

g\_133\_0474-1

. B. No.

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to extend absent  
voting by mail for the March 17, 2020, primary election to April 28, 2020,  
to make an appropriation,"

After line \_\_\_\_\_, insert:

**"Section 1.** Notwithstanding any contrary provision of the  
Revised Code:

(A) Secretary of State Directive 2020-06, issued on March  
16, 2020, is void.

(B) During the period beginning on the effective date of  
this section and ending at 7:30 p.m. on April 28, 2020, no board  
of elections, and no election official, shall do any of the  
following:

(1) Count any ballots cast in the March 17, 2020, primary  
election, or in any special election held on the day of the  
primary election;

(2) Release the count or any portion of the count of any  
ballots cast in the March 17, 2020, primary election, or in any  
special election held on the day of the primary election;

(3) Process any voter registration application submitted  
after February 18, 2020.

(C) (1) (a) An elector who has not already cast a ballot in 21  
the March 17, 2020, primary election, or in any special election 22  
held on the day of the primary election, and who was registered 23  
to vote in this state as of February 18, 2020, may vote in that 24  
election in accordance with this section. 25

(b) An elector who was registered to vote in this state as 26  
of February 18, 2020, and who cast a ballot at any time before 27  
the effective date of this section in the March 17, 2020, 28  
primary election, or in any special election held on the day of 29  
the primary election, shall have the elector's ballot counted if 30  
it is received at the office of the board not later than the 31  
applicable deadline specified in division (E) of this section 32  
and is otherwise eligible to be counted. 33

(2) As soon as possible after the effective date of this 34  
section, the Secretary of State shall send a postcard to each 35  
registered elector in this state, notifying the elector of the 36  
methods by which the elector may obtain an application for 37  
absent voter's ballots, the procedures and deadlines to apply 38  
for absent voter's ballots under this section, and the 39  
procedures and deadline to return voted ballots to the office of 40  
the board of elections under this section. 41

(3) An elector described in division (C) (1) (a) of this 42  
section may apply by mail to the appropriate board of elections 43  
for absent voter's ballots. If the elector is eligible to cast 44  
absent voter's ballots with the assistance of election officials 45  
under section 3509.08 of the Revised Code, the elector may 46  
include with the elector's application a request that the board 47  
of elections assist the elector in casting the elector's ballots 48  
in accordance with section 3509.08 of the Revised Code. All 49  
applications submitted under this division shall be received at 50

the office of the board not later than noon on April 25, 2020, 51  
except that an application submitted by an elector described in 52  
division (C)(1)(a) of this section who would be eligible to 53  
apply for absent voter's ballots not later than 3:00 p.m. on the 54  
day of an election under section 3509.08 of the Revised Code 55  
shall be received at the office of the board not later than 3:00 56  
p.m. on April 28, 2020. Any application received after the 57  
applicable deadline shall be invalid. 58

(4) At the end of each day, the board of elections shall 59  
compile and transmit to the Secretary of State a list of all 60  
applications the board received that day, provided that the list 61  
shall exclude all information that is not considered a public 62  
record under the laws of this state. The Secretary of State 63  
shall make the list available to the public upon request. 64

(5)(a) If a board of elections receives an application 65  
under this section that does not contain all of the required 66  
information, the board promptly shall notify the applicant of 67  
the additional information required to be provided by the 68  
applicant to complete that application. In order for the 69  
application to be valid, the applicant shall provide that 70  
additional information to the board not later than the 71  
applicable deadline under division (C)(3) of this section. 72

(b) An application submitted under this section shall not 73  
be considered invalid solely on the basis that the applicant 74  
indicated a date other than March 17, 2020, as the date of the 75  
2020 primary election or of any special election held on the day 76  
of the election. 77

(6) If the board of elections determines that an 78  
application submitted under this section is valid, the board 79  
promptly shall deliver absent voter's ballots to the elector. 80

The board shall deliver those ballots by mail, except as 81  
otherwise provided in division (D) of this section and except in 82  
the case of an elector whom the board assists in casting the 83  
elector's ballots in accordance with section 3509.08 of the 84  
Revised Code. When the board delivers those ballots by mail, it 85  
shall prepay the return postage for the ballots. 86

(7) If the board of elections determines that an 87  
application submitted under this section is not valid because 88  
the applicant is an elector who has moved or had a change of 89  
name without updating the elector's registration, as described 90  
in section 3503.16 of the Revised Code, or for any other reason, 91  
the board promptly shall deliver a provisional ballot to the 92  
applicant. The board shall deliver the ballot by mail, except as 93  
otherwise provided in division (D) of this section and except in 94  
the case of an elector whom the board assists in casting the 95  
elector's ballot in accordance with section 3509.08 of the 96  
Revised Code. When the board delivers the ballot by mail, it 97  
shall prepay the return postage for the ballot. The board shall 98  
include all of the following with the provisional ballot: 99

(a) The reason the applicant has received a provisional 100  
ballot instead of absent voter's ballots; 101

(b) Instructions for the applicant to complete the 102  
provisional ballot affirmation, including an option to submit a 103  
copy of a form of identification described in section 3505.182 104  
of the Revised Code; 105

(c) Instructions for the applicant to return the 106  
provisional ballot in the same manner as absent voter's ballots 107  
and a return envelope in which the applicant may return the 108  
provisional ballot; 109

(d) Instructions for the applicant to ascertain the status of the applicant's provisional ballot, as described in section 3505.181 of the Revised Code. 110  
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(D) (1) Only the following electors may apply for and cast absent voter's ballots in person at the office of the board of elections on April 28, 2020, not later than 7:30 p.m., instead of applying to receive those ballots by mail: 113  
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(a) An elector to whom division (C) (1) (a) of this section applies, who has a disability, and who wishes to cast absent voter's ballots using a direct recording electronic voting machine or marking device that is accessible for voters with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters. Each board shall have at least one such machine or device available for use at the office of the board. 117  
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(b) An elector to whom division (C) (1) (a) of this section applies and who is unable to receive mail at the place where the elector resides or at another location. 127  
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(2) All eligible electors waiting in line to cast ballots in person under division (D) of this section as of 7:30 p.m. on April 28, 2020, shall be permitted to cast absent voter's ballots. 130  
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(E) (1) Absent voter's ballots and provisional ballots cast at any time before or after the effective date of this section by electors who were registered to vote in this state as of February 18, 2020, for the March 17, 2020, primary election, or for any special election held on the day of the primary 134  
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election, shall be eligible to be counted if they are received 139  
at the office of the appropriate board of elections not later 140  
than 7:30 p.m. on April 28, 2020. The board shall place a secure 141  
receptacle outside the office of the board for the return of 142  
ballots under this section. Except as otherwise provided in 143  
divisions (F) (2) and (3) of this section, ballots received after 144  
7:30 p.m. on April 28, 2020, shall not be counted. 145

(2) Ballots received by mail at the office of the board 146  
after 7:30 p.m. on April 28, 2020, and not later than May 8, 147  
2020, are eligible to be counted if they are postmarked on or 148  
before April 27, 2020, and are not postmarked using a postage 149  
evidencing system, including a postage meter, as defined in 39 150  
C.F.R. 501.1. 151

(3) Ballots cast by uniformed services and overseas absent 152  
voters that are received by mail at the office of the board 153  
after 7:30 p.m. on April 28, 2020, and not later than May 8, 154  
2020, are eligible to be counted if they were submitted for 155  
mailing not later than 12:01 a.m. at the place where the voter 156  
completed the ballots on April 28, 2020, regardless of whether 157  
the ballots are postmarked. 158

(F) (1) If the election officials find that the 159  
identification envelope statement of voter containing absent 160  
voter's ballots for the March 17, 2020, primary election, or for 161  
any special election held on the day of the primary election, is 162  
incomplete or that the information contained in that statement 163  
does not conform to the information contained in the Statewide 164  
Voter Registration Database concerning the voter, as described 165  
in section 3509.06 of the Revised Code, the voter shall provide 166  
the necessary information to the board of elections in 167  
accordance with that section not later than May 5, 2020. 168

(2) An individual who casts a provisional ballot under this section and who is required under sections 3505.181 to 3505.183 of the Revised Code to provide identification or additional information to the board of elections shall provide the necessary identification or information to the board in accordance with those sections not later than May 5, 2020.

(G) The boards of elections and the Secretary of State shall complete the unofficial count, the canvass of the election returns, and all other post-election procedures with respect to the March 17, 2020, primary election, and any special election held on the day of the primary election, on the dates provided in the Revised Code, except that each deadline shall be calculated by adding 42 days.

(H) For the purpose of the contribution limits described in section 3517.102 of the Revised Code, the date of the 2020 primary election is March 17, 2020. However, the statements of contributions and expenditures required to be filed under division (A) (2) of section 3517.10 of the Revised Code after the primary election shall be filed not later than 4:00 p.m. on June 5, 2020.

(I) In implementing this act, the Secretary of State shall proceed as though the Department of Administrative Services has suspended, under section 125.061 of the Revised Code, the purchasing and contracting requirements contained in Chapter 125. of the Revised Code that otherwise would apply to the Secretary of State. The Secretary of State shall comply with division (E) of that section."

After line \_\_\_\_\_, insert:

**"Section 2.** All items in this section are hereby appropriated as designated out of any moneys in the state

treasury to the credit of the designated fund. For all 199  
appropriations made in this act, those in the first column are 200  
for fiscal year 2020 and those in the second column are for 201  
fiscal year 2021. The appropriations made in this act are in 202  
addition to any other appropriations made for the FY 2020-FY 203  
2021 biennium. 204

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A	SOS SECRETARY OF STATE				
B	Dedicated Purpose Fund Group				
C	5RG0	050627	Absent Voter's Ballot Application Mailings	\$ 7,000,000	\$ 0
D	TOTAL Dedicated Purpose Fund Group			\$ 7,000,000	\$ 0
E	TOTAL ALL BUDGET FUND GROUPS			\$ 7,000,000	\$ 0

ABSENT VOTER'S BALLOT APPLICATION MAILINGS 206

The foregoing appropriation item 050627, Absent Voter's 207  
Ballot Application Mailings, shall be used by the Secretary of 208  
State to pay for expenses related to implementing this act. 209

An amount equal to the unexpended, unencumbered portion 210  
of the foregoing appropriation item 050627, Absent Voter's 211  
Ballot Application Mailings, at the end of fiscal year 2020 is 212  
hereby reappropriated to the Secretary of State for the same 213



purpose in fiscal year 2021.

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On the effective date of this section, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$7,000,000 cash from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Absent Voter's Ballot Application Mailing Fund (Fund 5RG0).

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Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for as though made in the main operating appropriations act of the 133rd General Assembly.

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The appropriations made in this act are subject to all provisions of H.B. 166 of the 133rd General Assembly that are generally applicable to such appropriations."

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The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

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**Extension of absent voting for March 17, 2020, primary election**

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**Section 1**

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voids Secretary of State directive 2020-06, issued on March 16, 2020.

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Extends absent voting in the March 17, 2020, primary

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election through April 28, 2020.	238
Allows an elector who has not already cast a ballot in the election, and who was registered to vote in Ohio as of the February 18, 2020, deadline, to cast absent voter's ballots in the election through 7:30 p.m. on April 28.	239 240 241 242
Requires ballots already cast in the election before or after the bill's effective date also to be counted after 7:30 p.m. on April 28.	243 244 245
Requires the Secretary of State to mail a postcard to each elector in Ohio with information about voting under the bill.	246 247
Requires generally that an elector apply for absent voter's ballots by mail to the board of elections by noon on April 25.	248 249 250
Requires the board daily to compile a list of the applications received and to transmit the list to the Secretary, who must make it available to the public upon request.	251 252 253
Allows a person who applies for absent voter's ballots under the bill by the applicable deadline, and whose application is denied, to cast a provisional ballot by mail.	254 255 256
Requires the board to prepay the return postage on ballots sent to electors under the bill.	257 258
Requires the board to provide assistance in casting ballots and, as applicable, an extended application deadline for electors who are ill, have disabilities, or are confined, in the same manner as under current law.	259 260 261 262
Permits an elector instead to cast absent voter's ballots in person at the office of the board on April 28 by 7:30 p.m. if (1) the elector has a disability and wishes to use an accessible	263 264 265

voting machine, or (2) the elector is unable to receive mail.	266
Requires the board to place a secure receptacle outside the office of the board for the return of ballots under the bill.	267 268 269
Requires all ballots to be received at the office of the board not later than 7:30 p.m. on April 28 in order to be counted, but includes a ten-day grace period for ballots to arrive by mail after that time, the same as under the statute.	270 271 272 273
Allows an absent voter or provisional voter to cure an incomplete ballot statement or provide additional information, if required, not later than May 5.	274 275 276
Requires the Secretary of State and the boards of elections to conduct all post-election procedures by adding 42 days to the statutory deadlines (the number of days between March 17 and April 28).	277 278 279 280
Requires candidates and political entities to file their post-primary campaign finance statements using March 17 as the date of the primary, but extends the filing deadline to 4:00 p.m. on June 5, 2020.	281 282 283 284
Specifies that for the purpose of contribution limits that apply during a primary election period, the primary election period ended on March 17.	285 286 287
Suspends the state purchasing and contracting requirements, such as competitive bidding, that otherwise would apply to the Secretary of State for the purpose of implementing the bill.	288 289 290 291
Requires the Secretary to file a report with the President of the Controlling Board describing all purchases the Secretary	292 293

made for which the Secretary did not follow the state purchasing	294
and contracting requirements.	295
<b>Appropriation</b>	296
<b>Section 2</b>	297
Appropriates \$7 million to the Secretary of State, which	298
the Secretary must use to pay for expenses related to	299
implementing the bill.	300