

As Reported by the House State and Local Government Committee

133rd General Assembly

Regular Session

2019-2020

Sub. H. B. No. 49

Representative Greenspan

Cosponsors: Representatives Hambley, Smith, T.

A BILL

To amend section 3501.01 of the Revised Code to
specify that certain county issued licenses
qualify as photo identification for voting
purposes.

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

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

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

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

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

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

(D) "Special election" means any election other than those

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 third 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 third 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
the Revised Code. 136

(T) "Political subdivision" means a county, township, 137
city, village, or school district. 138

(U) "Election officer" or "election official" means any of 139
the following: 140

(1) Secretary of state; 141

(2) Employees of the secretary of state serving the 142
division of elections in the capacity of attorney, 143
administrative officer, administrative assistant, elections 144
administrator, office manager, or clerical supervisor; 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 151
temporary or part-time basis. 152

(V) "Acknowledgment notice" means a notice sent by a board 153
of elections, on a form prescribed by the secretary of state, 154
informing a voter registration applicant or an applicant who 155
wishes to change the applicant's residence or name of the status 156
of the application; the information necessary to complete or 157
update the application, if any; and if the application is 158
complete, the precinct in which the applicant is to vote. 159

(W) "Confirmation notice" means a notice sent by a board 160
of elections, on a form prescribed by the secretary of state, to 161

a registered elector to confirm the registered elector's current 162
address. 163

(X) "Designated agency" means an office or agency in the 164
state that provides public assistance or that provides state- 165
funded programs primarily engaged in providing services to 166
persons with disabilities and that is required by the National 167
Voter Registration Act of 1993 to implement a program designed 168
and administered by the secretary of state for registering 169
voters, or any other public or government office or agency that 170
implements a program designed and administered by the secretary 171
of state for registering voters, including the department of job 172
and family services, the program administered under section 173
3701.132 of the Revised Code by the department of health, the 174
department of mental health and addiction services, the 175
department of developmental disabilities, the opportunities for 176
Ohioans with disabilities agency, and any other agency the 177
secretary of state designates. "Designated agency" does not 178
include public high schools and vocational schools, public 179
libraries, or the office of a county treasurer. 180

(Y) "National Voter Registration Act of 1993" means the 181
"National Voter Registration Act of 1993," 107 Stat. 77, 42 182
U.S.C.A. 1973gg. 183

(Z) "Voting Rights Act of 1965" means the "Voting Rights 184
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 185

(AA) "Photo identification" means a document that meets 186
each of the following requirements: 187

(1) It shows the name of the individual to whom it was 188
issued, which shall conform to the name in the poll list or 189
signature pollbook. 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 192
list or signature pollbook, except for a driver's license or a 193
state identification card issued under section 4507.50 of the 194
Revised Code, which may show either the current or former 195
address of the individual to whom it was issued, regardless of 196
whether that address conforms to the address in the poll list or 197
signature pollbook. 198

(3) It shows a photograph of the individual to whom it was 199
issued. 200

(4) It includes an expiration date that has not passed. 201

(5) It was issued by the government of the United States 202
or this state, or by a county of this state so long as in order 203
to obtain the identification the county required proof of county 204
residency and presentation of a birth certificate, passport, or 205
Ohio driver's license or state identification card. 206

Section 2. That existing section 3501.01 of the Revised 207
Code is hereby repealed. 208