

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 49

Representative Greenspan

A BILL

To amend section 3501.01 of the Revised Code to 1
specify that a concealed handgun license 2
qualifies as photo identification for voting 3
purposes. 4

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

Section 1. That section 3501.01 of the Revised Code be 5
amended to read as follows: 6

Sec. 3501.01. As used in the sections of the Revised Code 7
relating to elections and political communications: 8

(A) "General election" means the election held on the 9
first Tuesday after the first Monday in each November. 10

(B) "Regular municipal election" means the election held 11
on the first Tuesday after the first Monday in November in each 12
odd-numbered year. 13

(C) "Regular state election" means the election held on 14
the first Tuesday after the first Monday in November in each 15
even-numbered year. 16

(D) "Special election" means any election other than those 17
elections defined in other divisions of this section. A special 18

election may be held only on the first Tuesday after the first 19
Monday in May, August, or November, or on the day authorized by 20
a particular municipal or county charter for the holding of a 21
primary election, except that in any year in which a 22
presidential primary election is held, no special election shall 23
be held in May, except as authorized by a municipal or county 24
charter, but may be held on the second Tuesday after the first 25
Monday in March. 26

(E) (1) "Primary" or "primary election" means an election 27
held for the purpose of nominating persons as candidates of 28
political parties for election to offices, and for the purpose 29
of electing persons as members of the controlling committees of 30
political parties and as delegates and alternates to the 31
conventions of political parties. Primary elections shall be 32
held on the first Tuesday after the first Monday in May of each 33
year except in years in which a presidential primary election is 34
held. 35

(2) "Presidential primary election" means a primary 36
election as defined by division (E) (1) of this section at which 37
an election is held for the purpose of choosing delegates and 38
alternates to the national conventions of the major political 39
parties pursuant to section 3513.12 of the Revised Code. Unless 40
otherwise specified, presidential primary elections are included 41
in references to primary elections. In years in which a 42
presidential primary election is held, all primary elections 43
shall be held on the second Tuesday after the first Monday in 44
March except as otherwise authorized by a municipal or county 45
charter. 46

(F) "Political party" means any group of voters meeting 47
the requirements set forth in section 3517.01 of the Revised 48

Code for the formation and existence of a political party. 49

(1) "Major political party" means any political party 50
organized under the laws of this state whose candidate for 51
governor or nominees for presidential electors received not less 52
than twenty per cent of the total vote cast for such office at 53
the most recent regular state election. 54

(2) "Minor political party" means any political party 55
organized under the laws of this state that meets either of the 56
following requirements: 57

(a) Except as otherwise provided in this division, the 58
political party's candidate for governor or nominees for 59
presidential electors received less than twenty per cent but not 60
less than three per cent of the total vote cast for such office 61
at the most recent regular state election. A political party 62
that meets the requirements of this division remains a political 63
party for a period of four years after meeting those 64
requirements. 65

(b) The political party has filed with the secretary of 66
state, subsequent to its failure to meet the requirements of 67
division (F) (2) (a) of this section, a petition that meets the 68
requirements of section 3517.01 of the Revised Code. 69

A newly formed political party shall be known as a minor 70
political party until the time of the first election for 71
governor or president which occurs not less than twelve months 72
subsequent to the formation of such party, after which election 73
the status of such party shall be determined by the vote for the 74
office of governor or president. 75

(G) "Dominant party in a precinct" or "dominant political 76
party in a precinct" means that political party whose candidate 77

for election to the office of governor at the most recent 78
regular state election at which a governor was elected received 79
more votes than any other person received for election to that 80
office in such precinct at such election. 81

(H) "Candidate" means any qualified person certified in 82
accordance with the provisions of the Revised Code for placement 83
on the official ballot of a primary, general, or special 84
election to be held in this state, or any qualified person who 85
claims to be a write-in candidate, or who knowingly assents to 86
being represented as a write-in candidate by another at either a 87
primary, general, or special election to be held in this state. 88

(I) "Independent candidate" means any candidate who claims 89
not to be affiliated with a political party, and whose name has 90
been certified on the office-type ballot at a general or special 91
election through the filing of a statement of candidacy and 92
nominating petition, as prescribed in section 3513.257 of the 93
Revised Code. 94

(J) "Nonpartisan candidate" means any candidate whose name 95
is required, pursuant to section 3505.04 of the Revised Code, to 96
be listed on the nonpartisan ballot, including all candidates 97
for judicial office, for member of any board of education, for 98
municipal or township offices in which primary elections are not 99
held for nominating candidates by political parties, and for 100
offices of municipal corporations having charters that provide 101
for separate ballots for elections for these offices. 102

(K) "Party candidate" means any candidate who claims to be 103
a member of a political party and who has been certified to 104
appear on the office-type ballot at a general or special 105
election as the nominee of a political party because the 106
candidate has won the primary election of the candidate's party 107

for the public office the candidate seeks, has been nominated 108
under section 3517.012, or is selected by party committee in 109
accordance with section 3513.31 of the Revised Code. 110

(L) "Officer of a political party" includes, but is not 111
limited to, any member, elected or appointed, of a controlling 112
committee, whether representing the territory of the state, a 113
district therein, a county, township, a city, a ward, a 114
precinct, or other territory, of a major or minor political 115
party. 116

(M) "Question or issue" means any question or issue 117
certified in accordance with the Revised Code for placement on 118
an official ballot at a general or special election to be held 119
in this state. 120

(N) "Elector" or "qualified elector" means a person having 121
the qualifications provided by law to be entitled to vote. 122

(O) "Voter" means an elector who votes at an election. 123

(P) "Voting residence" means that place of residence of an 124
elector which shall determine the precinct in which the elector 125
may vote. 126

(Q) "Precinct" means a district within a county 127
established by the board of elections of such county within 128
which all qualified electors having a voting residence therein 129
may vote at the same polling place. 130

(R) "Polling place" means that place provided for each 131
precinct at which the electors having a voting residence in such 132
precinct may vote. 133

(S) "Board" or "board of elections" means the board of 134
elections appointed in a county pursuant to section 3501.06 of 135

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| the Revised Code. | 136 |
| (T) "Political subdivision" means a county, township, city, village, or school district. | 137 138 |
| (U) "Election officer" or "election official" means any of the following: | 139 140 |
| (1) Secretary of state; | 141 |
| (2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor; | 142 143 144 145 |
| (3) Director of a board of elections; | 146 |
| (4) Deputy director of a board of elections; | 147 |
| (5) Member of a board of elections; | 148 |
| (6) Employees of a board of elections; | 149 |
| (7) Precinct election officials; | 150 |
| (8) Employees appointed by the boards of elections on a temporary or part-time basis. | 151 152 |
| (V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or update the application, if any; and if the application is complete, the precinct in which the applicant is to vote. | 153 154 155 156 157 158 159 |
| (W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current | 160 161 162 |

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| address. | 163 |
| (X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health and addiction services, the department of developmental disabilities, the opportunities for Ohioans with disabilities agency, and any other agency the secretary of state designates. "Designated agency" does not include public high schools and vocational schools, public libraries, or the office of a county treasurer. | 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 |
| (Y) "National Voter Registration Act of 1993" means the "National Voter Registration Act of 1993," 107 Stat. 77, 42 U.S.C.A. 1973gg. | 181 182 183 |
| (Z) "Voting Rights Act of 1965" means the "Voting Rights Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. | 184 185 |
| (AA) "Photo identification" means a document that meets each of the following requirements: | 186 187 |
| (1) It shows the name of the individual to whom it was issued, which shall conform to the name in the poll list or signature pollbook. | 188 189 190 |
| (2) It shows the current address of the individual to whom | 191 |

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

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

(4) It includes an expiration date that has not passed.

(5) It was issued by the government of the United States or this state or, in the case of a concealed handgun license issued under section 2923.125 or 2923.1213 of the Revised Code, by a county in this state.

Section 2. That existing section 3501.01 of the Revised Code is hereby repealed.

Section 3. Section 3501.01 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 64 and Am. H.B. 153 of the 131st General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.