www.ohiosos.gov/secretary-office/office-initiatives/VoterPassport/.

The above voters can register to vote using any of the methods listed in <u>Question #4</u>. They can vote using an absentee ballot following the steps in Questions #31-36, or by following the steps here: <u>Absentee Voting</u>.

12. **CRIMINAL CONVICTION:** I have a felony criminal conviction. Can I register to vote? Does the type of conviction matter? Are there any restrictions after any misdemeanor convictions?

Check the resources at Campaign Legal Restore Your Vote for latest information.

It depends on the type of conviction(s) the person has.

A person who has two convictions for violating Ohio's elections laws is permanently barred from voting in Ohio. ¹⁸

A person with a misdemeanor conviction may vote, and a person with a felony conviction may register and vote while on probation or parole, or after completing their jail or prison sentence.¹⁹

If a person is currently incarcerated on a felony conviction, their voter registration is canceled, and in order to vote, they must re-register to vote when eligible to do so. They may register to vote again once

¹⁵ Ohio Secretary of State, Military and Overseas Voters, https://www.ohiosos.gov/secretary-office/military/.

¹⁶ Ohio Secretary of State, Military and Overseas Voters, https://www.ohiosos.gov/secretary-office/military/.

¹⁷ Ohio Secretary of State, Military and Overseas Voters, https://www.ohiosos.gov/secretary-office/military/.

¹⁸ Ohio Secretary of State, Voter Eligibility and Residency Requirements: May I Vote If I Have Been Convicted of a Crime?, https://www.sos.state.oh.us/elections/voters/voter-eligibility-residency-regs/#convicted.

¹⁹ Ohio Secretary of State, Voter Eligibility and Residency Requirements: May I Vote If I Have Been Convicted of a Crime?, https://www.sos.state.oh.us/elections/voters/voter-eligibility-residency-regs/#convicted.

they complete their jail or prison sentence, or once they go on probation, parole, or community control.²⁰

13. INCARCERATED: I am currently incarcerated. Can I register to vote? Can I vote from jail?

Check the resources at Campaign Legal Restore Your Vote for latest information.

It depends on the reason for the incarceration. If a person is awaiting trial in jail for a misdemeanor or felony or is imprisoned for a misdemeanor, they can vote by an absentee ballot as long as they are otherwise eligible to vote (i.e., they are registered).²¹ If the voter uses absentee ballot procedures, they must make sure that they get their application and voted ballot in by the deadlines (see Questions #6, Questions #31-35).

In order to vote while incarcerated, the voter must complete a <u>Form 11-F</u> for confined voters.

A person who is currently serving a sentence for a felony conviction cannot register to vote or vote.²² See Question #12 for information about canceled registrations for convicted felons.

14. REGISTRATION CHALLENGED: My registration has been challenged, what should I do?

Any qualified elector may challenge a person's registration no later than 30 days before the election. If the election board cannot determine whether the challenge should be granted on the basis of its records, it must schedule a hearing, mailing a first class notice to the challenged voter not later than three days before the hearing. The board may issue subpoenas, and witnesses testify under oath. ²³

Only a precinct election official may challenge voters at the polling place. They may challenge on grounds that the voter is not a citizen, is not a resident of Ohio or of the precinct, or is too young. For more information re. voter challenges, See <u>Question #72</u>.

HOW TO VOTE: ELECTION DAY

15. HOURS: When do the polls open/close on Election Day?

On Election Day, the polls will be open from 6:30 a.m. to 7:30 p.m. ET. If there are voters waiting in line to cast their ballots at 7:30 p.m., the polls must remain open until everyone in line has voted.²⁴

https://www.sos.state.oh.us/elections/voters/voter-eligibility-residency-reqs/#convicted.

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²⁰ Ohio Rev. Code Ann. § 2961.01, § 3503.21(A)(4); *See also* Ohio Secretary of State, Voter Eligibility and Residency Requirements: May I Vote If I Have Been Convicted of a Crime?,

²¹ Ohio Rev. Code Ann. § 3509.08(A).

²² Ohio Secretary of State, Voter Eligibility and Residency Requirements: May I Vote If I Have Been Convicted of a Crime?, https://www.sos.state.oh.us/elections/voters/voter-eligibility-residency-regs/#convicted.

²³ Ohio Rev.Code Ann. 3503.24

²⁴ Ohio Rev. Code Ann. § 3501.32(A).

16. **POLLING LOCATION:** Where do I vote on Election Day?

All polling locations are listed at this link: Polling Location Search.

If a voter has moved recently and has not updated their voter registration, refer to Question #8 and #9.

17. TIME OFF WORK: Is my employer required to give me time off to vote? Is it paid or unpaid?

The voter's employer is required to give a reasonable amount of time for the voter to vote on election day.²⁵

18. **CLOSING:** What if the polls close when I am already in line?

If there are voters waiting in line to cast their ballots at 7:30 p.m., the polls must remain open until everyone in line has voted.²⁶

NOTE: this rule now applies to voters in line at in person absentee voting sites.²⁷

19. **IDENTIFICATION:** What identification is required to vote?

To vote a regular ballot, voters are **required** to show photo identification at the polls. **Acceptable forms** of identification are:²⁸

- An unexpired Ohio driver's license or state of Ohio identification card (which Ohioans who
 are 17 years and older can receive at no cost from the BMV);
- Interim ID form issued by the Ohio BMV;
- An unexpired United States Passport;
- An unexpired United States Passport Card;
- An unexpired U.S Military ID Card;
- An unexpired Ohio National Guard ID Card; or
- An unexpired U.S Department of Veterans Affairs ID Card.

For more information on required identification, see:

https://www.sos.state.oh.us/elections/voters/id-requirements/.

The following forms of ID are **not acceptable**:²⁹

- Expired Ohio driver's license, state ID or temp ID;
- Driver's license or photo identification card issued by a state other than Ohio;
- Social Security card;

²⁵ Ohio Rev. Code Ann. § 3599.06.

²⁶ Ohio Rev. Code Ann. § 3501.32(A).

²⁷ Ohio Rev. Code Ann. 3509.051(A)(2).

²⁸ Ohio Rev. Code Ann. § 3505.18(A)(1); Ohio Secretary of State, Identification Requirements, https://www.sos.state.oh.us/elections/voters/id-requirements/.

²⁹ Ohio Rev. Code Ann. § 3505.18(A)(1); Ohio Secretary of State, Identification Requirements, https://www.sos.state.oh.us/elections/voters/id-requirements/.

- Student ID;
- Birth certificate;
- Insurance card;
- Utility bill;
- Bank Statement;
- Government check;
- Paycheck;
- Other government document; or
- Any registration acknowledgment notice from a county board of elections.

Note: An unexpired Ohio Driver License, State ID Card, or Interim Documentation with a voter's former address IS an ACCEPTABLE form of ID if the voter's current address is in the pollbook.³⁰

20. **NO IDENTIFICATION:** Can I vote without providing identification?

If the voter does not provide proper ID, the voter is **entitled to vote on a provisional ballot**. However, in order for that ballot to be counted, the voter *must return to the board of elections* with proper ID within four days after Election Day.³¹ The voter should expect to be given information so that they can follow up on their status and confirm whether their vote was counted. If they are not given any information, they should ask.

If the voter does not have a photo ID due to a religious objection to being photographed, the voter is **entitled to vote on a provisional ballot**. In order for that ballot to be counted, the voter must complete an affidavit of religious objection, either at the polling place or at the board of elections within four days of Election Day. ³²

21. **NOT ON ROLLS AT MY POLLING PLACE:** I am at my polling place but am not showing up on the voter registration roll. Can I vote where I am?

The voter is **entitled to vote on a provisional ballot**.³³ However, first the precinct official must make sure that the voter is in the correct precinct or polling location and that the voter is not eligible to cast a regular ballot in a different precinct or polling place. If the voter is in the wrong precinct, the precinct official must direct them to their correct precinct.³⁴

As part of the provisional ballot process, the voter must complete a written affirmation in front of an election official at the polling place. The affirmation form is printed on the provisional ballot envelope.³⁵ It is important to fill out the affidavit on the envelope correctly, as even minor errors may result in the provisional ballot being rejected.³⁶

³⁰ Ohio Secretary of State, Identification Requirements, https://www.sos.state.oh.us/elections/voters/id-requirements/

³¹ Ohio Rev. Code Ann. § 3505.181(B)(6); Ohio Secretary of State, Voter Identification,

http://www.sos.state.oh.us/sos/elections/voters/FAQ/ID.aspx. ³² Ohio Rev. Code Ann. §§ 3505.181(B)(7)(a); 3505.183(B)(3).

³³ Ohio Rev. Code Ann. §§ 3505.181(A)(1)-(7).

³⁴ Ohio Rev. Code Ann. §§ 3505.181(C)(1).

³⁵ Ohio Rev. Code Ann. §§ 3505.181(A)(1), (B)(1)-(6); 3505.182.

³⁶ Ohio Rev. Code Ann. §§ 3505.183; see also, Ohio Secretary of State, Directive 2022-12, Provisional Voting, .

22. GIVEN PROVISIONAL BALLOT: I am being told I have to vote provisionally, what does that mean?

A voter may be required to cast a provisional ballot for the following reasons:

- The voter's name is not in the poll book or on the supplemental voter list.
- The voter does not provide proper or valid identification.
- The voter changed their name and moved to a different precinct without updating their address by the voter registration deadline (30 days prior to the election).
- The voter moved to a different precinct without updating their address by the voter registration deadline (30 days prior to the election).
- The voter changed their name and doesn't have proof of the legal name change.
- The voter's signature does not match the signature on file with the board of elections.
- The voter has been challenged and the challenge was resolved against the voter.
- The voter's notice of registration or acknowledgement notice has been returned to the board of elections as undeliverable.
- The voter requested an absentee ballot before the election and is attempting to vote in person on Election Day.
- The voter has already cast a provisional ballot.³⁷

Other than these situations, the voter should be able to cast a regular ballot.

A provisional ballot should be a last resort. As part of the provisional ballot process, the voter will be required to complete a written affirmation in front of an election official at the polling place. The affirmation form is printed on the provisional ballot envelope.³⁸

It is important that the voter fill out the affidavit on the envelope correctly <u>as even minor errors may</u> result in their provisional ballot being rejected.³⁹

If the voter casts a provisional ballot, remind them to ask the poll officials what (if any) additional steps they must take to ensure their ballot is counted. A voter casting a provisional ballot may provide additional information to the election official to assist the board of elections in determining the voter's eligibility to vote in that election, including the date and location where the individual registered to vote.

Within 4 days after election day, a voter who casts a provisional ballot because they didn't have the required forms of ID or were successfully challenged **must** appear at the board of elections office and provide the appropriate identification (see above section on Voter ID) or other additional information necessary to determine the voter's eligibility.⁴⁰

23. **REQUESTING PROVISIONAL BALLOT:** I am being told I can't vote, can I vote provisionally?

If the voter fails to bring ID, the voter is **entitled to vote on a provisional ballot** as described in <u>Question</u> #20.

³⁷ Ohio Secretary of State, <u>Election Official Manual</u>, p. 241-2 (2023.)

³⁸ Ohio Rev. Code Ann. §§ 3505.181(A)(1), (B)(1)-(6); 3505.182.

³⁹ Ohio Rev. Code Ann. §§ 3505.183.

⁴⁰ Ohio Rev. Code Ann. §§ 3505.181(B)(7)(b).

If the voter's name is not showing up on the rolls at their polling place, the voter is **entitled to vote on a provisional ballot** as described in Question #21.

24. PROVISIONAL BALLOT NEXT STEPS: I voted a provisional ballot, what now?

The board of elections must confirm the voter's eligibility to cast the ballot as well as the validity of the ballot based on the information in the affidavit attached to the ballot and any identification or other documentation required to resolve the challenge that the voter presents to the board within 4 days after election day.⁴¹

A blind, disabled, or illiterate elector may receive assistance in marking that elector's provisional ballot and in completing the required affirmation in the same manner as an elector may receive assistance on the day of an election.⁴²

HOW TO VOTE: IN-PERSON EARLY VOTING

(in this state defined as: Early In-Person Absentee Voting)

25. **AVAILABILITY:** Is there early voting in my state (whether called early voting or in person absentee voting)?

Yes.⁴³ Early in-person absentee voting is conducted on the following days for the November 5, 2024 General Election:⁴⁴

- October 8-11: 8:00 a.m. 5:00 p.m.
- October 14-18: 8:00 a.m. 5:00 p.m.
- October 21-25: 8:00 a.m. 6:00 p.m.
- October 26: 8:00 a.m. 4:00 p.m.
- October 27: 1:00 p.m. 5:00 p.m.
- October 28: 7:30 a.m. 7:30 p.m.
- October 29: 7:30 a.m. 8:30 p.m.

⁴¹ Ohio Rev. Code Ann. §§ 3505.181(B)(8); https://www.ohiosos.gov/elections/voters/provisional-voting/

⁴² Ohio Rev. Code Ann. § 3505.181(F).

⁴³ Ohio Secretary of State, Early In-Person Voting, Early Voting.

⁴⁴ Ohio Secretary of State, Voting Schedule for 2024 General Election.

- October 30 November 1: 7:30 a.m. 7:30 p.m.
- November 2: 8:00 a.m. 4:00 p.m.
- November 3: 1:00 p.m. 5:00 p.m.

Note: Early voting is no longer available the day before election day. 45

Note: In person absentee voting sites must remain open to allow all voters in line at closing to cast their votes. 46

26. **ELIGIBILITY:** Do I have to have a reason to vote early?

No.47

Note: a person may appear in person at an early voting site and vote a *regular* ballot, even if they have submitted an application for a mail ballot. (unlike appearing at a polling place on Election Day, when they will have to vote a provisional ballot.)⁴⁸

27. WHEN: When does early voting begin/end?

See Question #25.

28. WHERE: Where do I vote during early voting?

Most Ohio counties provide early voting at their board of elections office. However, certain counties have separate early voting centers. Check with the voter's county board of elections for more information about where to vote early, or consult the State's list of early voting locations here by county: Voting Schedule 2024.

29. **IDENTIFICATION:** What identification is required for early voting? What if I don't have an ID?

The same ID requirements apply to early in-person voting as Election Day voting. ⁴⁹ See Question #19.

30. ASSISTANCE: What if I need assistance voting early in person?

Early in-person absentee voting sites, whether at a county board of elections office or another designated site, must conform to the requirements and prohibitions of law that apply to polling places on Election Day.⁵⁰

If a voter needs assistance to vote early in person, they should call the number associated with their county board of elections. <u>County Boards of Elections Directory</u> Someone is assigned to help voters at

⁴⁵ Ohio Rev. Code Ann. § 3509.051.

⁴⁶ Ohio Rev. Code Ann. 3509.051(A)(2).

⁴⁷ Ohio Rev. Code Ann. § 3509.051.

Ohio Secretary of State, <u>Election Official Manual</u>, p. 212 (2023.)

Ohio Rev. Code Ann. § 3509.051, Ohio Secretary of State, <u>Election Official Manual</u>, p. 209 (2023.)

⁵⁰ Ohio Rev. Code Ann. § 3501.11.

each early voting site, and there are accessible machines. Voters who are blind, physically disabled, or cannot read English are permitted to bring a person into the voting booth to help.

If a voter has a disability and is physically unable to enter their early voting location, they have the option to vote curbside where two poll workers for opposite major political parties bring out a ballot and the voter can vote in their vehicle or vote at the door of the early voting location or polling location. If a voter fits this description and would like to vote curbside while early voting, they should call their county office **prior** to arrival. County Boards of Elections Directory. ⁵¹

For more detailed information see Questions $\underline{76}$ - $\underline{81}$ and the VoteOhio.gov website page $\underline{\text{Accessible and}}$ Assisted Voting.

HOW TO VOTE: VOTE BY MAIL

(in this state defined as: Absentee Voting by Mail)

31. **AUTOMATIC MAIL BALLOT:** Will I automatically be sent a ballot in the mail?

No. Ohio voters must request an absentee ballot by submitting an absentee ballot application. However, ALL Ohio registered voters are *eligible* to vote by mail. The process for requesting an absentee ballot application is as follows.⁵²

- Fill out an absentee request application using the <u>online tool</u>, print and sign, and then return it to the voter's county board of elections; OR download, complete, and print Form 11-A. ⁵³ found here: https://www.sos.state.oh.us/globalassets/elections/forms/11-a_english.pdf (English), or here https://www.sos.state.oh.us/globalassets/elections/forms/11-a_english.pdf (Spanish).
 - For special types of absentee voter applications, including ones for hospitalized, disabled, and overseas voters, see: <u>Publications</u>

The voter should submit their absentee ballot applications to their county board of elections office at the address list here: <u>County Boards of Elections Directory</u>. The county will mail the absentee ballot to the address provided in the voter's application.

32. **ELIGIBILITY:** Do I need a specific reason to vote by mail?

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⁵¹ Curbside during Early Voting.

⁵² Ohio Secretary of State, Absentee Voting, https://www.ohiosos.gov/elections/voters/absentee-voting/.

⁵³ Ohio Rev. Code Ann. §§ 3509.04(B); 3509.03; 3503.16(G). *See* Ohio Secretary of State, Absentee Ballot Application Form 11-A, https://www.sos.state.oh.us/globalassets/elections/forms/11-a english.pdf.

No. All Ohio voters whose registration information is up-to-date have the opportunity to vote in any election from the convenience of their own homes by requesting an absentee ballot.⁵⁴

33. APPLICATION DEADLINE: What is the deadline for requesting a mail-in ballot?

The voter's request must be received by the voter's local county board of elections seven (7) days before the election in which the voter wants to cast a ballot (close of business on Tuesday, October 29 for the November 5 general election).⁵⁵

34. **APPLICATION ASSISTANCE:** Can someone assist me with filling out the application?

Yes. However, in the required fields of any type of absentee ballot application, the board may pre-print only a voter's name and address before mailing it to a voter who requests it. None of the other required pieces of information on any type of absentee ballot application shall be completed by election officials on a voter's behalf, unless the voter requests assistance and is a voter with a disability or with literacy challenges.⁵⁶

Any Ohio voter with a qualifying disability under the Americans with Disabilities Act can request an absentee ballot to complete through the accessible absentee voting system. Voters can request this ballot using Form 11-G here: Application to Use a Remote Ballot Marking System by a Voter with a Disability.

35. APPLICATION RETURN: How do I submit my mail-in ballot application?

Mail the application back to the voter's own county board of elections. The application must be received by the county board of elections by the close of business on the seventh day before the election. However, voters should submit an application as far in advance of the election as possible to ensure there is sufficient time for the board to mail a ballot and for voters to timely return that ballot.

County Boards of Elections mailing addresses are available at <u>County Boards of Elections Directory</u>. The deadline to request an absentee ballot is seven days before the election in which you want to vote.

If the voter has questions about their absentee ballot request, they should call their county board of elections (<u>County Boards of Elections Directory</u>) or track the status of their ballot at <u>Track your ballot - Ohio</u>

36. **IDENTIFICATION:** Are there identification requirements when I return my mail-in ballot application and/or ballot?

⁵⁴ Ohio Secretary of State, Absentee Voting, https://www.ohiosos.gov/elections/voters/absentee-voting/; Ohio Rev. Code Ann. § 3509.03.

⁵⁵ Ohio Secretary of State, <u>Absentee Voting</u>; Ohio Secretary of State, Voting Schedule for the 2024 Elections, https://www.ohiosos.gov/publications/2024-elections-calendar/.

⁵⁶ Ohio Rev. Code Ann. § 3509.04(A). Ohio Secretary of State, <u>Election Official Manual</u>, p. 221-2, (Jan. 20, 2023)

Yes. Voters must include one of the following when returning an absentee ballot application:

- Ohio driver's license number or state ID card number (begins with two letters followed by six numbers); or
- Last four digits of Social Security number; or
- A copy of a different form of current photo identification (a driver's license, state ID card, or interim ID form issued by the Ohio BMV; a US passport or passport card; or a US military ID card, Ohio National Guard ID card, or US Department of Veterans Affairs ID card). The copy of the photo ID must include images of the front and back, except for a passport which must include the passport's identification page.⁵⁷
- 37. **RECEIVING MAIL BALLOT:** Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don't have a home address or my address is a PO Box?

The absentee ballot application allows for a separate mailing address (Line #4 of the application), which can include a PO Box.

38. MISSED THE APPLICATION DEADLINE: What if I have not requested a mail-in ballot by the deadline?

The voter can vote by another method (i.e. in-person).⁵⁸

39. **STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my application and/or mail-in ballot?

Call the county board of elections or track the status of their ballot request through the Voter Toolkit here: <u>Track your ballot</u>

40. **APPLICATION OR BALLOT REJECTED:** I learned my mail-in ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?

If the Board of Elections receives an absentee ballot application that does not contain all the required information listed above, the Board must notify the voter of the missing information and ask the voter to resubmit a complete application.⁵⁹ The board of elections cannot return an incomplete application to the voter or complete any missing information.

Boards must contact the voter by telephone or email to notify the voter that additional information is required to provide an absentee ballot. However, if electronic contact is not possible, boards must notify the voter by mail that additional information is required.⁶⁰

⁵⁷ Ohio Secretary of State, Absentee Voting

⁵⁸ https://www.ohiosos.gov/elections/voters/absentee-voting/

⁵⁹ Ohio Rev. Code Ann. § 3509.04(A).

⁶⁰ Ohio Secretary of State, Election Official Manual, p. 222, (Jan. 20, 2023)

The voter must personally complete any missing information on the application—election officials cannot complete the application on behalf of the voter. The only exception is if the voter has paperwork on file with the board of elections to receive assistance from a designated attorney-in-fact.⁶¹

Additionally, whenever a board of elections receives an absentee ballot identification envelope that is missing required information or that contains information that does not conform to the voter's registration record, and the board of elections cannot determine the voter's eligibility without the missing or nonconforming information, the board of elections must promptly contact the absentee voter to give the voter an opportunity to supplement the voter's identification envelope so the voter's ballot can be tabulated. The board must meet this requirement by issuing Secretary of State Form 11-S to the voter. Boards must include a courtesy reply envelope (pre-addressed return envelope) with every Secretary of State Form 11-S issued. When a telephone number or email address is available, boards must use that contact information to quickly notify the voter about the deficiency on their ID envelope. The voter must provide the necessary information in writing on Form 11-S, either by in person delivery or by mail.⁶²

41. **COMPLETING BALLOT:** How do I complete the mail-in ballot?

Upon receiving an absentee ballot, the voter should inspect it. If there are any voter marks on it, it should be immediately returned to the board of elections. (See Question #45 below if the ballot has voter marks on it.) If it is unmarked, the voter should complete the ballot per the instructions included with the ballot. Voters should fill in the entire box or oval for each selection and should not make any other markings on the ballot.

Next, voters should prepare the ballot and envelope. Voters should print their name and place it in the identification envelope (if not pre-printed), and seal it. The voter also <u>must complete and sign the statement</u> on the outside of the identification envelope, otherwise the ballot will not be counted, and closely follow the submission requirements.⁶³

In terms of identification, the voter must include their driver's license number, state ID card number, or the last four digits of their social security number in the applicable place on the identification envelope. If they do not do so, the voter must instead include in the return envelope a copy of the voter's current and valid photo identification (a driver's license, state ID card or interim ID form issued by the Ohio BMV, a U.S Passport or Passport Card, a U.S. Military ID Card, an Ohio National Guard ID Card, or a U.S. Department of Veterans Affairs ID Card). The copy of the photo ID must include images of the front and back, except for the U.S Passport which must include the passport's identification page.⁶⁴

The voter should finally place the completed identification envelope inside the return envelope. If returning by mail, the voter should add the correct postage and should go inside a USPS location to ensure the ballot envelope receives a postmark at a USPS customer service window.

42. ASSISTANCE COMPLETING BALLOT: Can someone assist me in filling out my ballot?

⁶¹ Ohio Rev. Code Ann. §§ 3501.382; 3509.03; 3511.02. Updated Election Official Manual, Chapter 7: Absentee Voting,

⁶² Ohio Secretary of State, Election Official Manual, p. 231-3, (Jan. 20, 2023),

https://www.ohiosos.gov/globalassets/elections/directives/2023/eom/eom_fullversion_2023-12.pdf.

⁶³ Ohio Rev. Code Ann. § 3509.05(A).

⁶⁴ Ohio Rev. Code Ann. § 3509.05(A); Absentee Ballot Application to Vote by Mail.

It depends. It is generally illegal in Ohio for a voter to show another person their voted ballot. 65

However, persons with disabilities can receive assistance in a number of ways:

- When voting in polling places or using curbside voting
- By applying for an accessible absentee voting system, also known as the remote ballot marking system. (see Qs ## 34, 57 and 59. It allows the voter to receive an absentee ballot in an accessible format and on any device connected to the internet. This system is briefly described below, and more information is available here:
 - https://www.sos.state.oh.us/elections/voters/voters-with-disabilities/Votingfags/.
- When voting remotely, the board may designate two board employees belonging to the two major political parties to deliver the ballot to the disabled or confined elector and return it to the board. Any disabled or confined elector who declares to the two board employees that the elector is unable to mark the elector's ballot due to physical infirmity that is apparent to the employees to be sufficient to incapacitate the voter from marking the elector's ballot properly, may receive assistance of the employees in marking the elector's ballot.⁶⁶
- Regardless of whether a voter with disabilities requested assistance in casting the absentee ballot, if a voter requests assistance to supplement the voter's identification envelope, the board of elections must send board employees, not of the same political party, to the voter to provide assistance.⁶⁷

Voters with a qualifying disability should use <u>Form 11-G</u>, available at VoteOhio.gov or a board of elections' website, to request a ballot via the remote ballot marking system. The system delivers a ballot to the voter electronically, which must thereafter be printed, signed, and returned to the board of elections. ⁶⁸

A voter who wishes to use the the remote ballot marking system may submit a written request on a form other than 11-G. They must indicate on the application that they have a disability and want to use the remote ballot marking system. The board must make reasonable efforts to obtain any additional information necessary to process the application and make the remote ballot marking system available. Once the board of elections approves the request, it will make the remote ballot marking system available to the voter. Through this system, the voter can access, read, and mark their ballot both privately and independently. The system allows the voter to use any necessary assistive technology. The voter cannot return their ballot electronically.

The voter can return their accessible absentee ballot using one of the following methods:

- Return by Mail:
 - Complete and sign the Identification Envelope Statement of Voter (Secretary of State Form 12-A) that the board mailed to the voter and enclose the ballot in the Identification Envelope.
- Return by Personal Delivery:

⁶⁵ Ohio Rev. Code Ann. § 3599.20.

⁶⁶ Ohio Rev. Code Ann. § 3509.08(A).

⁶⁷ Ohio Secretary of State, Election Official Manual, p. 232, (Jan. 20, 2023)

⁶⁸ See Application for Remote Ballot Marking System: https://www.ohiosos.gov/elections/voters/11-g/

⁶⁹ Ohio Secretary of State, Accessible Absentee Voting in Ohio,

https://www.sos.state.oh.us/elections/voters/voters-with-disabilities/Votingfags/.

• The voter may deliver the absentee ballot personally, or they may have a qualified family member deliver the absentee ballot to the office of their board of elections.

If returning by mail, the accessible absentee ballot must be postmarked by the day before Election Day and received at the board of elections office by the fourth (4th) day after Election Day.

If returning in person, the accessible absentee ballot must be returned by the close of polls on Election Day at the office of the applicable board of elections. No one may return a voted absentee ballot to a precinct polling location.

For more information contact the ADA coordinator at 614.387.6039 or at https://www.sos.state.oh.us/elections/voters/voters-with-disabilities/contact-us-ada-coordinator/ or the Secretary of State's office at 877.767.6446.

43. **DEADLINE TO RETURN BALLOT:** What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop it off in person?

The voter can return their absentee ballot in person or by mail.

If they are returning it in person, the board of elections must receive it by 7:30 p.m. on Election Day.

Voted ballots will NOT be accepted at precinct polling places on Election Day.

If the voter is returning their absentee ballot by mail, the ballot must be **postmarked** by no later than **the day before Election Day** (November 5, 2024 for the presidential primary election). To be counted, the ballot must also be received by the voter's county board of elections no later than four (4) days after Election Day (Saturday, November 9, 2024) for the 2024 General Election.⁷⁰

By state law, a postmark does not include a date marked by a postage evidence system such as a postage meter. The U.S. Postal Service (USPS) estimates that it may take two to five days for your voted absentee ballot to be delivered to the board of elections by mail. ⁷¹

If a voter is returning their voted ballot by mail during the week before Election Day, they should take it to USPS no later than the day before Election Day and ensure it receives a postmark as follows:

- Use a postage label purchased at a USPS customer service window or vending machine, the date on the label is the postmark. This is the USPS-recommended way to postmark your ballot.
- If you use postage stamps, ask that it be postmarked.

A voter should not use a postage meter or an online service such as stamps.com It is the voter's responsibility to ensure the ballot has proper postage. 72

If a voter returns their ballot to their county board of elections in person, or if a near relative* delivers it for the voter, the board of elections must receive the ballot no later than 7:30 p.m. on Election Day.⁷³

⁷⁰ See Ohio Rev. Code Ann. § 3509.05(D)(2)(a). Ohio Secretary of State, Absentee Voting.

⁷¹ Ohio Secretary of State, Absentee Voting.

⁷² Ohio Secretary of State, <u>Absentee Voting</u>.

⁷³ Ohio Secretary of State, <u>Absentee Voting</u>.

If the voter is a member of the uniformed services or a voter outside of the United States, ballots must be received by the fourth (4th) day after the election.⁷⁴

*Near relative includes the voter's spouse or the voter's father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, or sister of the whole or half blood, or the son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece.⁷⁵

The voter can track their ballot at the Voter's Toolkit on the Secretary of State's web page: https://www.sos.state.oh.us/elections/voters/toolkit/ballot-tracking/.

44. **BALLOT DROP OFF LOCATIONS:** What are the locations for dropping off a ballot (instead of mailing it)?

Each county in Ohio has **one drop box** that allows voters to return their Absentee Ballot Requests and Absentee Ballots **at their Board of Elections** in-person. The drop box shall be open to receive ballots only during the period beginning on the first day after the close of voter registration before the election and ending at 7:30 PM on election day. The drop box will be open to receive ballots at all times during that period.⁷⁶

Click here to find the address of your Board of Elections.

You can track the status of your ballot request as well as your voted absentee ballot through the <u>Voter Toolkit</u>.

45. ASSISTANCE DROPPING OFF BALLOT: Can someone else drop off my completed ballot for me?

Near relatives can return an absentee ballot. A "near relative" includes the voter's spouse, father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, sister, half-brother, half-sister, son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece.⁷⁷

46. **LOST OR SPOILED OR INCORRECT BALLOT:** What if I lost my mail-in ballot, made a mistake on it (spoiled it), or I received an incorrect ballot?

If the voter thinks their absentee ballot is lost or they received an incorrect one, they should call their county board of elections (<u>Directory</u>.)

They can also track the status of their ballot request (as well as their voted absentee ballot) through the Voter Toolkit here: Here. 78

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⁷⁴ Ohio Rev. Code Ann. § 3509.05(D)(2)(a).

⁷⁵ Ohio Secretary of State, <u>Absentee Voting</u>.

⁷⁶ Ohio Rev. Code Ann. § 3509.05(C)(3)(a-d).

⁷⁷ Ohio Rev. Code Ann. § 3509.05(C)(1); Ohio Secretary of State, Absentee Voting.

⁷⁸ Ohio Secretary of State, Absentee Voting, https://www.ohiosos.gov/elections/voters/absentee-voting/.

When receiving an absentee ballot, the voter should inspect it. If there are any voter marks on it, it should immediately be returned to the board of elections. A board may provide a voter with up to two replacement absentee ballots. A replacement absentee ballot may be sent only to the address included on the original application. A voter who requests that the ballot be mailed to a different address must complete a new absentee ballot application that includes that new address. 80,81

47. **NON-RECEIPT OF BALLOT:** What if I requested a mail-in ballot but have not received it? What are my options for voting?

The voter should call their county board of elections (<u>County Boards of Elections Directory</u>). They can also track the status of their ballot request (as well as their voted absentee ballot) through the Voter Toolkit here: <u>Track your ballot</u>.⁸²

Voters who do not receive their requested absentee ballot should consider voting a regular ballot in-person during the early vote period ⁸³ or a provisional ballot on Election Day. ⁸⁴ However, voting in person at any time requires a photo ID from the approved list.

48. **IN PERSON OPTION:** What if I requested or received a mail-in ballot but I want to vote in person on Election Day?

If the voter requested an absentee ballot, but wants to vote in-person on Election Day the voter will be required to cast a provisional ballot (even if the voter did not receive their ballot).⁸⁵

HOW TO VOTE: ABSENTEE

(in this state defined as: All Ohio voters whose registration information is up-to-date have the opportunity to vote in any election by requesting an absentee ballot)

49. **ELIGIBILITY:** Am I eligible to request an absentee ballot?

Yes. All Ohio voters whose registration information is up-to-date have the opportunity to vote in any election by requesting an absentee ballot.⁸⁶

50. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?

⁷⁹ Ohio Rev. Code Ann. § 3509.05(A).

⁸⁰ Poll Official Manual, 12/23, p. 227.

⁸¹ Poll Official Manual, 12/23, p. 227.

⁸² Ohio Secretary of State, Absentee Voting, https://www.ohiosos.gov/elections/voters/absentee-voting/.

⁸³ Poll Official Manual, 12/23, p 200-201; 212.

⁸⁴ Poll Official Manual, 12/23, p 201; Ohio Rev. Code Ann. § 3509.09(B).

⁸⁵ Ohio Rev. Code Ann. § 3505.181(A)(3) appears to vote at the polling place, Ohio Rev. Code Ann. § 3509.09(B).

⁸⁶ Ohio Secretary of State, Absentee Voting, https://www.ohiosos.gov/elections/voters/absentee-voting/.

The voter's request for an absentee ballot must be received by the voter's local county board of elections not later than the seventh (7) day before the election in which the voter wants to cast a ballot (close of business on Tuesday, October 29 for the November 5, 2024 general election).⁸⁷

51. IDENTIFICATION: Are there any identification requirements?

Yes. Voters must include one of the following when returning an absentee ballot application:

- Ohio driver's license number or state ID number (begins with two letters followed by six numbers); **or**
- Last four digits of Social Security number; or
- A copy of a form of current photo identification (a driver's license, state ID card, or interim ID form issued by the Ohio BMV; a US passport or passport card; or a US military ID card, Ohio National Guard ID card, or US Department of Veterans Affairs ID card). The copy of the photo ID must include images of the front and back, except for a passport which must include the passport's identification page.⁸⁸

52. **EMERGENCY:** Is there an emergency absentee ballot? If so, am I eligible?

Yes. If a voter or their minor child is in the hospital because of an accident or unforeseeable medical emergency on Election Day, they may submit a signed request to the board of elections of their county by 3 p.m. on Election Day. If the hospital is in the county where the voter is registered, two representatives of the board of elections shall deliver the ballot, wait while they mark the ballot, and return the voted ballot to the board office. ⁸⁹ If it is not in the county, the board of elections may mail the ballot to the hospital or appoint two representatives of the board belonging to the two major political parties to deliver the ballot to the hospital.

Alternatively, a voter may request in their absentee ballot application that the county board of elections give an unmarked ballot to a designated relative –spouse, father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, sister, son, daughter, adopted parent, adopted child, stepparent, stepchild, uncle, aunt, nephew or niece – who shall deliver the ballot to the hospital and return the voted ballot to the board office.⁹⁰

Click here for Medical Emergency Absentee Ballot Request Form 11-B.

53. **APPLICATION RETURN:** Where and how can I return my absentee ballot application? Can someone return it for me?

The request form can be returned in person, including by a near relative (spouse, father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, sister, son, daughter, adopted parent,

⁸⁷ Ohio Secretary of State, Absentee Voting, <u>Absentee Voting</u>; Ohio Secretary of State, 2024 Elections Calendar, https://www.ohiosos.gov/publications/2024-elections-calendar/.

⁸⁸ Ohio Secretary of State, Absentee Voting, Absentee Ballot Application to Vote by Mail.

⁸⁹ Ohio Rev. Code Ann. § 3509.08 (B)(1)(a-b).

⁹⁰ Ohio Rev. Code Ann. §§ 3509.08 (B)(2), 3509.05 (C)(1). Ohio Secretary of State, Absentee Voting, Absentee Voting.

adopted child, stepparent, stepchild, uncle, aunt, nephew or niece).⁹¹ The request form may also be mailed to the voter's own county board of elections. Board mailing addresses are available at: <u>County Boards of Elections Directory</u>.

The absentee ballot request form must be received by the county board of elections by the close of business on the seventh day before Election Day. (Close of business on Tuesday, October 29 for the November 5, 2024 general election.)

54. **STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my absentee ballot application and/or absentee ballot return?

If the voter has questions about their absentee ballot request, they should call their county board of elections or track the status of their ballot request through the Voter Toolkit here:

<u>Track your ballot</u>.

55. **APPLICATION OR BALLOT REJECTED:** I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?

The voter should contact their <u>Board of Elections</u> and ask how to proceed.

If the Board of Elections receives an *absentee ballot application* that does not contain all the required information listed above, it must notify the voter of the missing information and ask the voter to submit a second, complete, application.⁹³ The board of elections cannot return an incomplete application to the voter or complete any missing information.

Boards *should* contact the voter by telephone or email to notify the voter that additional information is required to provide an absentee ballot. However, if electronic contact is not possible, boards must notify the voter by mail that additional information is required.

The voter must personally complete any missing information on the application—election officials cannot complete the application on behalf of the voter. The only exception is if the voter has paperwork on file with the board of elections to receive assistance from a designated attorney-in-fact.⁹⁴

Additionally, whenever a board of elections receives an *absentee ballot identification envelope* that is missing required information or that contains information that does not conform to the voter's registration record, and the board of elections cannot determine the voter's eligibility without the missing or nonconforming information, the board of elections must promptly contact the absentee voter to give the voter an opportunity to supplement the voter's identification envelope so the voter's ballot can be tabulated. The board must meet this requirement by issuing Secretary of State Form 11-S to the voter. Boards must include a courtesy reply envelope (pre-addressed return envelope) with every Secretary of State Form 11-S issued. When a telephone number or email address is available, boards must use that contact information to quickly notify the voter about the deficiency on their ID envelope.

⁹¹ Ohio Rev. Code Ann. § 3509.05(C)(1).

⁹² Ohio Secretary of State, Absentee Voting.

⁹³ Ohio Rev. Code Ann. § 3509.04(A).

⁹⁴ Ohio Rev. Code Ann. §§ 3501.382; 3509.03.

The voter must provide the necessary information in writing on Form 11-S, either by in person delivery or by mail.

56. COMPLETING BALLOT: How do I complete the absentee ballot?

Upon receiving an absentee ballot, the voter should inspect it. If there are any voter marks on it, it should be immediately returned to the board of elections. If it is unmarked, the voter should complete the ballot per the instructions included with the ballot. Voters should fill in the entire box or oval for each selection and should not make any other markings on the ballot.

Next, voters should prepare the ballot and envelope. Voters should print their name and place it in the identification envelope (if not pre-printed), and seal it. (See <u>Question #41</u> above if the ballot has voter marks on it.) The voter also <u>must complete and sign the statement</u> on the outside of the identification envelope, otherwise the ballot will not be counted.⁹⁵

In terms of identification, the voter must include their driver's license number, state ID card number, or the last four digits of their social security number in the applicable place on the identification envelope. If they do not do so, the voter must instead include in the return envelope a copy of the voter's current and valid photo identification (a driver's license, state ID card or interim ID form issued by the Ohio BMV, a U.S Passport or Passport Card, a U.S. Military ID Card, an Ohio National Guard ID Card, or a U.S. Department of Veterans Affairs ID Card). The copy of the photo ID must include images of the front and back, except for the U.S Passport which must include the passport's identification page.⁹⁶

The voter should finally place the completed identification envelope inside the return envelope. If returning by mail, the voter must **add** the correct postage and should go to the post office, in-person, to ensure the ballot envelope receives **a postmark**. Alternatively, the voter or a qualified family member may personally deliver it to the office of the board.⁹⁷

57. ASSISTANCE COMPLETING BALLOT: Can someone assist me filling out the ballot?

It depends. It is generally illegal in Ohio for a voter to show another person their voted ballot. ⁹⁸ However, persons with disabilities can receive assistance in various ways:

- When voting in polling places or using curbside voting
- By applying for an accessible absentee voting system, also known as the remote ballot marking system. It allows the voter to receive an absentee ballot in an accessible format and on any device connected to the internet. This system is briefly described below, and more information is available here:
 - https://www.sos.state.oh.us/elections/voters/voters-with-disabilities/Votingfags/.
- When voting remotely, if the board designates two board employees belonging to the two major
 political parties to deliver the ballot to the disabled or confined elector and return it to the
 board. Any disabled or confined elector who declares to the two board employees that the

⁹⁵ Ohio Rev. Code Ann. § 3509.05(A).

⁹⁶ Ohio Rev. Code Ann. § 3509.05(A); https://www.ohiosos.gov/elections/voters/absentee-ballot/.

⁹⁷ Ohio Rev. Code Ann. § 3509.05(A).

⁹⁸ Ohio Rev. Code Ann. § 3599.20.

- elector is unable to mark the elector's ballot due to physical infirmity that is apparent to the employees to be sufficient to incapacitate the voter from marking the elector's ballot properly, may receive assistance of the employees in marking the elector's ballot.⁹⁹
- Regardless of whether a voter with disabilities requested assistance in casting the absentee ballot, if a voter requests assistance to supplement the voter's identification envelope, the board of elections must send board employees, not of the same political party, to the voter to provide assistance.¹⁰⁰

Voters with a qualifying disability should use <u>Form 11-G</u>, available at VoteOhio.gov or a board of elections' website, to request a ballot via the remote ballot marking system. The system delivers a ballot to the voter electronically, which must thereafter be printed, signed, and returned to the board of elections. ¹⁰¹

A voter also may submit a written request on a form other than F 11-G. If they indicate on the written request that they have a disability and want to use the remote ballot marking system, the board must make reasonable efforts to obtain any additional information necessary to process the application and make the remote ballot marking system available. Once the board of elections approves the request, it will make the remote ballot marking system available to the voter. Through this system, the voter can access, read, and mark their ballot both privately and independently. The system allows the voter to use any necessary assistive technology. The voter cannot return their ballot electronically.

The voter can return their absentee ballot using one of the following methods:

- Return by Mail:
 - Complete and sign the Identification Envelope Statement of Voter (Secretary of State Form 12-A) that the board mailed to the voter and enclose the ballot in the Identification Envelope.
- Return by Personal Delivery:
 - The voter may deliver the absentee ballot personally, or they may have a qualified family member deliver the absentee ballot to the office of their board of elections.

If returning by mail, the accessible absentee ballot must be postmarked by the day before Election Day and received at the board of elections office by the fourth (4th) day after Election Day.

If returning in person, the accessible absentee ballot must be returned by the close of polls on Election Day at the office of the applicable board of elections. No one may return a voted absentee ballot to a precinct polling location.

For more information contact the ADA coordinator (Brett Harbage) at 614.387.6039 or at https://www.sos.state.oh.us/elections/voters/voters-with-disabilities/contact-us-ada-coordinator/ or the Secretary of State's office at 877.767.6446. 103

⁹⁹ Ohio Rev. Code Ann. § 3509.08(A).

Ohio Secretary of State, Election Official Manual, p. 232, (Jan. 20, 2023)

¹⁰¹ See Application for Remote Ballot Marking System: https://www.ohiosos.gov/elections/voters/11-g/

¹⁰² Ohio Secretary of State, Accessible Absentee Voting in Ohio,

https://www.sos.state.oh.us/elections/voters/voters-with-disabilities/Votingfags/.

¹⁰³ Ohio Secretary of State, <u>Contact the Secretary of State's Office</u>.

58. **BALLOT DEADLINES:** What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?

The board of elections must receive a ballot returned in person by 7:30 p.m. on Election Day.

Voted absentee ballots cannot be returned to precinct polling places on election day.

Absentee ballots returned by mail, must be **postmarked** no later than **the day before the Presidential Primary Election Day** (postmarked by November 4 for the November 5, 2024 general election). To be counted, the ballot must be **received** by the voter's county board of elections no later than four (4) days after the general election (received by Saturday, November 9, 2024).¹⁰⁴

By state law, a postmark does not include a date marked by a postage evidence system such as a postage meter. The U.S. Postal Service (USPS) estimates that it may take two to five days for your voted absentee ballot to be delivered to the board of elections by mail. ¹⁰⁵

If a voter is returning their voted ballot by mail during the week before Election Day, they should take it to USPS no later than the day before Election Day and ensure it receives a postmark as follows:

- If they use a postage label purchased at a USPS customer service window or vending machine, the date on the label is the postage label. This is the USPS-recommended way to postmark your ballot.
- If they use postage stamps, ask that it be postmarked at a USPS customer service window.

A voter should not use a postage meter or an online service such as stamps.com It is the voter's responsibility to ensure the ballot has proper postage. 106

If a voter returns their ballot to the board in person, or if a near relative* delivers it for the voter, the board of elections must receive the ballot no later than 7:30 p.m. on Election Day. 107

If the voter is a member of the uniformed services or a voter outside of the United States, ballots must be received by the fourth (4th) day after the election. 108

*Near relative includes the voter's spouse or the voter's father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, or sister of the whole or half blood, or the son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece. 109

The voter can track their ballot at the Voter's Toolkit on the Secretary of State's web page: https://www.sos.state.oh.us/elections/voters/toolkit/ballot-tracking/.

¹⁰⁴ See Ohio Rev. Code Ann. § 3509.05(D)(2)(a). Ohio Secretary of State, Absentee Voting -

Secretary of State, 2024 Elections Calendar, https://www.ohiosos.gov/publications/2024-elections-calendar/...

¹⁰⁵ Ohio Secretary of State, Absentee Voting, https://www.ohiosos.gov/elections/voters/absentee-voting/.

¹⁰⁶ Ohio Secretary of State, Absentee Voting, https://www.ohiosos.gov/elections/voters/absentee-voting/.

¹⁰⁷ Ohio Secretary of State, Absentee Voting, https://www.ohiosos.gov/elections/voters/absentee-voting/.

¹⁰⁸ Ohio Rev. Code Ann. § 3509.05(D)(2)(a).

¹⁰⁹ Ohio Secretary of State, Absentee Voting, https://www.ohiosos.gov/elections/voters/absentee-voting/.

59. BALLOT DROP OF LOCATIONS: Where can I drop off a ballot (instead of mailing it)?

Each county in Ohio has **one drop box** that allows voters to return their Absentee Ballot Requests and Absentee Ballots **at their Board of Elections** in-person. The drop box shall be open to receive ballots only during the period beginning on the first day after the close of voter registration before the election and ending at 7:30 PM on election day. The drop box will be open to receive ballots at all times during that period.¹¹⁰

Click here to find the address of your Board of Elections.

You can track the status of your ballot request as well as your voted absentee ballot through the <u>Voter</u> Toolkit.

60. ASSISTANCE DROPPING OFF: Can someone else drop off my completed ballot for me?

Near relatives can return an absentee ballot. A "near relative" means the voter's spouse, father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, sister, half-brother, half-sister, son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece. 111

61. **LOST OR SPOILED OR INCORRECT:** What if I lost my absentee ballot or it is spoiled or I received an incorrect one?

If a voter thinks their absentee ballot is lost or they received an incorrect one, they should call their county board of elections:

https://www.ohiosos.gov/elections/elections-officials/county-boards-of-elections-directory/.

They can also track the status of their ballot request (as well as their voted absentee ballot) through the Voter Toolkit here: https://www.ohiosos.gov/elections/voters/toolkit/ballot-tracking/. 112

When receiving an absentee ballot, the voter should inspect it. If there are any voter marks on it, it should immediately be returned to the board of elections. 113

A board may provide a voter with up to two replacement absentee ballots. A replacement absentee ballot may be sent only to the address included on the original application. A voter who requests that the ballot be mailed to a different address must complete a new absentee ballot application that includes that new address. ¹¹⁴

¹¹⁰ Ohio Rev. Code Ann. § 3509.05(C)(3)(a).

¹¹¹ Ohio Rev. Code Ann. § 3509.05(C)(1); Ohio Secretary of State, <u>Absentee Voting</u>.

¹¹² Ohio Secretary of State, <u>Absentee Voting</u>.

¹¹³ Ohio Rev. Code Ann. § 3509.05(A).

Ohio Rev. Code Ann. §§ 3505.23; Ohio Secretary of State, Election Official Manual, p. 227-8, (Jan. 20, 2023) https://www.ohiosos.gov/globalassets/elections/directives/2023/eom/eom_fullversion_2023-12.pdf.

62. **NON-RECEIPT OF BALLOT:** What if I requested an absentee ballot but have not received it? Can I do anything?

The voter should call their county board of elections (<u>County Boards of Elections Directory</u>). They can also track the status of their ballot request (as well as their voted absentee ballot) through the Voter Toolkit here: https://www.ohiosos.gov/elections/voters/toolkit/. 115

In addition, if the voter has not received a requested absentee ballot, they may vote a regular ballot at an early in person absentee voting site, ¹¹⁶ or a provisional ballot on Election Day.

NOTE: voting in person at either time requires a photo ID from the approved list.

63. IN PERSON OPTION: What if I requested an absentee ballot but I want to vote in person on Election Day?

If a voter requested an absentee ballot but wants to vote in-person at their assigned polling place on Election Day, the voter will be required to cast a provisional ballot (even if the voter did not receive their ballot).¹¹⁷

However, that voter may vote a regular ballot at an early in person absentee voting site. 118

64. IN PERSON ABSENTEE: Where do I vote in-person absentee? When can I do this?

See Questions #25 – 29.

POLLING PLACE ISSUES

65. POLLING PLACE NOT OPEN: The polling place is not open. What should I do?

Polling places should be open between the hours of 6:30 a.m. and 7:30 p.m on Election Day. ¹¹⁹ The voter should call their county board of elections if their polling place is closed or not open on time. See here for a directory of county boards of elections: <u>County Boards of Elections Directory</u>.

66. **LONG LINES:** There are long lines at the polling place. What should I do? What if the polls are closing while I'm in line?

If the voter is in line when polls are closing, the voter should stay in line and will be allowed to vote as long as the voter was in line by 7:30 p.m. ¹²⁰

¹¹⁵ Ohio Secretary of State, Absentee Voting

¹¹⁶ Poll Officials Manual p, 200-201: voting early absentee

¹¹⁷ Ohio Rev. Code Ann. § 3505.181(A)(3).

¹¹⁸ Poll Officials Manual p, 200-201: voting early absentee

¹¹⁹ Ohio Rev. Code Ann. § 3501.32(A).

¹²⁰ Ohio Rev. Code Ann. § 3501.32(A).

67. EQUIPMENT FAILURE: What should I do if there are equipment problems at my precinct?

If the voting equipment breaks down while the polls are open, the voter should immediately notify the election officers and ask for another method by which to vote.

68. **CAMPAIGNING:** What rules apply to people campaigning or "hanging around" my polling place? What counts as campaigning or electioneering? Can people approach me?

Under Ohio law it is illegal: 121

- to loiter, congregate, distribute food or engage in any kind of election campaigning within 100 ft of the polling place, normally marked with 2 small flags, or within 10 feet of voters in line.
 - Persons may congregate, campaign and distribute food outside the neutral zone, unless the distribution of food or other things of value is intended to induce persons to vote or refrain from voting.¹²²
- to give, tender, or exhibit any ballot or ticket to any person other than the voter's own ballot to the precinct election officials.
- to exhibit any ticket or ballot which the voter intends to cast;
- to solicit or in any manner attempt to influence any voter in casting their vote;
- to use violence, intimidate or interfere with a voter when they are registering to vote or voting, or to engage in violence against observers, or to otherwise cause violence or disorder. 123
- to obstruct a voter's access to or egress from the polls.
- solicit or in any manner influence a voter, including by electioneering and campaigning in the form of displaying or distributing campaign materials or soliciting signatures for a petition. 124
- for a precinct official to admit someone to the polling room who is not qualified by law to be there.
- for a precinct official or police officer to display any campaign badges or signs at a polling place, express preference for any candidate, or attempt to influence any voter in casting their ballot.

Precinct officials (poll workers) must prevent intimidation of or disturbance to voters. And, police officers can arrest people who are violating the election code. And the code of the c

If a voter faces harassment at the polls, they can bring a civil case against the harasser. 127

A journalist shall be allowed reasonable access to a polling place during an election. 128

Rules for observers:

¹²¹ Ohio Rev. Code Ann. §3501.35

¹²² Ohio Rev. Code Ann. §3599.01(A).

¹²³ Ohio Rev. Code Ann. § 3501.33; 18 U.S.C. §§ 245(b)(1)(A), § 241, § 594; 52 U.S.C. § 20511(1).

¹²⁴ See also Burson v. Freeman, 504 U.S. 191, 119 (1992); United Food & Commercial Workers Local 1099 v. City of Sidney, 364 F.3d 738 (6th Cir. 2004).

¹²⁵ Ohio Rev. Code Ann. § 3501.33.

¹²⁶ Ohio Rev. Code Ann. § 3501.34.

¹²⁷ Ohio Rev. Code Ann. § 3501.90.

¹²⁸ Ohio Rev. Code Ann. § 3501.35(B)(2).

Candidates, political parties, and ballot initiative groups can appoint one observer for each precinct and at the county board of elections. Observers must have a certificate of their appointment and must swear an oath not to "delay" voters or disclose how they voted. They are permitted to go in and out of the polling place and watch the precinct officials and the counting of votes. ¹²⁹ They can use audio/visual recording devices but not in a way that interferes with the voter or the secrecy of their ballot, and they cannot take photos or videos in the polling place. Their devices should be silenced, but they can send text messages and emails. They can use a phone to discuss the election or problems with the election administration, but only outside the polling place. ¹³⁰

The observer cannot be a candidate, uniformed officer, highway patrol trooper, fire department member, member of an organized militia, or carry firearms. They cannot engage in any sort of electioneering. They are not enforcers of the law and cannot be advocates for voters. They may be removed for disruptive behavior. ¹³¹ There is no legal authorization for a partisan observer to formally challenge a voter. ¹³²

69. **VOTER CONDUCT:** What am I prohibited from wearing or doing in a polling place? Can I take photos inside?

Voters may not wear any electioneering or campaign clothing or accessories, and voters may not do anything that would interfere with or disrupt the election. If a voter wears electioneering or campaign clothes or accessories, the voter may be asked to remove them, cover them up, or turn them inside-out. The voter may not be asked to leave from the polling place on account of refusing to do so and must still be allowed to vote if the voter is otherwise entitled to do so, but the poll worker is required to report the incident to the board of elections. ¹³³

Although taking photos at a polling place is not necessarily prohibited, many boards of elections maintain that they are illegal because it is generally illegal in Ohio for a voter to show another person their ballot, including via photographs.¹³⁴

- 70. **POLL WORKER CONDUCT:** What is a poll worker prohibited from wearing or doing in a polling place? Poll workers are prohibited from the following activities:
 - Campaigning or attempting to influence voters regarding any candidate or issue;
 - Using, wearing or displaying any campaign paraphernalia, such as badges or buttons about any candidate or issue;
 - Using, wearing or displaying anything that might distract poll workers from managing the polls, such
 as laptops not provided by the board of elections, newspapers, music players, headphones, cell
 phones for personal use, radios, or televisions;

¹²⁹ Ohio Rev. Code Ann. § 3505.21.

¹³⁰ Ohio Secretary of State, Election Official Manual, p. 273-5, (Jan. 20, 2023)

https://www.ohiosos.gov/globalassets/elections/directives/2023/eom/eom_fullversion_2023-12.pdf.

¹³¹ Ohio Rev. Code Ann. § 3501.33, 3505.21; Ohio Secretary of State, Election Official Manual, p. 273-6, (Jan. 20, 2023) https://www.ohiosos.gov/globalassets/elections/directives/2023/eom/eom_fullversion_2023-12.pdf.

¹³² See Ohio Secretary of State, Election Official Manual, p. 280, (Jan. 20, 2023)

https://www.ohiosos.gov/globalassets/elections/directives/2023/eom/eom_fullversion_2023-12.pdf.

¹³³ Ohio Secretary of State, Precincts Election Official Manual, p.35-36

https://www.ohiosos.gov/globalassets/elections/eoresources/peo-training/peotrainingmanual.pdf

¹³⁴ *See* Ohio Rev. Code Ann. § 3599.20.

- Soliciting contributions for raffle tickets or selling anything to voters, such as baked goods, candy, or crafts:
- Placing any food or drink on the check-in table or the voting equipment;
- Engaging in any illegal activities or activities identified as unacceptable by the board of elections or the Secretary of State; and
- Refusing to enforce any election laws.¹³⁵
- 71. **INTIMIDATION:** Are there any other specific restrictions on conduct outside of a polling place? What should I do if I feel unsafe or uncomfortable outside the polling place?

Both federal law and state law guarantee the right to vote free from intimidation.

Federal law prohibits, among other things, the use of "intimidation," "threats," or "coercion" against a `person "for voting or attempting to vote" or "for urging or aiding any person to vote or attempt to vote." No showing of intent to intimidate is required so long as the behavior has the effect of intimidating voters. 136

Ohio state law prohibits, among other things:

- Obstructing, intimidating, or interfering with voting at a polling location¹³⁷
- Obstructing access to a polling location¹³⁸;
- Using intimidation, coercion, or other unlawful means to induce a voter not to vote or to vote for a particular candidate;¹³⁹
- Loitering in or around a polling place to attempt to hinder, delay, or interfere with the conduct of an election.¹⁴⁰

Voters who feel unsafe or uncomfortable may alert an election official and/or call local law enforcement. Voters being threatened with violence should call 911.

72. CHALLENGE: Someone is formally challenging my vote. What should I do?

I'm being challenged before Election Day:

Any qualified elector can challenge the voter's registration not or their right to vote or can submit an application to have the registration list corrected, but these types of challenges must be made no later than 30 days before Election Day. The challenger must state the reasons for the challenge in writing under penalty of election falsification.¹⁴¹

¹³⁵ Ohio Secretary of State, Precincts Election Official Manual, p.6 (Apr. 3, 2023),

https://www.ohiosos.gov/globalassets/elections/eoresources/peo-training/peotrainingmanual.pdf

¹³⁶ 52 U.S.C. § 10307(b)

¹³⁷ Ohio Rev. Code Ann. § 3501.90(A)(1)(A)

¹³⁸ Ohio Rev. Code Ann. §§ 3501.90(A)(1)(A), 3501.35(A)(2).

¹³⁹ Ohio Rev. Code Ann. § 3599.01(2).

¹⁴⁰ Ohio Rev. Code Ann. § 3599.24(5).

¹⁴¹ Ohio Rev. Code Ann. § 3503.24(A).

After receiving the challenge, the board of elections must promptly consider it, and may immediately grant or deny the challenge solely on the basis of their records. If the board cannot immediately determine if the challenge should be granted or denied, the board must schedule a hearing by 10 days after the challenge is filed, except as described below. The board director must send written notice to the voter who is being challenged, or to the person whose name is alleged to be missing from the registration list. The challenger will also get notice, except as described below. The notice must inform the recipient of the time and date of the hearing, and of their right to appear and testify, call witnesses, and be represented by counsel. The notice must be sent by first class mail no later than three days before the hearing day.¹⁴²

At the request of the challenger, the person being challenged, or any member of the board of elections, the board can issue subpoenas to witnesses to appear and testify. All witnesses must testify under oath. The board must reach a decision immediately after the hearing.¹⁴³

If the board decides that the challenged voter is not entitled to be on the registration list, their name will be removed from the list and their registration will be canceled. If the board decides that a person should appear on the registration list, their name will be added. Any changes or corrections the board decides on must appear on the poll books used in the precincts.¹⁴⁴

If the voter has a confidential voter registration record, meaning that their personal information is concealed from the public record (typically because they are a victim of domestic violence or sexual assault), all of the following apply: The challenger will not be notified of the date and time of the hearing, will not be allowed to attend, and will not be given notice of the outcome. If the application in question is to correct the registration record, and is made by someone other than the elector, the applicant will not get notice of the hearing. Hearings in these situations are not open to the public, and the records they produce are not subject to public records requests.¹⁴⁵

I'm being challenged at my polling place:

Only precinct election officials (PEO) may challenge a voter's right to vote at the polling place; private citizens may **NOT** do so. A voter may be challenged only because:

- They are not a US citizen;
- They are not a Ohio resident;
- They are not a resident of the precinct;
- They are not of legal voting age. 146

¹⁴² Ohio Rev. Code Ann. § 3503.24(B).

¹⁴³ Ohio Rev. Code Ann. § 3503.24(B).

¹⁴⁴ Ohio Rev. Code Ann. § 3503.24(C).

¹⁴⁵ Ohio Rev. Code Ann. § 3503.24(D)(1)-(3).

¹⁴⁶ Ohio Secretary of State, Election Official Manual, p. 272, (Jan. 20, 2023) https://www.ohiosos.gov/globalassets/elections/directives/2023/eom/eom_fullversion_2023-12.pdf.

When a PEO challenges a voter at the polls, they will require the voter to swear the following oath: "You do swear or affirm under penalty of election falsification that you will fully and truly answer all of the following questions put to you concerning your qualifications as an elector at this election." PEOs may not challenge something that was already resolved by the board of elections prior to Election Day. 147

Voters who are challenged regarding their citizenship may only be asked whether they are citizens. If they swear that they are on Form 10-U, they must receive a regular ballot."

If the person is challenged as unqualified on the ground that they are not a resident of the precinct, the PEOs will ask:

- Do you reside in this precinct?
- When did you move into this precinct?
- When you came into this precinct, did you come for a temporary purpose merely or for the purpose of making it your home?
- What is your current mailing address?
- Do you have some official identification containing your current address in this precinct? Please provide that identification.
- Have you voted or attempted to vote at any other location in this or in any other state at this election?
- Have you applied for any absent voter's ballot in any state for this election?

If the PEOs determine the person is not at the right polling place, they must direct them to the right place. If the voter refuses to go, the PEOs must offer the voter a provisional ballot.¹⁴⁸

If the person is challenged as unqualified on the ground that they are not of legal voting age, the PEOs will ask: 149

- Are you eighteen years of age or more?
- What is your date of birth?
- Do you have some official identification verifying your age? Please provide that identification.

The PEOs may ask voters additional questions to determine eligibility. If the voter refuses to answer any question, they will be offered a provisional ballot. 151

The voter will be directed to give their responses to these questions in writing on Form 10-U (https://www.sos.state.oh.us/globalassets/elections/forms/10-U.pdf). 152

¹⁴⁷ Ohio Rev. Code Ann. § 3505.20.

¹⁴⁸ Ohio Rev. Code Ann. § 3505.20(C)(1)-(7).

¹⁴⁹ Ohio Rev. Code Ann. § 3505.20(C)(1)-(7).

¹⁵⁰ Ohio Rev. Code Ann. § 3505.20(D)(1)-(3).

¹⁵¹ Ohio Rev. Code Ann. § 3505.20(D).

¹⁵² Ohio Secretary of State Election Official Manual, p. 272, (Jan. 20, 2023)

In any of the above cases, if the PEOs cannot determine the voter's eligibility, they <u>must offer the voter a provisional ballot</u>. The board of elections will decide whether to count the ballot consistent with the rules described above. ¹⁵³

If the PEOs believe that the voter's signature does not match the one on file, they must offer a provisional ballot.¹⁵⁴

The voter may NOT be instructed to provide proof of citizenship. ¹⁵⁵ The voter may still be asked if they are a citizen, but if they answer in the affirmative, they MUST be given a regular ballot. ¹⁵⁶ (Ohio law, as written, allows PEOs to request proof of naturalization if they challenge a voter's citizenship. However, that provision was struck down by a federal court as unconstitutional, and may not be enforced.)

73. **POLICE/MILITARY PRESENCE:** There are police/members of the military at the polling place. Is this okay? What should I do?

Upon a request from the board of elections or the Secretary of State, a police officer (or more than one) may be assigned to a precinct on each day of an election. Such police officer[s] shall have access to the polling location and shall arrest any person found violating any laws.¹⁵⁷ However, police officers and members of the military may not serve as election observers, and all laws relating to voter intimidation apply to police officers and members of the military.

74. **THOUGHT WAS REGISTERED:** My name isn't on the voter registration roll but I thought I was registered. What should I do?

A voter can be removed from the list of registered voters if:

- The voter filed a request for cancellation; 158
- The board of elections receives notice of the voter's death;¹⁵⁹
- The voter is convicted of a felony in any state or under federal law; 160
- The voter is adjudicated incompetent;¹⁶¹
- The voter moved outside of the county of the voter's registration; 162

https://www.gpo.gov/fdsys/pkg/USCOURTS-ohnd-1 06-cv-02065/pdf/USCOURTS-ohnd-1 06-cv-02065-1.pdf; see also https://www.gpo.gov/fdsys/granule/USCOURTS-ohnd-1 06-cv-02065/USCOURTS-ohnd-1 06-cv-02065-1/content-detail. html.

https://www.sos.state.oh.us/globalassets/elections/forms/10-U.pdf.

¹⁵³ Ohio Rev. Code Ann. § 3505.20.

¹⁵⁴ Ohio Rev. Code Ann. § 3505.181(A)(7).

^{155;} Boustani v. Blackwell (N.D. Ohio, 2006) (permanently enjoining §3505.20(A),

¹⁵⁶ Ohio Rev. Code Ann. § 3505.20(A); Ohio Secretary of State, Form 10-U,

¹⁵⁷ Ohio Rev. Code Ann. § 3501.34.

¹⁵⁸ Ohio Rev. Code Ann. § 3503.21(A)(1).

¹⁵⁹ Ohio Rev. Code Ann. § 3503.21(A)(2)-(3).

¹⁶⁰ Ohio Rev. Code Ann. § 3503.21(A)(4).

¹⁶¹ Ohio Rev. Code Ann. § 3503.21(A)(5).

¹⁶² Ohio Rev. Code Ann. § 3503.21 (A)(6).

- After receiving a confirmation notice from the board of elections, the voter failed to do either of the following during a four-year period (including two general federal elections):
 - o Respond to the notice and vote at least once; 163 or
 - Update their registration and vote at least once.¹⁶⁴
- If the board of elections mails a registration notification to the voter, the notification is then returned to the board as undeliverable, and the board cannot verify the correct address, the board will mark the voter's name in the official list as having the notification returned. In that scenario, the voter must vote on a provisional ballot and show ID at the polls. If their ballot is counted, then the voter's registration will be corrected. If it is not counted, the voter's registration will be canceled. 165

To determine why a voter's name is not popping up on the list of registered voters:

- Check the voter's registration status using the registration lookup tool to make sure the voter is registered to vote and at the right place. (see <u>Question #3</u>)
- Has the voter moved recently? Could the voter be registered at an old address? Check that address
 in the registration lookup tool. (see <u>Question #3</u> and <u>Question #8</u>)
- Has the voter had a name change recently, or could the voter be registered under a different name? Check that name (and any variations of the voter's name, especially for hyphenated names, which sometimes trip up databases) in the registration lookup tool. (see <u>Question #3</u>) When/where did the voter register to vote? Was that before the deadline?
- 75. **PROVISIONAL BALLOT:** I have been offered a provisional ballot. What should I do?

Info in the <u>How to Vote: Election Day</u> Section, See <u>Questions 22-24</u>.

ACCESSIBILITY/ASSISTANCE

76. **EQUIPMENT ASSISTANCE:** I don't know how to use the voting equipment. Can I get help?

Yes. The voter will be allowed to have another person (who may not be the voter's employer, an agent of the voter's employer, or an officer or agent of the voter's union) accompany them into the voting booth to help them **only if** the voter is blind, physically disabled, or cannot read English and requires assistance in order to vote. Any election official may require a declaration of inability to be made by the elector under oath before the election official, but will not require a description of the disability.

Additionally, a voter may request assistance in the marking of their ballot from two election officials of different political parties. 167

¹⁶³ Ohio Rev. Code Ann. § 3503.21 (A)(7)(a).

¹⁶⁴ Ohio Rev. Code Ann. § 3503.21 (A)(7)(b).

¹⁶⁵ Ohio Rev. Code Ann. § 3503.19 (C)(1)-(2).

¹⁶⁶ Ohio Rev. Code Ann. § 3505.24.

¹⁶⁷ Ohio Rev. Code Ann. § 3505.24.

It is otherwise illegal in Ohio for a voter to show another person their voted ballot. ¹⁶⁸ Many have interpreted this law to mean that so-called "ballot selfies" are illegal in Ohio, but the law's application to social media and the practicality of enforcement are unclear.

77. **PHYSICAL DISABILITY:** I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?

All precincts are required to be accessible to persons with disabilities, and to provide accessible voting equipment. All precincts must offer curbside voting to any voter who is physically unable to enter a polling location. See Question 80. Voters with physical disabilities may request reasonable accommodations for marking and signing their ballot, or may be assisted by two election officials of different political parties.

78. **READING/LANGUAGE ASSISTANCE:** I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

The voter will be allowed to have another person (who may not be the voter's employer, an agent of the voter's employer, or an officer or agent of the voter's union) accompany them into the voting booth to help them **only if** the voter is blind, physically disabled, or cannot read English and requires assistance in order to vote.¹⁷⁰

Additionally, a voter may request assistance in the marking of their ballot from two election officials of different political parties.¹⁷¹

It is otherwise illegal in Ohio for a voter to show another person their voted ballot.¹⁷² Many have interpreted this law to mean that so-called "ballot selfies" are illegal in Ohio, but the law's application to social media and the practicality of enforcement are unclear.

In some locations, the board of elections may appoint interpreters fluent in a non-English language to assist voters. 173

79. **LANGUAGE ACCESS:** I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?

See Question #77.

80. **CURBSIDE VOTING:** Is curbside voting available? How do I request it?

When the voter is physically unable to enter an early voting location, they may contact their county office to arrange for curbside voting. On Election Day, such a person may, upon arriving at the polling

¹⁶⁸ Ohio Rev. Code Ann. § 3599.20.

¹⁶⁹ See VoteOhio Accessible Polling Place,

¹⁷⁰ Ohio Rev. Code Ann. § 3505.24. See also Accessible Voting on Election Day

¹⁷¹ Ohio Rev. Code Ann. § 3505.24.

¹⁷² Ohio Rev. Code Ann. § 3599.20.

¹⁷³ Ohio Rev. Code Ann. § 3501.221(A).

place, send another person into the polling location to inform precinct election officials of their desire to vote. 174

See Question #30.

81. VOTER GUIDE: Can I bring a voting guide or reference notes with me into the voting booth?

Yes. There is no prohibition on bringing notes into the voting booth.

STATE SPECIFIC SUPPLEMENT

82. VOTING WHILE UNHOUSED: Can I vote if I am currently homeless? What address do I use?

If a person is unhoused, their residence for the purpose of voter registration is that place in which their habitation is fixed and to which, whenever the person is absent, the person has the intention of returning. A residence does not have to be a house or apartment. If a person does not have a fixed place of habitation but has a shelter or other location at which the person has been a consistent or regular inhabitant and to which the person has the intention of returning, that shelter or other location shall be deemed the person's residence for the purpose of registering to vote.

83. QUESTIONS: Who should I contact if I have questions about any of the above?

Voters can contact the Secretary of State's office using the contact information located here: https://www.sos.state.oh.us/secretary-office/contact-our-office/. Voters can also contact their county board of elections using the directory provided here: https://www.sos.state.oh.us/elections/elections-officials/county-boards-of-elections-directory/.

¹⁷⁴ See VoteOhio.gov, Accessible Voting on Election Day