



CUYAHOGA COUNTY
BOARD OF ELECTIONS

Jeff Hastings, Chairman

Anthony W. Perlatti, Director

Inajo Davis Chappell, Board Member

Anthony Kaloger, Deputy Director

Lisa M. Stickan, Board Member

David J. Wondolowski, Board Member

MEETING AGENDA

June 8, 2022

4:00 P.M.

THE PLEDGE OF ALLEGIANCE

ADMINISTRATIVE

1. Acknowledgment of Secretary of State Directive 2022-36: Examination and Verification of Petitions from Statewide Independent Candidates

CANDIDATE AND PETITION SERVICES

2. Certification of Issue and Candidates to the August 2, 2022, Primary Election

HUMAN RESOURCES

3. Personnel Agenda

NEW BUSINESS

PUBLIC COMMENT¹

EXECUTIVE SESSION

Discussion of personnel issues (to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official) and disputes involving the public body that are the subject of pending or imminent court action.

Video of this meeting can be viewed at <https://www.youtube.com/CuyahogaCountyBOE>

¹ Please email mbejjani@cuyahogacounty.gov or dwhite1@cuyahogacounty.gov with your name and the nature of your comment so we can fully assist you.

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

2022 Board Meeting Schedule

June 2022

Monday, June 6th @ 9:30AM

Certification of remaining issues and charter amendments for the August 2, 2022 Special Election

Certification of Independent candidates for the November 8, 2022 General Election

Wednesday, June 8th @ 4:00PM

Certification of Issue and Candidates for the August 2, 2022 Primary Election

July 2022

Wednesday, July 13th @ 9:30AM

July Board Meeting

August 2022

Tuesday, August 2nd

August 2, 2022 Special Election

Monday, August 15th @ 9:30AM

Provisional Verification for the August 2nd Special Election

Monday, August 22nd @ 9:30AM

Certification of the August 2, 2022 Special Election

Certification of Issues for the November 8, 2022 General Election

September 2022

Monday, September 12th @ 9:30AM

Certification of remaining issues and charter amendments for the November 8, 2022 General Election

Certification of Write-In Candidates for the November 8, 2022 General Election

October 2022

Wednesday, October 12th @ 9:30AM

October Board Meeting

November 2022

Friday, November 4th @ 9:30AM

Meeting for the November 8, 2022 General Election

Tuesday, November 8th

November 8th General Election

Monday, November 21st @ 9:30AM

Provisional verification for the November 8, 2022 General Election

Tuesday, November 29th @ 9:30AM

Certification of the November 8, 2022 General Election

December 2022

Wednesday, December 14th @ 9:30AM

December Board Meeting

RELEASED: June 6, 2022

SUMMARY

- *Directive 2022-36* provides instructions for the examination and verification of signatures for nominating petitions for independent candidates for Governor and Lieutenant Governor, United States Senate, and Secretary of State.
- Nominating petitions were received from the following:
 - For Governor and Lieutenant Governor
 - Frank Patrick Cunnane/ Mary E. Cunnane (April 28, 2022)
 - Niel J. Petersen/ Michael V. Stewart (May 2, 2022)
 - For Ohio Secretary of State
 - Terpsehore P. Maras (May 2, 2022)
 - For United States Senate
 - Kelli Prather (May 2, 2022)
- The entire part-petition is invalid if the circulator's statement is not completed as required by law. However, the CCBOE may **not** invalidate a part-petition solely because a circulator statement includes a number that is lower than the number of signatures the part-petition actually contains, so long as there is no indication of fraud or material misrepresentation.
- The CCBOE must complete its review, examination, and verification of the petitions and submit its certification forms to the SOS by **4 p.m. on Tuesday, July 5, 2022.**
- As stated in *Directive 2022-34*, due to the August 2, 2022 date for the General Assembly's primary election, the independent candidate filing deadline for candidates for State Representative or State Senator is 4 p.m. on Monday, August 1, 2022.

INSTRUCTIONS

I. VERIFYING THE VALIDITY OF PART-PETITIONS AND SIGNATURES

The CCBOE must process all new, valid voter registrations, and changes of names and addresses to existing registrations received by the board or the SOS as of the date the petition was filed with the SOS before verifying the signatures on the part-petitions.

The CCBOE must verify all petition signatures and update each voter registration record with voter activity credit if the signature and address match.

II. PART-PETITION BELONGING TO ANOTHER COUNTY

If the CCBOE receives a part-petition with a majority of signatures from another county, it must promptly contact the Director or Deputy Director at the other county board by phone to notify them

that a scanned copy or copies of the part-petition(s) will be emailed to them. The CCBOE must return the original part-petition(s) to the SOS.

III. SCANNING THE PART-PETITIONS

After the CCBOE finishes checking the signatures on the part-petitions, it must electronically scan each part-petition. A copy of the scanned images must be sent to the SOS, and the CCBOE must retain an electronic copy of the images for its' records.

IV. PERIOD FOR PUBLIC INSPECTION

Ohio law requires all nominating petitions for independent candidates to be open to public inspection from **Wednesday, June 15, 2022**, at 4 p.m. until **Thursday, June 30, 2022**, at 4 p.m. The CCBOE should consult with its county prosecuting attorney before rejecting, fulfilling, or responding to any public records request pertaining to these nominating petitions.

V. CERTIFICATION AND RETURN OF PETITIONS

As soon as the CCBOE finishes verifying the signatures on the part-petitions, it must return a completed certification form (signed by the Director) for each candidate's petition to the SOS. All certification forms and scanned images of petitions must be submitted electronically to the SOS by **4 p.m. on Tuesday, July 5, 2022**.

The CCBOE must then promptly return the original part-petitions to the SOS via trackable delivery method. These must be received by the SOS no later than **Tuesday, July 12, 2022**.

VI. INDEPENDENT CANDIDATES FOR GENERAL ASSEMBLY

As stated in *Directive 2022-34*, due to the August 2, 2022 date for the General Assembly's primary election, the independent candidate filing deadline for candidates for State Representative or State Senator is 4 p.m. on **Monday, August 1, 2022**. The CCBOE must certify the validity and sufficiency of independent candidates' nominating petitions for State Representative or State Senator no later than **Monday, August 22, 2022**, and protests against the candidates' nominating petitions must be filed no later than **Friday, August 26, 2022**.



DIRECTIVE 2022-36

June 6, 2022

To: All County Boards of Elections
Board Members, Directors, and Deputy Directors

Re: Examination and Verification of Petitions from Statewide Independent Candidates

SUMMARY

This Directive provides instructions for the examination and verification of signatures for nominating petitions for independent candidates for Governor and Lieutenant Governor, United States Senate, and Ohio Secretary of State. Instead of issuing a separate directive with each candidate's petition, this Directive applies to all of the nominating petitions for independent candidates filed with the Ohio Secretary of State's Office for the November 8, 2022 General Election.

Nominating petitions for the following candidates were filed with the Ohio Secretary of State's Office on the dates listed to the right of each candidate's name:

For Governor and Lieutenant Governor

- Frank Patrick Cunnane/ Mary E. Cunnane April 28, 2022
- Niel J. Petersen/ Michael V. Stewart May 2, 2022

For Ohio Secretary of State

- Terpeshore P. Maras May 2, 2022

For United States Senate

- Kelli Prather May 2, 2022

Each board of elections must complete its review, examination, and verification of the petitions and submit its certification forms to the Secretary of State's Office by **4:00 p.m. on Tuesday, July 5, 2022**. The original part-petitions must be mailed via trackable delivery method and received by the Secretary of State's Office by **Tuesday, July 12, 2022**.

INSTRUCTIONS

I. VERIFYING THE VALIDITY OF PART-PETITIONS AND SIGNATURES

Please carefully read this Directive and Chapter 13 ("[Petitions](#)," [Directive 2022-17](#)) of the Election Official Manual before the board examines the petitions sent to your county.

Each board must process all new, valid voter registrations, and changes of names and addresses to existing registrations received by the board or the Secretary of State's Office as of the date the petition was filed with the Secretary of State before verifying the signatures on the part-petitions. These registrations are effective as of the date the petition was filed with the Secretary of State.¹

The board must verify all petition signatures, electronically record decisions on the validity or invalidity of each signature on the voter registration record, track for duplicate signatures, and ensure that the voter registration record is updated with voter activity credit if the signature and address match.² A signature on a nominating petition is not valid if it is dated more than one year before the date the petition was filed.³

Prior to verifying the validity of individual signatures contained on a part-petition, the board of elections must verify the validity of that part-petition. First, the board must check each part-petition to determine whether the circulator's statement on the part-petition has been properly completed. The entire part-petition is invalid if the circulator's statement is not completed as required by law.⁴ However, no board may invalidate a part-petition solely because a circulator statement includes a number that is lower than the number of signatures the part-petition actually contains,⁵ so long as there is no indication of fraud or material misrepresentation.⁶

II. PART-PETITION BELONGING TO ANOTHER COUNTY

If a board receives a part-petition with a majority of signatures from another county, that board of elections may not determine the validity of that part-petition or review the signatures contained on it. Instead, the board must promptly follow the steps below, complete the following two spreadsheets accompanying this Directive, and return the completed spreadsheets in the envelopes provided when all part-petitions are returned to the Secretary of State's Office:

1. Part-Petitions Sent Spreadsheet (Original Part-Petition(s)); and
2. Part-Petitions Received Spreadsheet (Emailed Part-Petition(s)).

¹ [R.C. 3501.38\(A\)](#); *State ex rel. Oster vs. Lorain Cty. Bd. of Elections*, 93 Ohio St. 3d 480 (2001).

² As a reminder, voter-initiated activity includes voting, submitting a valid absentee ballot application, registering to vote, updating or confirming an address with a board of elections or the BMV, or signing a candidate or issue petition that is verified by a board of elections. After verification of part-petitions, only voters with a valid signature should be provided voter-initiated activity. See [Chapter 4](#), page 74 of the Election Official Manual.

³ [R.C. 3513.263](#).

⁴ [R.C. 3501.38](#).

⁵ See *State ex rel. Ferrara v. Trumbull Cty. Bd. Of Elections*, Slip Opinion No. 2021-Ohio-3156.

⁶ See *Ohio Mfrs.' Assn. v. Ohioans for Drug Price Relief Act*, 147 Ohio St.3d 42, 2016-Ohio-3038, 59 N.E.3d 1274, ¶19.

If a board of elections receives a part-petition that belongs to another county:

1. Contact the Director or Deputy Director at the other county board by phone to notify them that your board will forward a scanned copy of a part-petition;
2. Log the transfer of the part-petition(s) being sent on the “Part-Petitions Sent” spreadsheet;
3. Send a scanned copy of the part-petition(s) via email to the Director and Deputy Director; and
4. Return the original part-petition(s) with the “Part-Petitions Sent” spreadsheet in the marked transfer envelope included with the circulated part-petitions. When the board returns its checked part-petitions to the Secretary of State’s Office, place this envelope with the spreadsheet enclosed on top of the checked part-petitions so it can be easily located and retrieved from the box.

If a board receives a scanned copy of a part-petition from another county:

1. Log the part-petition(s) that the board received on the “Part-Petitions Received” spreadsheet;
2. Print and process the part-petition(s); and
3. Return the emailed part-petition(s) with the “Part-Petitions Received” spreadsheet in the marked transfer envelope included with the circulated part-petitions. When the board returns its checked part-petitions to the Secretary of State’s Office, place this envelope with the spreadsheet enclosed on top of the checked part-petitions so it can be easily located and retrieved from the box.

III. SCANNING THE PART- PETITIONS

After the board of elections finishes checking the signatures on the part-petitions, the board must electronically scan each part-petition. A copy of the scanned images – one for each set of joint candidates in the case of governor/lieutenant governor – must be uploaded to the Secretary of State’s SharePoint site (using the instructions accompanying this Directive). Each board must retain an electronic copy of the images for the board’s records.

IV. PERIOD FOR PUBLIC INSPECTION

Ohio law requires all nominating petitions for independent candidates to be open to public inspection from **Wednesday, June 15, 2022**, at 4:00 p.m. until **Thursday, June 30, 2022**, at 4:00 p.m.⁷ Boards of elections may receive public records requests for copies of the part-petitions. Boards should consult with their statutory legal counsel, the county prosecuting attorney, before rejecting, fulfilling, or responding to any public records request.

V. CERTIFICATION AND RETURN OF PETITIONS

As soon as the board of elections finishes verifying the signatures on the part-petitions, the board must return a completed certification form for each candidate’s petition. The certification form for each candidate’s petition must be completed and submitted electronically via Elect Collect by clicking the “Submit” button. Each certification form also must be saved and printed.

⁷ [R.C. 3513.262](#).

The Director must sign the certification forms and upload the signed certification form to the SharePoint site. **All certification forms and scanned images of petitions must be submitted through SharePoint by 4:00 p.m. on Tuesday, July 5, 2022.**

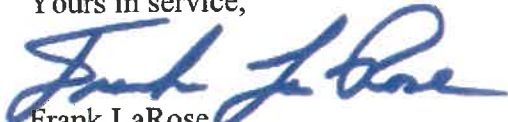
Once the certification forms are submitted, county boards of elections must promptly return the original part-petitions to the Secretary of State's Office, Elections Division, 22 North Fourth Street, Columbus, Ohio 43215-3668 via trackable delivery method. **All original part-petitions must be received by the Secretary of State's Office no later than Tuesday, July 12, 2022.**

VI. INDEPENDENT CANDIDATES FOR GENERAL ASSEMBLY

As stated in [Directive 2022-34](#), due to the August 2, 2022 date for the General Assembly's primary election, the independent candidate filing deadline for candidates for State Representative or State Senator is 4:00 p.m. on **Monday, August 1, 2022**.⁸ Boards of elections must certify the validity and sufficiency of independent candidates' nominating petitions for State Representative or State Senator no later than **Monday, August 22, 2022**, and protests against the candidates' nominating petitions must be filed no later than **Friday, August 26, 2022**.

If you have any questions concerning this Directive, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,


Frank LaRose
Ohio Secretary of State

⁸ [R.C. 3513.257](#).



Independent Candidate Part-Petition and Signature Manifest

County	Total Part-Petitions	Total Signatures
Adams	7	25
Allen	27	141
Ashland	34	215
Ashtabula	15	80
Athens	16	37
Auglaize	21	49
Belmont	18	79
Brown	12	19
Butler	56	233
Carroll	8	19
Champaign	23	53
Clark	57	182
Clermont	37	168
Clinton	13	29
Columbiana	11	33
Coshocton	22	88
Crawford	17	28
Cuyahoga	208	2,172
Darke	29	120
Defiance	16	151
Delaware	80	382
Erie	42	270
Fairfield	59	271
Fayette	11	17
Franklin	582	6,331
Fulton	6	64
Gallia	3	4
Geauga	38	174
Greene	66	357
Guernsey	12	18
Hamilton	280	6,439
Hancock	25	120

Hardin	18	53
Harrison	6	17
Henry	4	10
Highland	13	21
Hocking	9	23
Holmes	22	41
Huron	22	32
Jackson	10	23
Jefferson	12	16
Knox	84	850
Lake	58	325
Lawrence	9	26
Licking	78	265
Logan	28	88
Lorain	64	229
Lucas	68	489
Madison	22	31
Mahoning	25	49
Marion	39	128
Medina	53	264
Meigs	8	19
Mercer	14	30
Miami	58	286
Monroe	1	1
Montgomery	148	1,434
Morgan	7	10
Morrow	37	101
Muskingum	23	58
Noble	4	7
Ottawa	12	16
Paulding	7	56
Perry	17	41
Pickaway	29	85
Pike	11	33
Portage	52	180
Preble	38	202
Putnam	7	18
Richland	43	156

Ross	27	213
Sandusky	9	26
Scioto	13	43
Seneca	16	27
Shelby	22	49
Stark	84	499
Summit	123	789
Trumbull	24	39
Tuscarawas	29	178
Union	29	97
Vanwert	8	43
Vinton	2	4
Warren	75	379
Washington	22	102
Wayne	36	149
Williams	10	32
Wood	17	35
Wyandot	15	42
Total	3,572	26,826

2022 Candidate Petition Examination (Directive 2022-36)

Part-Petitions **sent to** Other Counties (Scanned copy provided via email)[illegible]

2022 Candidate Petition Examination (Directive 2022-36)
Part-Petitions Received from Other Counties (Scanned copy provided via email)

[illegible]

Instructions for Upload Files to SOS

1. Select this link to access the board's document transfer via <https://ohiosos.sharepoint.com/sites/boe/Documents>;
2. Log in to the site using board's SOS Username and Password - (this is the same password used to login to your SOS email account);

Example:

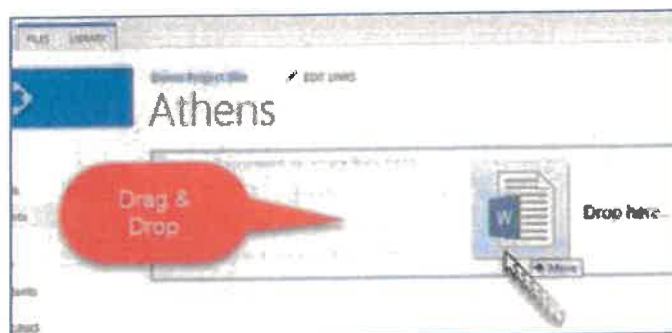
Username: athens@sos.state.oh.us

Password: (password used for SOS email)

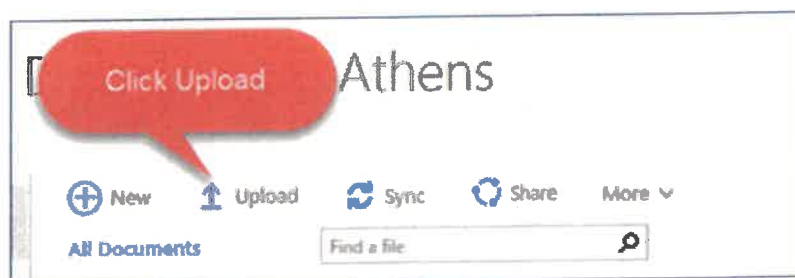
Note: *If you do not know the password for this account, please contact your Director or Deputy Director for this information.*

3. The board will only be able to view a folder with its county name (Example: Athens);
4. Select the folder to open.
5. Create a folder called **"2020 Statewide Candidate Petitions."**
6. Open the folder.
7. The board must upload the scanned part-petitions and the signed certification forms into the folder created by one of the following methods:

- a. **Drag & Drop** the file: Drag the file to your county's folder into the area "Drag the file here to upload."



- b. Or select the **"Upload"** button and then the "Files" option. Locate and select the file to upload and select the "Open" button to place the files in the folder.



8. Confirm that the files appear in the folder. No other action is necessary as the SOS staff will be notified the file was uploaded.

If you need assistance using this service, please contact SOS Help Desk at 1-614-466-8467.

Certification of an Issue for the August 2, 2022 Primary Election

Cleveland-06-M

Local Liquor Option

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by Meijer Stores Limited Partnership DBA: Meijer Cleveland Clinic Location, an applicant for a D-6 liquor permit who is engaged in the business of operating a family-owned grocery & home goods superstores at the SW Corner of Cedar Ave. & E. 105th St., Cleveland, OH 44106 in this precinct?

Certification of Candidates for the August 2, 2022 Primary Election

Office	District	Name	Last Name	Party
State Senator	Senate District 21	John E.	Barnes Jr	Democratic
State Senator	Senate District 21	Kent	Smith	Democratic
State Senator	Senate District 21	Mikhail	Alterman	Republican
State Senator	Senate District 23	Nickie J.	Antonio	Democratic
State Senator	Senate District 23	Landry M.	Simmons Jr	Republican
State Representative	House District 13	Michael J.	Skindell	Democratic
State Representative	House District 13	Keith A.	Davey	Republican
State Representative	House District 14	Sean P.	Brennan	Democratic
State Representative	House District 14	Jolene B.	Austin	Republican
State Representative	House District 14	David J.	Morgan	Republican
State Representative	House District 15	Richard	Dell'Aquila	Democratic
State Representative	House District 16	Monique	Smith	Democratic
State Representative	House District 16	Bride Rose	Sweeney	Democratic
State Representative	House District 16	Michael	Lamb	Republican
State Representative	House District 17	Troy J.	Greenfield	Democratic
State Representative	House District 17	Ryan	McClain	Republican
State Representative	House District 17	Thomas F.	Patton	Republican
State Representative	House District 18	Darnell T.	Brewer	Democratic
State Representative **Write-in	House District 18	Vincent	Rosemond	Democratic
State Representative **Write-in	House District 18	Shalira	Taylor	Republican
State Representative	House District 19	Phil	Robinson	Democratic
State Representative	House District 19	Matthew J.	Schoeffler	Democratic
State Representative	House District 19	Ron	Brough	Republican
State Representative	House District 19	David	Horvath	Republican
State Representative	House District 20	Michael	Seals	Democratic
State Representative	House District 20	Terrence	Upchurch	Democratic
State Representative	House District 21	Michael	Ettorre	Democratic
State Representative	House District 21	Elliot	Forhan	Democratic
State Representative	House District 21	Jonathan	Holody	Democratic
State Representative	House District 21	Kelly	Powell	Republican
State Representative	House District 22	Juanita O.	Brent	Democratic
State Representative	House District 22	Danielle J.	Dronet	Democratic
State Representative	House District 22	Vincent E.	Stokes II	Democratic
State Central Committee DEM (Man)	Senate District 21	Armond D.	Budish	Democratic

Office		District	Name	Last Name	Party
State Central Committee	DEM (Man)	Senate District 21	Roosevelt	Coats	Democratic
State Central Committee	DEM (Man)	Senate District 21	Blaine A.	Griffin	Democratic
State Central Committee	DEM (Man)	Senate District 21	Kent	Smith	Democratic
State Central Committee	DEM (Man)	Senate District 21	Andre P.	White	Democratic
State Central Committee	DEM (Woman)	Senate District 21	Juanita	Gowdy	Democratic
State Central Committee	DEM (Woman)	Senate District 21	Renee A.	Lindsley	Democratic
State Central Committee	DEM (Woman)	Senate District 21	Helen M.	Sheehan	Democratic
State Central Committee	REP (Man)	Senate District 21	Joe	Miller	Republican
State Central Committee	REP (Woman)	Senate District 21	Laverne	Jones Gore	Republican
State Central Committee	REP (Woman)	Senate District 21	Lucy M.	Stickan	Republican
State Central Committee	DEM (Man)	Senate District 23	Sean P.	Brennan	Democratic
State Central Committee	DEM (Man)	Senate District 23	Willie Lewis	Britt	Democratic
State Central Committee	DEM (Man)	Senate District 23	Jeff	Johnson	Democratic
State Central Committee	DEM (Man)	Senate District 23	Michael	Seals	Democratic
State Central Committee	DEM (Man)	Senate District 23	Martin J.	Sweeney	Democratic
State Central Committee	DEM (Woman)	Senate District 23	Colleen Corrigan	Day	Democratic
State Central Committee	DEM (Woman)	Senate District 23	Diane	Morgan	Democratic
State Central Committee	REP (Man)	Senate District 23	Brian	Andrews	Republican
State Central Committee	REP (Man)	Senate District 23	Michael	Flickinger	Republican
State Central Committee	REP (Man)	Senate District 23	Jonah	Pelton	Republican
State Central Committee	REP (Woman)	Senate District 23	Doris	Peters	Republican
State Central Committee	DEM (Man)	Senate District 24	Riley Armstrong	Alton	Democratic
State Central Committee	DEM (Man)	Senate District 24	Dean	DePiero	Democratic
State Central Committee	DEM (Man)	Senate District 24	Chris	Glassburn	Democratic
State Central Committee	DEM (Man)	Senate District 24	Dale	Miller	Democratic
State Central Committee	DEM (Man)	Senate District 24	Matt	Patten	Democratic
State Central Committee	DEM (Woman)	Senate District 24	Kelly A.	Kosek	Democratic
State Central Committee	DEM (Woman)	Senate District 24	Megan	Murphy	Democratic
State Central Committee	REP (Man)	Senate District 24	Zacch	Ashcraft	Republican
State Central Committee	REP (Man)	Senate District 24	Shannon	Burns	Republican
State Central Committee	REP (Man)	Senate District 24	Daniel R.	Langshaw	Republican
State Central Committee	REP (Man)	Senate District 24	David A.	Morris	Republican
State Central Committee	REP (Woman)	Senate District 24	Melanie	Mason	Republican

updated 6.8.22 5:00 pm

Willie Britt filed petitions to be a candidate for Democratic State Senator in District 21.

- Feb. 2nd – filed his petitions by this date indicating District 21 on his petition
- Feb. 26th – Directive 2022-26 is released.
 - Redistricting map 3 is defined as the GA districts to utilize.
 - Section III (A)(i) defines the March 10th deadline for SOS Form 2-ZA to be filed and March 26th to move into the new district. See bottom of page 5 for Directive 2022-26.
 - Under version 3 of the maps Mr. Britt resides in District 23
- March 1st – Mr. Britt timely files SOS Form 2-ZA stating he intends to move into District 21
- March 23rd – Directive 2022-31 is released
 - This Directive removes the GA offices from the May 3rd primary ballot.
- May 28th – Directive 2022-34 is released.
 - Instructs boards to execute an August 2nd primary election using Redistricting Commission map 3.
 - Part 1, Section V defines individuals who filed a Form 2-ZA under Directive 2022-26 have until June 7th to move into the district identified on their Form 2-ZA. See Page 3.
 - The new deadline for a GA candidate to reside in another district is 6/7/22. The extension was granted because of the pause in the implementation of map 3 from litigation.
 - This section also states that a board cannot accept a Form 2-ZA filed after March 10th.
 - June 7th – Mr. Britt submits a new Form 2-ZA (after the March 10th deadline) to the CCBOE indicating that he is not moving and intends to run in District 23.
- As of close of business on June 7th, Mr. Britt lives in State Senate District 23. On 3/1/22 he timely filed a Form 2-ZA for State Senate District 21 indicating he intend to move into District 21. On 6/7/22 he then submitted another Form 2-ZA (after the March 10, 2022 deadline) indicating he does not intend to move into District 21 and want to run in State Senate District 23.
- To summarize Section III(A)(i) of SOS Directive 2022-26, Mr. Britt is required to 1.) become a resident of District 23; 2.) file Form 2-ZA indicating he intends to do so which he did on 3/1/22; 3.) update his voter registration for his new residence in District 23 (by 6/7/22) which he has not done. See page 5 of this Directive.

On page 6 of the Directive it states if he does not take all three actions the BOE must invalidate his petitions.

- Mr. Britt has also timely filed for Democratic State Central Committee Member in District 23

WAS Imported with Dist 21.

Form No. 2-ZA Prescribed by the Ohio Secretary of State (02-22)

Addendum to Declaration of Candidacy, Nominating Petition, or Declaration of Intent to be a Write-In Candidate For District Office

For State Senator or State Representative

To be filed with the Board of Elections of the most populous county or part county of the district not later than 4 p.m. on March 10, 2022.

Addendum to Filing

→ Willie Lewis Britt, the undersigned, hereby declare under penalty of election falsification that
Name of Candidate

(Select and complete one of the options below)

Option A

☐ I currently reside in the district of the office in which I seek to represent.

Option B

☒ I do not currently reside in the district of the office in which I seek to represent and I intend to move into district 21 (insert district number) by March 26, 2022.

By signing this addendum I affirm that I understand to be a valid candidate for the district office I seek, I must move into the district I seek to represent and file a change of address form with the appropriate board of elections by March 26, 2022.

I further declare that I desire to be a candidate for nomination to the office of STATE SENATE
Office

as a member of the Dem Party from the 21 District.
Political Party District Number

Dated this 7 day of MARCH, 2021.
Day Month Year

Willie Lewis Britt
Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

2022 MAR 10 2

3' 3513.30

Addendum to Declaration of Candidacy, Nominating Petition, or Declaration of Intent to be a Write-In Candidate
For District Office

For State Senator or State Representative

To be filed with the Board of Elections of the most populous county or part county of the district not later than 4 p.m. on March 10, 2022.

Addendum to Filing

I Willie Lewis Britt the undersigned, hereby declare under penalty of election falsification that
Name of Candidate

(Select and complete one of the options below)

Option A

☒ I currently reside in the district of the office in which I seek to represent.

Option B

☐ I do not currently reside in the district of the office in which I seek to represent and I intend to move into district _____ (Insert district number) by March 26, 2022.

I INTEND TO STAY IN DISTRICT 23. NOT TO MOVE
OR SEEK ANY OTHER DISTRICT. SORRY
FOR THE PROBLEM IT MIGHT OCCUR. 6-7-2022
Willie Lewis Britt Willie Lewis Britt

By signing this addendum I affirm that I understand to be a valid candidate for the district office I seek, I must move into the district I seek to represent and file a change of address form with the appropriate board of elections by March 26, 2022.

I further declare that I desire to be a candidate for nomination to the office of STATE SENATE 23
Office

as a member of the Dem Party from the 23 District.
Political Party District Number

Dated this 7 day of June, 2022. Willie Lewis Britt
Day Month Year Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

JUN 7 2022 PM 2:07



DIRECTIVE 2022-26

February 26, 2022

To: All County Boards of Elections
Board Members, Directors, and Deputy Directors

Re: State House and Senate District Maps and House Bill ("H.B." 93)

I recognize the unprecedented nature of this Directive and the incredible challenge it presents to each of our 88 county boards of elections. The General Assembly has the legal authority to set the time, place, and manner of Ohio's elections, and they have made clear their instructions to include the state House and Senate contests on the May 3, 2022 Primary Election ballot. Senate President Matt Huffman and House Speaker Robert Cupp sent a letter to me on Thursday, February 24, 2022 stating the following:

"...We are providing your office with the underlying information for the newly adopted plan, including the shape files.

"Please immediately transmit the relevant information to all the state's boards of elections as you deem appropriate so that the necessary preparations may be made for carrying out the primary election on May 3rd, 2022."

I have communicated to the legislative leaders the risks associated with rushing this process and shared your concerns about the compressed timeline for everything from candidate certification and ballot preparation to the programming and testing of voting equipment. These are serious concerns, but our directive is clear, and I am confident that, together, we will work tirelessly to achieve it. Winston Churchill said, "It's not enough that we do our best; sometimes we have to do what's required." We have the hardest-working elections officials in the nation, and you are known for doing your best. This one requires more. Beyond doing our best, we will need unprecedented courage, optimism, and maybe a little divine blessing to get it done. I told the leaders of our General Assembly that we will do everything we can to rise to their challenge. As it relates to conducting this unprecedented election, I reminded them that our State's motto is: "With God all things are possible."

SUMMARY

On February 24, 2022, the Ohio Redistricting Commission passed (4-3) a third General Assembly district map. Attached to this Directive are the following:

- House Shapefile;
- Senate Shapefile;
- State House and Senate Equivalency Files (otherwise known as BAFs or block assignment files);
- Addendum to Declaration of Candidacy, Nominating Petition or Declaration of Intent to be a Write-in Candidate;
- State House District – County Population and Filing Location – September 2021;

- State House District – County Population and Filing Location – January 22, 2022;
- State House District – County Population and Filing Location – February 24, 2022;
- State Senate District – County Population and Filing Location – September 2021;
- State Senate District – County Population and Filing Location – January 22, 2022;
- State Senate District – County Population and Filing Location – February 24, 2022;
- U.S. House District – County Population and Filing Location – S.B. 258; and
- Letter from Senate President Huffman and House Speaker Cupp to Secretary LaRose, February 24, 2022.

Governor DeWine signed H.B. 93 into law on January 28, 2022 enacting many temporary law changes to the requirements for the 2022 primary election. Ultimately, the Ohio Redistricting Commission needed to adopt a new district plan a few weeks later. This Directive provides guidance on how to apply the temporary law provisions from H.B. 93 to the third set of General Assembly district maps. Please know that my Office is actively working with the General Assembly to develop additional temporary law changes to account for this incredibly compressed timeline, including providing additional funding for the county boards of elections. My Office has also filed with the Department of Defense and Federal Voter Assistance Program a UOCAVA waiver pursuant to 52 U.S.C. 20302(g) for the May 3, 2022 Primary Election.

Additionally, decisions in ongoing litigation¹ may render some or all of this Directive moot. In that event, my Office will issue additional instruction. As you know, the redistricting process has been the subject of much litigation. This Directive is not contrary to any order of the Ohio Supreme Court, nor should it be construed as such. This new General Assembly district plan adopted by the Ohio Redistricting Commission was filed with my office and is presumed valid. If there is additional litigation over this new district plan, the outcome of that litigation will be that the new plan is either valid or invalid. Because of the severe time constraints under which we are operating to hold Ohio House and Ohio Senate primary races with the May 3, 2022 Primary Election, we must begin preparations for those elections immediately in the anticipation that the Court will uphold the new plan. Obviously, if a few weeks from now the Court rules that the new plan is invalid, it will not be possible to conduct Ohio House and Ohio Senate primary elections with the May 3, 2022 Primary Election.

The Ohio Supreme Court issued a briefing schedule requiring that objections, if any, to the General Assembly maps submitted on February 25, 2022 by the Ohio Redistricting Commission be filed by 9 a.m. on Monday, February 28, 2022 and granted the Commission three days (Thursday, March 3, 2022) after the objections are filed to respond.

INSTRUCTIONS

I. FEBRUARY 24, 2022 GENERAL ASSEMBLY DISTRICT MAP AND LEGAL DESCRIPTIONS

On February 24, 2022, the Ohio Redistricting Commission passed a General Assembly district plan. Shortly thereafter, Senate President Matt Huffman and House Speaker Bob Cupp sent a letter

¹ *Simon, et al. v. DeWine, et. al*, N.D. Ohio No. 4:21-cv-02267-JRA, *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, Slip Opinion No. 2022-Ohio-65, and *Adams v. DeWine*, Slip Opinion No. 2022-Ohio-89.

directing me to immediately transmit the relevant information to all boards of elections “so that the necessary preparations may be made for carrying out the primary election on May 3, 2022.”²

As such, given the incredibly unfortunate impact that redistricting litigation has had on the election calendar and our ability to administer an election in a manner that will inevitably lead to the best chances of success, all boards must immediately begin the process of reprogramming their voter registration systems with the February 24, 2022 General Assembly district maps.

The State House and Senate district shapefiles, and equivalency files accompany this Directive. My Office is waiting for the House and Senate legal descriptions from the General Assembly. We will forward those to you as soon as we receive them. However, boards and members of the public may find the most updated district maps at OhioSoS.gov/Districts.

Boards cannot verify or certify candidate petitions until the reprogramming of the voter registration system is complete. Whenever an area included in a district is less than a county, the legal description is a political subdivision, such as city, village, township, municipal ward, or precinct and portions thereof. The descriptions are based on boundaries as they existed when the data was collected by Ohio University. If the board of elections changed precinct boundaries or if there were municipal ward boundary changes or annexations in the past year, the board needs to consider that the new assignments were made based on previous data. For example, if the board combined Precinct A and C into a new Precinct A, and Precinct A is listed in the legal description, then it is referring to the old Precinct A portion of the new Precinct A.

II. 2022 PRIMARY ELECTION DEADLINES

Pursuant to H.B. 93, the 2022 primary election filing deadline was **February 2, 2022** for all candidates *other* than those for U.S. House.

H.B. 93 also permits the Secretary of State to adjust deadlines pertaining to the administration of the May 3, 2022 primary election *except* for the following:³

- The deadline to file a declaration of candidacy, declaration of candidacy and petition, or declaration of intent to be a write-in candidate;
- The deadline to certify a ballot issue or question to the election officials or to file a petition with the election officials to place a question or issue on the ballot at the May 3, 2022 primary election or a special election on that date;
- The UOCAVA deadline Unless the Secretary of State obtains a waiver pursuant to 52 U.S.C. 20302(g) for the May 3, 2022 primary election; and
- Any deadline that, under Ohio law, falls on or after April 3, 2022.

The Secretary submitted a UOCAVA waiver request to the Department of Defense and Federal Voting Assistance Program. We will keep you informed on the outcome of that request.

Therefore, the certification and protest deadline for candidates to the offices of Ohio House of Representatives (“Ohio House”), Ohio Senate, and state central committee of a political party shall be as follows:

² See Letter from Senate President Matt Huffman and House Speaker Bob Cupp to Secretary LaRose, February 24, 2022.

³ Section 4(C) of H.B. 93.

- **Monday, March 14, 2022** – Most populous county board of elections or board of elections must certify the validity and sufficiency of partisan candidate petitions and provide the names of the certified candidates to the less populous county board(s) of elections in the district, subject to any filers changing districts and completing their move by March 26, 2022. Boards cannot verify or certify candidate petitions until the reprogramming of the voter registration system is complete.
- **Thursday, March 17, 2022** – Protests against partisan candidates for Ohio House, Ohio Senate, and state central committee of a political party (including write-in candidates) must be filed with the most populous county board of elections by 4:00 p.m.

Each board must be open to the public on Saturday, March 26, 2022, and must notify my Office no later than 4:00 p.m. on March 26, 2022 if a candidate for General Assembly, as of that date, has not become a resident of the district the filer seeks to represent, filed an addendum, and updated their voter registration record to reflect their new residency. My Office will issue a form of the ballot directive as soon as possible. Pending the outcome of the ongoing litigation mentioned above, the Secretary may establish or amend other deadlines and dates related to the administration of the May 3, 2022 primary election.

III. OHIO HOUSE AND SENATE CANDIDATES

A. DECLARATION OF CANDIDACY, PETITION, NOMINATING PETITION, OR DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

i. REQUIREMENTS FOR FILING VALIDITY AND IDENTIFYING DISTRICTS

For candidates for Ohio House and Ohio Senate, boards are prohibited from invalidating a declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate on the basis that it does not include the number of the district the filer seeks to represent or includes an incorrect district number.⁴ The appropriate document filed by the candidate shall be deemed to include the correct number of the applicable House or Senate district in which the filer (i.e. the candidate filing to run) for Ohio House or Ohio Senate currently resides.⁵

On February 24, 2022, in conjunction with the Ohio Redistricting Commission's adoption of the new General Assembly district plan on February 24, 2022, the Commission approved a motion that I made to authorize me to issue to the boards of election directives by which House and Senate candidates who have filed to run shall comply with Article XI, Section 9(C), if any candidates wish to do so.

This statement made it clear that I have the responsibility to reasonably interpret the law to administer an election under such unprecedented time constraints. In the alternative, Section 9(C) of Article XI of the Ohio Constitution provides that when the Ohio Redistricting Committee adopts a new district plan pursuant to an order of the Ohio Supreme Court, as is currently the case, a candidate is allowed up to 30 days to change their residence to be eligible for election in a district in which the candidate may not currently reside. As such, boards are prohibited from invalidating a declaration of

⁴ Section 4(B) of H.B. 93.

⁵ Section 4(B) of H.B. 93.

candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate filed by a person seeking nomination for Ohio House or Ohio Senate on the basis that it contains the filer's former residence address that is *not* located in the district the filer seeks to represent.

Section 4(C) of H.B. 93 implements the broad constitutional provision in Article XI, Section 9(C) by requiring any such candidate to:

- (1) Become a resident of the district the filer seeks to represent;
- (2) File an addendum to the declaration of candidacy declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate with the board of elections that indicates the filer's new address; and
- (3) Update their voter registration record to reflect their new residency.

The Redistricting Commission adopted the present General Assembly district plan on February 24, 2022. Thus, the 30-day period provided for by Article XI, Section 9(C) ends on March 26, 2022. The constitutional provision simply says that the new district plan "shall allow thirty days for persons to change residence in order to be eligible for election." Thus, Section 9(C)'s irreducible minimum is that any such candidate must be given 30 days to change their residence to run in another district.

While Section 4(C) of H.B. 93 attempts to implement Article XI, Section 9(C) by stating the three requirements that a candidate must undertake to qualify under Section 9(C) to run in another district, I am interpreting Section 4(C) of H.B. 93 to mean that as long as we allow any such candidate the constitutionally required 30 days to change their residence, which we are, the constitutional requirement is satisfied.

Thus, the requirement in Section 4(C)(1)(b) of filing the addendum indicating an intention to run in another district can be done as the first step in the process, not the second step. Once a candidate files the addendum with the board stating their intention to be a candidate in another district, the candidate may later perfect their residency in the new district and change their voter registration to the new district within the remainder of the 30-day period.

Thus, I am instructing all boards of election with which an Ohio House or Ohio Senate candidate filed petitions to immediately:

- (1) Contact all such candidates by phone and/or email, inform them of this constitutional provision, and inquire of each of them whether they intend to change their residence to run in another district and confirm such contact with any candidate by **March 1, 2022**.
- (2) Ask all such House and Senate candidates who may wish to change their residence to run in another district to file the addendum contemplated by Section 4(C)(1)(b) of H.B. 93 with the board no later than **4:00 p.m. on March 10, 2022**.
- (3) Provide all such House and Senate candidates with the attached template of the addendum contemplated by Section 4(C)(1)(b) of H.B. 93. The attached addendum template includes not only a space for the filer's new residence address, but in lieu of an actual new residence address, the template alternatively includes space in which the filer may simply state an indication of the filer's intent to change their residence to a new district the filer seeks to represent.

- (4) If a candidate files the addendum with the board, then on whatever date a candidate files the addendum with the board, whether that addendum lists a new residence address or simply states the filer's intention to change their residence to a new district the filer seeks to represent, the board shall immediately begin to verify the signatures on the filer's petition under this section based on either the filer's new residence address or the new district the filer has indicated they now seek to represent.
- (5) If a candidate who has filed with the board has not filed the addendum with the board by **4:00 p.m. on March 10, 2022**, the board shall begin to verify the signatures on the filer's petition under this section based on the filer's residence address as stated in their declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate.
- (6) Notify my Office no later than **4:00 p.m. on March 26, 2022** if a candidate for General Assembly, as of that date, has not become a resident of the district the filer seeks to represent, filed an addendum, and updated their voter registration record to reflect their new residency.

However, even if a candidate files the addendum with a board of elections, the board must invalidate an Ohio House or Ohio Senate declaration of candidacy declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate if the filer does not take all three actions required in Section 4(C) of H.B. 93 on or before **March 26, 2022**.

ii. REQUIREMENTS FOR SIGNATURE VALIDITY

Boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for Ohio House or Ohio Senate on the ground that the signer does not reside in the *new* district the filer seeks to represent (i.e., per the plan the Ohio Redistricting Commission adopted on February 24, 2022) so long as:

- (1) The House or Senate district in which the filer resided under the General Assembly district plan adopted by the Ohio Redistricting Commission in September 2021 had territory in the county in which the signer resides; and
- (2) The *new* House or Senate district the filer seeks to represent has territory in the county in which the signer resides.⁶

Attached with this Directive is a list of counties within each district under the General Assembly district plan adopted by the Ohio Redistricting Commission in September 2021 and a list of counties within each district under the General Assembly district plan adopted by the Ohio Redistricting Commission on February 24, 2022.

Moreover, boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for Ohio House or Ohio Senate on the ground that the signature was signed before a district plan for Ohio House of Representatives was adopted or enacted or took effect, provided that a signature on a nominating petition is not valid if it is dated more than one year before the date the nominating petition is filed.⁷

⁶ Section 4(D)(2)-(3) of H.B. 93.

⁷ Section 4(F) of H.B. 93.

IV. CANDIDATE FOR STATE CENTRAL COMMITTEE OF A POLITICAL PARTY

A. DECLARATION OF CANDIDACY, PETITION, NOMINATING PETITION, OR DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

i. REQUIREMENTS FOR FILING VALIDITY AND IDENTIFYING DISTRICTS

Boards are prohibited from invalidating a declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate filed by a person seeking nomination for the state central committee of a political party on the basis that it does not include the number of the district the filer seeks to represent or that it includes an incorrect district number. If the filer seeks nomination for the office of the state central committee of a political party, the document shall be deemed to include the number of the applicable district in which the filer resides.⁸

ii. REQUIREMENTS FOR SIGNATURE VALIDITY

Boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for the office of state central committee of a political party on the ground that the signature was signed before a district plan of the applicable type was adopted or enacted or took effect, provided that a signature on a nominating petition is not valid if it is dated more than one year before the date the nominating petition is filed.⁹

a. SENATE DISTRICTS

If the state central committee of a political party representation is based on Senate districts, boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for the office of state central committee of a political party on the ground that the signer does not reside in the district the filer seeks to represent so long as the filer seeks nomination for the office of member of the state central committee of a political party to represent a Senate district and:

(1) The Senate district in which the filer resided under the General Assembly district plan adopted by the Ohio Redistricting Commission in September 2021 had territory in the county in which the signer resides; **and**

(2) The *new* Senate district the filer seeks to represent has territory in the county in which the signer resides.¹⁰

⁸ Section 4(B) of H.B. 93.

⁹ Section 4(F) of H.B. 93.

¹⁰ Section 4(D)(5) of H.B. 93.

V. TRANSFER OF DECLARATION OF CANDIDACY, DECLARATION OF CANDIDACY AND PETITION, NOMINATING PETITION, OR DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

Please review [Directive 2022-03](#) and the following instruction set forth below.

A. GENERAL ASSEMBLY AND STATE CENTRAL COMMITTEE PETITIONS

As you know, the filing deadline for General Assembly declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate was February 2, 2022 with the most populous county board of elections pursuant to the January 22, 2022 Ohio Redistricting Commission maps. The Ohio Supreme Court invalidated those maps on February 7, 2022. The Ohio Redistricting Commission passed new Ohio House and Senate maps on February 24, 2022. As such, the most populous county may have changed. If a candidate *properly* filed their declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate properly in the most populous county board of elections under the January 22, 2022 map by February 2, 2022, then the board of elections is required to promptly transfer that declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate to the new most populous county board of elections pursuant to Section 4(E) of H.B. 93.

B. U.S. HOUSE PETITIONS

Conversely, the Ohio Redistricting Commission has not passed congressional district maps. District maps may not exist prior to the March 4, 2022 filing deadline for congressional candidates. If new congressional district maps do not exist prior to the March 4, 2022 filing deadline and a candidate has not yet filed their petition, those candidates for U.S. House must file in the most populous board of elections pursuant to the district maps set forth in S.B. 258. That list is attached.

If the Ohio Redistricting Commission passes a new congressional district map prior to the March 4, 2022 filing deadline, and a candidate has not yet filed their petition, that candidate should file their petition with the most populous county under the new district map.

However, if a candidate has already properly filed their petition prior to the Ohio Redistricting Commission passing a new map but prior to the filing deadline with the most populous county board of elections pursuant to S.B. 258, and the most populous county board of elections has changed under the new congressional district map, that board of elections must transfer that filing to the new most populous county board of elections pursuant to the new map.

If the Ohio Redistricting Commission does pass a new congressional district map following March 4, 2022, and the most populous county changed, the board of elections that the declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate was filed in must transfer that filing to the new most populous county board of elections pursuant to the new map.

If the General Assembly makes any changes to the election administrative procedures in temporary law, my Office will issue guidance as soon as possible.

Each board of elections director must share this Directive with its legal counsel, the county prosecuting attorney, and voter registration system and voting system vendors as soon as possible. If

you have any questions regarding this Directive, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,

A handwritten signature in blue ink, appearing to read "Frank LaRose", written over the printed name.

Frank LaRose
Ohio Secretary of State



DIRECTIVE 2022-31

March 23, 2022

To: All County Boards of Elections
Board Members, Directors, and Deputy Directors

Re: Revised Form of Ballot for the May 3, 2022 Primary Election

SUMMARY

Last Thursday, our Office issued [Directive 2022-30](#) ("*League of Women Voters of Ohio, et al. v. Ohio Redistricting Commission, et al.* Decision and Additional Instructions"). That Directive prohibited boards of elections from altering or sending ballots until further notice. This step was taken to maintain the state of preparedness that all 88 county boards of elections have worked tirelessly toward for the last three months in anticipation of administering a complete May 3, 2022 Primary Election.

In the wake of the Ohio Supreme Court's decision last week invalidating the February 24, 2022 General Assembly district plan, it is not possible to include the primary contests for the Ohio House, Ohio Senate, and State Central Committee on the May 3, 2022 Primary Election ballot. The Plaintiffs in the federal court case *Gonidakis v. LaRose*¹ filed a motion on Monday asking the court to order the use of the February 24, 2022 district plan for the primary. But the federal court's ultimate decision on that motion has not been made as of the issuance of this Directive or rather in time for boards of elections to finalize ballots for the May 3, 2022 Primary Election. Likewise, the General Assembly has not changed the date of the election. Therefore, offices and candidates for Ohio House, Ohio Senate, or State Central Committee will not appear on the ballot. This is the only currently lawful and reasonable option to continue to move forward toward the May 3, 2022 Primary Election at this unprecedented point in time. This Directive provides a revised form of the ballot without those offices for the May 3, 2022 Primary Election. This Directive supersedes any provisions that may conflict in [Directive 2022-26](#), [Directive 2022-28](#), and [Directive 2022-30](#).

INSTRUCTIONS

I. GENERAL ASSEMBLY DISTRICTS

The Ohio Supreme Court's decision in *League of Women Voters of Ohio et al. v. Ohio Redistricting Commission, et al.* ("*League of Women Voters of Ohio*") invalidated the General Assembly district plan adopted on February 24, 2022. Therefore, the House and Senate shapefiles, legal descriptions, and lists of most populous counties accompanying [Directive 2022-26](#) are invalid. The Court ordered the Ohio Redistricting Commission to adopt a new General Assembly district plan by March 28, 2022. Even if the Commission adopts a new district plan by that

¹ Case No. 2:22-CV-773 (S.D. Ohio 2022).

deadline, the shapefiles, legal descriptions, and lists of most populous counties will not be ready in time to program the new districts and re-certify petitions by the start of absentee voting on April 5, 2022.

II. STATE CENTRAL COMMITTEE DISTRICTS

Ohio's major political parties' state central committee members are elected according to State Senate districts. Due to the invalidation of the February 24, 2022 General Assembly district plan, the districts for State Central Committee are also invalid.

III. CONSEQUENCE FOR CERTIFIED CANDIDATES FOR OHIO HOUSE, OHIO SENATE, AND STATE CENTRAL COMMITTEE

Candidates' petitions for Ohio House, Ohio Senate, or State Central Committee were certified based on the February 24, 2022 General Assembly district plan. Due to the Supreme Court's decision in *League of Women Voters of Ohio*, by operation of law, a board's decision to certify or reject those candidates' petitions for the May 3, 2022 Primary Election is null and void. Board members must acknowledge this on the record at their next board meeting.

IV. REVISED FORM OF BALLOT AND BALLOT PREPARATION

Boards must reprogram their election databases and prepare ballots to be ready by April 5, 2022, without the offices of Ohio House, Ohio Senate, or State Central Committee. If boards' election management systems allows for it, boards must maintain a copy database of the ballot program file that contains the offices and candidates for Ohio House, Ohio Senate, and State Central Committee pursuant to the February 24, 2022 district map.

Please see the accompanying form of the ballot with a revised order of offices for each major political party accompanying this Directive. This revised form of ballot does not include the offices of Ohio House, Ohio Senate, or State Central Committee. This Directive supersedes the forms of the ballot that accompanied [Directive 2022-28](#). Boards are required to notify my Office via Intake@OhioSoS.gov or by calling (614) 728-8789 as soon as their ballots are reprogrammed and finalized but prior to sending any ballots. Once ballots are finalized, my Office will direct boards to issue the ballots to ensure that any impact of ongoing litigation is taken into consideration. In the event that the federal court order alters the ballot outside of this Directive, my Office will issue additional guidance immediately to comply with the court's order.

[R.C. 3505.14](#) requires boards to post printed proofs of the ballot for 24 hours for inspection and correction of any errors on the ballot. Even if a board previously posted proofs of the ballot, the board must post proofs again once the offices of Ohio House, Ohio Senate, or State Central Committee are removed from the ballot. Boards must notify the chairman of the local executive committee of each party or group represented on the ballot by candidates or issues and should proactively encourage both parties to review ballots for accuracy.

V. UNIFORMED SERVICES AND OVERSEAS CITIZENS' ABSENTEE BALLOTS

Substitute Senate Bill 11 of the 134th General Assembly requires Uniformed Services and Overseas Citizens' Absentee ("UOCAVA") ballots to be sent no later than April 5, 2022.² Boards must take prompt action to revise their ballots to meet the April 5, 2022 deadline. Boards must not transmit a UOCAVA ballot with the offices of Ohio House, Ohio Senate, or State Central Committee. Boards must follow all other directions in [Directive 2022-29](#) with respect to UOCAVA voting, with the exception of instructions for "Return of the Ballot" in Section II.B. of that Directive. The United States Postal Service has since clarified that boards should use the following procedure:

- **For uniformed services voters, eligible spouses, and dependents:**
 - For any voter with an **APO/FPO/DPO address**, prepare and provide a USPS label to the voter. If the voter requests to receive their ballot by email, a .pdf of the label must be one of the attachments to the email. The .pdf can be created and downloaded on the USPS "Click-N-Ship" site. When selecting a method for mailing, utilize the quickest, earliest time for Priority Mail. Boards must include "United States of America" when inserting the board's address into the label.
 - For a **domestic mailing address**, do **one** of the following:
 - Set up and use an account with a private carrier to prepare a label containing the board's account number. This prepared label must be provided electronically or by mail, if the ballot is delivered by mail. Boards should use information available on websites or contact the delivery service directly to determine the best and fastest shipping service for the delivery of the ballot to the board of elections. Boards must include "United States of America" when inserting the board's address into the label.
 - Prepare and provide a USPS label to the voter or follow the same instructions provided below for mailing to non-military overseas voters. When utilizing the USPS, if the voter requests to receive their ballot by email, a .pdf of the label must be one of the attachments to the email. The .pdf can be created and downloaded on the USPS "Click-N-Ship" site. When selecting a method for mailing, utilize the quickest, earliest time for Priority Mail Express.
 - For an **overseas mailing address (other than an APO/FPO/DPO address)**, set up and use an account with a private carrier to prepare a label containing the board's account number. This prepared label must be provided electronically or by mail, if the ballot is delivered by mail. Boards should use information available on websites or contact the delivery service directly to determine the best and fastest shipping service for the delivery of the ballot to the board of elections. Boards must include "United States of America" when inserting the board's address into the label.
- **For non-military overseas voters**, set up and use an account with a private carrier to prepare a label containing the board's account number. This prepared label must be

² See [Directive 2022-29](#) and [S.B. 11, Section 5](#).

provided electronically or by mail, if the ballot is delivered by mail. Boards should use information available on websites or contact the delivery service directly to determine the best and fastest shipping service for the delivery of the ballot to the board of elections. Boards must include "United States of America" when inserting the board's address into the label.

VI. NOTICE ON WEBSITE AND VOTER INFORMATION LOOKUP

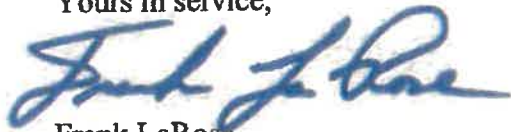
Boards must prominently display notice on their website and specifically in their Voter Information Lookup that states, "On March 16, 2022, the Supreme Court of Ohio invalidated the Ohio General Assembly district plan adopted on February 24, 2022. Therefore, the offices of Ohio House, Ohio Senate and State Central Committee will not appear on the May 3, 2022 Primary Election ballot. Voter district information for Ohio House, Ohio Senate, and State Central Committee will be updated as soon as that information is available."

VII. PROTESTS AGAINST CANDIDATES FOR OHIO HOUSE, OHIO SENATE, AND STATE CENTRAL COMMITTEE

Any protest against a candidate for Ohio House, Ohio Senate, or State Central Committee is moot due to the Court's decision invalidating the February 24, 2022 General Assembly district plan. The most populous county board of elections in the district must promptly notify the protestor and any candidate whose certification was challenged by protest.

If you have any questions regarding this Directive, please contact the Secretary of State's Office at (614) 728-8789.

Yours in service,



Frank LaRose
Ohio Secretary of State



DIRECTIVE 2022-34

May 28, 2022

To: All County Boards of Elections
Board Members, Directors, and Deputy Directors

Re: Instructions for the August 2, 2022 Primary Election

SUMMARY

On May 27, 2022, a three-judge federal panel for the Southern District of Ohio (2-1) ordered, "[a]ssuming no map is approved by midnight on Saturday, May 28, we order Secretary of State Frank LaRose to push back Ohio's state primaries to August 2, 2022, and to implement Map 3 for this year's elections *only*."¹ The Ohio Redistricting Commission's rules require at least 24 hours public notice prior to holding a meeting and no such notice has been provided to the public. Therefore, boards of elections are required to implement the General Assembly district plan that was adopted by the Ohio Redistricting Commission on February 24, 2022, and to conduct a primary election for the offices of State Representative, State Senator, and Member of State Central Committee on August 2, 2022.

INSTRUCTIONS

PART ONE: FEDERAL COURT ORDER AND AUGUST 2, 2022 PRIMARY ELECTION

I. AUGUST 2, 2022 PRIMARY ELECTION

The federal court order requires the Secretary of State's Office to conduct a primary election on August 2, 2022 for the offices of State Representative, State Senator, and Member of State Central Committee. In addition, boards may conduct a Special Election on August 2, 2022 for local questions and issues that were filed by May 4, 2022 (90 days before Election Day).² If a local option petition was filed by May 4, 2022, the local option question(s) may be placed on the August 2, 2022 primary election ballot.³ The board must contact the local option petitioner and confirm in writing whether the petitioner intends for the question to appear on the ballot in the primary election or general election.

II. STATE HOUSE AND SENATE DISTRICT MAPS

The State House and Senate district shape files, equivalency files, legal descriptions, and most populous county lists for the Third District Map (adopted on February 24, 2022) are linked on the Secretary of State's [website](#) under the heading for this Directive. Based on information collected from the boards, it is our understanding that 86 of the 88 counties have the Third District

¹ *Gonidakis, et al., v. LaRose, et al.*, Case No. 2:22-cv-0773 (S.D. Ohio May 27, 2022).

² R.C. 3501.01(D).

³ R.C. 4301.33(B), 4301.331(B), 4301.332(B), 4301.333(A), 4301.334(A), and 4301.356.

Map programmed into their systems. If a board's voter registration system and central tabulating system are not programmed to reflect the Third District Map, the board must immediately begin working with its vendor(s) to reprogram its systems and complete reprogramming as soon as possible, but no later than Tuesday, June 7, 2022.

III. PRECINCT BOUNDARY CHANGES

Boards of elections that had members of county central committee on the ballot could not change the number of precincts or precinct boundaries between January 1, 2022, and the May 3, 2022 Primary Election.⁴ Boards of elections are not required to re-precinct in response to redistricting. However, new Ohio House and Senate districts may increase the number of split precincts in the county, and boards may choose to realign precinct boundaries to reduce splits. Boards may combine precincts within their jurisdiction. However, boards should note the following:⁵

- Changes in precinct boundaries must not occur during the 25 days immediately preceding a primary or general election.
- A precinct cannot contain more than 1,400 electors in active status.

IV. CERTIFICATION OF CANDIDATE PETITIONS AND PROTESTS

The federal court order did not alter the partisan candidate filing deadlines for the primary election. The filing deadline for candidates for State Representative, State Senator, or Member of State Central Committee to file a declaration of candidacy was 4:00 p.m. on February 2, 2022.⁶ Write-in candidates for the primary election were required to file their declaration of intent to be a write-in candidate by February 22, 2022.⁷ If a declaration of candidacy or declaration of intent to be a write-in candidate was filed after those filing deadlines, the board must reject the candidacy.⁸

If a board **did not** receive a Form 2-ZA addendum by March 10, 2022 indicating that a candidate for State Representative or State Senator intended to change their residence to a new district, the board must meet by Friday, **June 3, 2022**, to re-certify or reject declarations of candidacy filed by the February 2, 2022 deadline for State Representative, State Senator, and Member of State Central Committee based on the Third District Map. If the board **did** receive a Form 2-ZA by March 10, 2022, indicating a State Representative or State Senator candidate's intent to change districts, the board must wait to re-certify or reject declarations of candidacy until Wednesday, **June 8, 2022**. If a candidate for State Representative, State Senator, or Member of State Central Committee withdraws their candidacy before the board meets, the board must not recertify that candidate to appear on the ballot.

Directive 2022-26 established a protest deadline of March 17, 2022; however, the Supreme Court of Ohio issued its decision regarding the Third District Map the day before that deadline.⁹

⁴ R.C. 3501.18(A).

⁵ R.C. 3501.18.

⁶ R.C. 3513.05.

⁷ R.C. 3513.041.

⁸ Note that R.C. 3513.10 prohibits returning a filing fee to a candidate.

⁹ See *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, 2022-Ohio-789.

Therefore, protests may be filed against candidates for the primary election no later than 4:00 p.m. on Monday, **June 6, 2022** for certifications done by Friday, **June 3, 2022** and by 4:00 p.m. on Thursday, **June 9, 2022** for certifications done by Wednesday, **June 8, 2022**. Protest hearings must be held, and protests decided no later than Friday, **June 10, 2022**.

V. OHIO CONSTITUTION ARTICLE XI, SECTION 9(C)

Pursuant to Article XI, Section 9(C), “Notwithstanding any provision of this constitution or any law regarding the residence of senators and representatives, a general assembly district plan made pursuant to this section shall allow thirty days for persons to change residence in order to be eligible for election.” On February 24, 2022, the Ohio Redistricting Commission adopted the Third District Map. Thirty days following February 24, 2022 was March 26, 2022. However, the Ohio Supreme Court decision in *League of Women Voters*,¹⁰ issued on March 16, 2022, effectively paused the implementation of the Third District Map for the May 3, 2022 Primary Election. As such, there are ten remaining days for candidates for State Representative or State Senator to change residence in order to be eligible for the August 2, 2022 Primary Election. Candidates for State Representative and State Senator may establish residency in a new district no later than **June 7, 2022** (ten days following the implementation of the May 27, 2022 federal court order).

Pursuant to Directive 2022-26, candidates for State Representative or State Senator were required to file a Form 2-ZA addendum to their petitions by March 10, 2022. The most populous board of elections where the Form 2-ZA addendum was filed by March 10, 2022, was required to transfer the petition to the most populous county board of elections for the district that the candidate seeks to represent. The most populous county’s board of elections for the candidate’s new district must confirm that the candidate filed an addendum, became a resident of the district the candidate seeks to represent, and updated their voter registration to reflect their new residence within the district no later than Tuesday, **June 7, 2022**. Boards that received Form 2-ZA from a former most-populous county board of elections must contact any filer informing them of the Tuesday, **June 7, 2022** deadline no later than 4:00 p.m. on Tuesday, **May 31, 2022**, but as soon as practicable. A board of elections may not accept a Form 2-ZA addendum filed after March 10, 2022.

VI. CANDIDATE WITHDRAWALS

Once filed, a candidate petition cannot be withdrawn or amended.¹¹ However, a candidate may withdraw their candidacy at any time before the primary by filing a written statement of withdrawal with the most populous county board of elections for the district.¹² The federal court order was issued less than 70 days before Election Day. As a result, the deadline to withdraw and not appear on the ballot is Monday, **June 13, 2022**. If a candidate withdraws after that date, the board cannot remove the name of the withdrawn candidate from the ballot. The board of elections must post a notice at each polling place on the day of the election, and enclose with each absentee ballot, a notice that votes for the withdrawn candidate will be void and will not be counted.¹³

¹⁰ *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, 2022-Ohio-789.

¹¹ R.C. 3501.38(D).

¹² R.C. 3513.30(B) and (D).

¹³ R.C. 3513.30(E).

Boards must inform candidates certified to the primary election ballot that Monday **June 13, 2022**, is the deadline to withdraw and be removed from the ballot.

VII. INDEPENDENT CANDIDATES FOR OHIO HOUSE AND SENATE FOR THE NOVEMBER 8, 2022 GENERAL ELECTION

According to [R.C. 3513.257](#), nominating petitions to run as an independent candidate must be filed by 4:00 p.m. on the day before the day of the primary election immediately preceding the general election at which the candidacy is to be voted on. Due to the August 2, 2022 date for the General Assembly's primary election, the independent candidate filing deadline for candidates for State Representative or State Senator is 4:00 p.m. on Monday, **August 1, 2022**. Boards of elections must certify the validity and sufficiency of independent candidates' nominating petitions for State Representative or State Senator no later than Monday, **August 22, 2022**, and protests against the candidates' nominating petitions must be filed no later than Friday, **August 26, 2022**.

VIII. CAMPAIGN FINANCE DEADLINES

Campaign committees for candidates on the August 2, 2022 Primary Election ballot, and non-candidate committees that attempt to influence the August 2, 2022 Primary Election, are required to file a Pre-Primary Report on Thursday, **July 21, 2022** (12 days before the August 2, 2022 Primary Election) to reflect activity through Wednesday, **July 13, 2022** (20 days before the August 2, 2022 Primary Election), if the committee raised or spent \$1,000 or more to influence the August 2, 2022 Primary Election by the close of business on Wednesday, **July 13, 2022**.

Campaign committees for candidates on the August 2, 2022 Primary Election ballot, and non-candidate committees that attempt to influence the August 2, 2022 Primary Election are required to file a Post-Primary Report on Friday, **September 9, 2022** (38 days after the August 2, 2022 Primary Election) to reflect activity through Friday, **September 2, 2022** (31 days after the August 2, 2022 Primary Election). Contribution limits for General Assembly candidates did not reset after the May 3, 2022 election.¹⁴ However, the contribution limits for General Assembly candidates will reset after the August 2, 2022 election.

IX. POLLING LOCATIONS AND PRECINCT ELECTION OFFICIALS

Boards of elections must contact all polling locations to ensure availability for the August 2, 2022 Primary Election. Boards that employ outside organizations/companies for delivery of voting equipment and supplies must confirm availability and establish a delivery schedule.

Any board that changes polling locations for the August 2, 2022 Primary Election must mail notice to registered voters in the precinct(s)¹⁵ and do all of the following:

- (1) Issue a press release to local media containing information regarding the new polling location(s);
- (2) Post a notice in a clear and conspicuous place at the previous polling location that redirects voters to the new polling location;
- (3) Update the polling location on the board of election's website;

¹⁴ [R.C. 3517.102\(A\)](#).

¹⁵ [R.C. 3501.21](#).

- (4) Update the board of election's voter registration system with the new polling location;
- (5) Provide the updated precinct and polling location packet to the Secretary of State's Office immediately. Once the packet is sent, email the updated list to SWVRD@OhioSOS.gov;
- (6) Update the board of election's election management system, if possible; and
- (7) Update the board of election's electronic pollbook, if possible.

All new polling locations must comply with the Americans with Disabilities Act ("ADA").

In any election, a board of elections, by a vote of at least three members of the board, may opt to have a single voting location serve more than one precinct.¹⁶ If a multi-precinct voting location uses electronic pollbooks, the board may reduce the number of precinct election officials from four per precinct to two, so long as the board approves the reduction by the affirmative vote of at least three of its member.¹⁷

Each new precinct election official must be trained in-person on the county's voting equipment before participating in the person's first election as a precinct election official, and programs of instruction must be scheduled within 60 days before the election.¹⁸ Precinct election officials, other than voting location managers, who have been previously trained, need only receive instruction once every three years, when the county changes voting equipment, or when the board or Secretary of State considers the instruction necessary.¹⁹ For this election, boards are not required to retrain precinct election officials who received training within the past three years, so long as the county has not changed voting equipment. However, voting location managers must receive training before the August 2, 2022 Primary Election if they were not trained before the May 3, 2022 Primary Election.²⁰

X. SECURITY OF VOTING EQUIPMENT

Each board must review the security requirements outlined in [Chapters 3 and 6](#) of the Election Official Manual. During precinct election official training, boards must provide instructions to precinct election officials on the importance of maintaining the security of voting equipment and electronic pollbooks, verifying that all voting equipment is properly sealed, and recording information per the board's instructions on the custody log.

Boards of elections must use a Chain of Custody Log ([Form 400](#) or a local equivalent) to document the exchange of custody of voting equipment, election supplies, and/or ballots. Boards of elections must train precinct election officials on inspection of tamper-evident seals to ensure precinct election officials know how to inspect the physical security of the voting equipment at their location.

¹⁶ [R.C. 3501.22\(A\)\(2\)](#).

¹⁷ [R.C. 3501.22\(A\)\(2\)\(c\)](#).

¹⁸ [R.C. 3501.27\(B\)](#).

¹⁹ [Chapter 6](#), page 184 of the Election Official Manual.

²⁰ [R.C. 3501.27\(B\)](#).

PART TWO: FORM OF THE BALLOT

I. BALLOT LAYOUT

Instead of issuing a separate Directive with specific details covering ballot layout and proofing, the Secretary of State's Office is issuing this portion of the Directive, which must be used in conjunction with [Chapter 5 of the Election Official Manual](#) when preparing ballots for this election.

A. VERIFYING DISTRICT RELATIONSHIPS

Before programming any aspect of the central tabulating system for the August 2, 2022 Primary Election, boards of elections must verify the accuracy of district relationships in the central tabulating system against the county's voter registration system.²¹ This is to ensure that each voter receives the correct ballot style (*i.e.*, the correct combination of candidate offices and issues) based upon that voter's residential address.

B. OFFICIAL BALLOT FORMS

Each board of elections is to provide a separate ballot for each political party listing candidates for nomination or election in a primary election.²² Accordingly, the following ballot forms are posted to the Secretary of State's [website](#) under the heading for this Directive:

- Official Democratic Primary Ballot;
- Official Republican Primary Ballot; and
- Official Questions and Issues Ballot.

The names of all candidates, who have not withdrawn (*see* Part One, Section VI of this Directive), must be arranged, rotated, and printed upon the ballot in accordance with the provisions of Ohio Revised Code Chapters [3505](#), [3506](#), and [3513](#) and [Chapter 5 of the Election Official Manual](#).

C. ORDER OF OFFICES FOR PRIMARY BALLOTS²³

1. The order of offices for **Democratic Party** ballots shall be as follows:

- Member of State Central Committee, Man
- Member of State Central Committee, Woman
- State Senator
- State Representative

2. The order of offices for Republican Party ballots shall be as follows:

- Member of State Central Committee, Man

²¹ Boards must proof and verify the accuracy of all districts including, but not limited to, Ohio House, Ohio Senate, and State Central Committee districts.

²² [R.C. 3513.13](#).

²³ [R.C. 3513.13](#).

- Member of State Central Committee, Woman
- State Senator
- State Representative

D. BLANK SPACES FOR WRITE-IN VOTES

A write-in space must be provided on the ballot for every office for which the board of elections received a valid declaration of intent to be a write-in candidate.²⁴ However, the board may not accept declarations of intent to be a write-in candidate for state central committee.²⁵ If no valid declarations of candidacy were filed for state central committee, the office does not appear on the ballot.²⁶

E. OFFICIAL QUESTIONS AND ISSUES BALLOT²⁷

Offices for which candidates may be nominated or elected are presented on the ballot first, followed by the questions and issues. The Official Questions and Issues Ballot must be used for all voting systems. The ballot form also contains examples of some of the local questions and issues that may appear on the ballot in your county. Not every category or type of question/issue will appear on every ballot in every county.

Additional instructions on headings, ballot language, and percentage of votes can be found in [Chapter 5 of the Election Official Manual](#). For questions and issues that were filed in time for the August 2, 2022 Special Election, the questions and issues must be grouped together in the following political subdivision order:

- School and Other Districts
- County
- Municipal
- Township

Each board of elections may determine the specific order in which the questions/issues within each group are placed on the ballot in that county, however, a board should adopt a method for doing so (i.e., ordered alphabetically or by date filed, etc.). Absentee ballots must contain identical ordering of issues within groups to regular ballots.

Boards must review the appropriate sections of the Ohio Revised Code, local charter (if applicable), and the [Questions and Issues Handbook](#) for ballot language and formats that are not on the Official Questions and Issues Ballot.

II. BOARD WEBSITES AND FEDERAL WRITE-IN ABSENTEE VOTERS ("FWAB") NOTICE

Boards of elections must remove from their website and Voter Information Lookup the Special Notice prescribed in [Directive 2022-31](#). Boards must also remove the following disclaimer

²⁴ [R.C. 3513.041](#) and [R.C. 3513.14](#).

²⁵ See [1970 Ohio Atty. Gen. Ops. No. 70-011](#).

²⁶ [R.C. 3513.14](#).

²⁷ [R.C. 3505.06](#).

from their FWAB notice: “The content of this notice may change if a court order or legislative act requires a primary election for the General Assembly and State Central Committee in August.”

III. ABSENTEE BALLOTS AND APPLICATIONS

Boards of elections must send a copy of each absentee ballot style (including candidates and questions and issues) to the Secretary of State’s Office at least 47 days before the election, by Thursday, **June 16, 2022**. Absentee ballots must be uploaded to the SharePoint site.²⁸

Voters may request a ballot for either major political party or an issues-only ballot, if applicable, regardless of their participation in the May 3, 2022 Primary Election. An absentee ballot application must identify the election for which absent voter's ballots are requested.²⁹ However, an absentee ballot application that is marked for the primary election must not be rejected due to an error in the date of the election, so long as it is otherwise clear that the voter is requesting a ballot for the August 2, 2022 Primary Election.

The voter registration deadline is Tuesday, **July 5, 2022**. Each board of elections must have absentee ballots printed and ready for use by Friday, **June 17, 2022** (46 days before the August 2, 2022 Primary Election) for Uniformed and Overseas Citizens Absentee Voting Act (“UOCAVA”) voters.³⁰ Absentee voting, by mail and in-person for non-UOCAVA voters, begins on Wednesday, **July 6, 2022** for regular (non-UOCAVA) absentee voters.³¹ Boards must conduct in-person early voting according to the days and hours set forth in [Chapter 7 of the Election Official Manual](#) (page 201) for a primary election.

PART THREE – BALLOTS

I. ABSENTEE BALLOT OUTSOURCING

[Chapter 7 of the Election Official Manual](#) requires a board of elections that seeks to outsource the printing and mailing of absentee ballots to vendors or any third party to receive prior written authorization from the Director of Elections. A board that received written authorization to outsource absentee ballot mailings for the May 3, 2022 Primary Election need only submit an application that includes updates to its last application, including a copy of the new contract with the vendor and confirmation of the county prosecutor’s review.

To outsource absentee ballot processing for the August 2, 2022 election, a board must in a public meeting vote to outsource the printing and mailing of absentee ballots by Tuesday, **June 7, 2022**. Boards must submit a copy of the contract for the August 2, 2022 election to our Office by Tuesday, **June 14, 2022** via email at Results@OhioSoS.gov, along with any updates to their processes and plans from their May 3, 2022 Primary Election application.

II. TESTING OF ABSENTEE AND ELECTION DAY BALLOTS

In addition to the logic and accuracy testing requirements outlined in [Chapter 5 of the Election Official Manual](#), all ballots produced and used by the board must be tested to ensure that

²⁸ [Chapter 5, Section 5.04](#) of the Election Official Manual.

²⁹ [R.C. 3509.03](#).

³⁰ [R.C. 3511.04](#).

³¹ [R.C. 3509.01](#).

the ballots interact properly with the voting system and electronic pollbooks. The board of elections must test absentee ballots printed at the board of elections or from a printing vendor. The board must also test ballots produced for Election Day to ensure the correct information is displayed in any barcodes produced on the stubs. For boards that produce a unique barcode containing ballot style information and a consecutive number on the ballot stub, a sampling of each precinct's ballots must be tested for accuracy. Pre-printed paper ballots used by precincts on Election Day must also be scanned in the precinct-based and central count scanner to ensure ballots properly scan and tabulate.

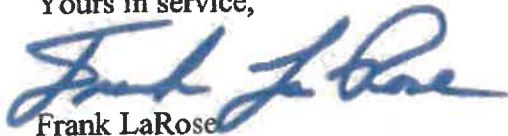
PART FOUR: PRE-PAYMENT AND CHARGE-BACKS FOR LOCAL ISSUES

The entire cost of special elections held on a day other than the day of a primary or general election, both in odd- and even-numbered years, is charged to the political subdivision that places an issue on the ballot. However, the August 2, 2022 Special Election will be held on the same date as a statewide primary election. Therefore, a political subdivision submitting the special election may be charged only for the cost of ballots and advertising. The State will be responsible for the remainder of the cost of the election.³² Our Office will inform boards as soon as possible of any additional funding that the General Assembly makes available to conduct the August 2, 2022 Special Election. Our Office is actively engaged with legislative leaders to facilitate this necessary funding.

Prior to the federal court's order to conduct an August 2, 2022 Primary Election, political subdivisions submitting a question or issue for placement on the ballot were required to prepay 65 percent of the estimated cost of the election. Not later than Monday, **October 1, 2022**, the board must provide the true and accurate cost of ballots and advertising to each political subdivision that submitted a question or issue for placement on the ballot. Presuming the political subdivision prepaid more than the actual cost of ballots and advertising for the special election, the board of elections must promptly notify the board of county commissioners of that difference. The county commissioners then must remit the amount of the overpayment from the county elections revenue fund to the political subdivision within 30 days after receiving that notification.³³

Each board of elections director must share this Directive with its legal counsel, the county prosecuting attorney, and its voter registration system and voting equipment vendors as soon as possible. If you have any questions regarding this Directive, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,



Frank LaRose
Ohio Secretary of State

³² R.C. 3501.17(D).

³³ R.C. 3501.17(J)(2) and (3).

Candidate Withdrawal Acknowledgment

<u>Office</u>	<u>Name</u>	<u>Party</u>
OH Senate – District 23	Jeff Johnson	Democratic

VOTE



CUYAHOGA COUNTY BOARD OF ELECTIONS

Date:

June 7, 2022

I,

Jeffrey "Jeff" Johnson withdraw my candidacy for

(check one):



August 2, 2022 Primary Election



November 8, 2022 General Election



Other: _____

Party (if applicable):

Democrat

Office:

STATE SENATE - 23rd Dist.

Term date (if applicable): _____

Signature:

Jeff Johnson

Printed Name:

JEFF JOHNSON

Street Address:

9024 PARKGATE AVE.

City / Zip Code:

Cleveland 44108

Phone:

(216) 536-3233

Email:

JeffJohnson1052@gmail.com

JUN 8 '22 4:11:31
JUN 7 '22 4:11:28

Post-Election Audit Summary

May 3, 2022 Primary Election

DEM - Governor

REP – US Senate

DEM – County Executive

There were 163,961 total ballots cast in the May 3, 2022 Primary Election. A hand count was conducted of 4,277 ballots cast in the audited contests. The accuracy rate for the post-election audit is 100%.

Beginning on June 7, 2022 we conducted three Risk-Limiting Post-Election Audits for the May 3, 2022 Primary Election. Audited race and batch details are provided below:

RACE	TOTAL BALLOTS CAST	UNIQUE BATCHES AUDITED	TOTAL BALLOTS AUDITED	NUMBER OF PRECINCTS IN CONTEST
DEM - Governor	95,669	9	611	975
REP – US Senate	66,366	29	2,733	975
DEM – County Executive	95,472	11	933	975
Total		49	4,277	

Our Risk-Limiting Audits were based upon the Kaplan-Markov method as explained by Philip B. Stark and Mark Lindeman. Auditing best practices recommend we split up the total ballots cast by precinct into multiple batch types. We utilized six batch types each consisting of one single ballot type category: Vote-by-Mail, Election Day, Early In-Person, Provisional, Post Vote-by-Mail, and Post Election Day.

A master spreadsheet was created for each contest with statistical formulas to determine the number of batches that must be audited in order to reach a 90% confidence level. This confidence level means the audit has at least a 90% probability of leading to a full recount if the apparent outcome is incorrect.

We used a “Probability Proportional to Error Bound with Replacement” selection method. We assigned numbers ranging from 00000 through 99999 for each batch within each contest. Unique ranges of numbers were allocated to specific batches based upon their error bound - i.e. the greater the possibility of a miscount within a batch, the more numbers assigned, and the more likely it is to be selected. For example, if a single batch has a high probability of a miscount, multiple numbers would be assigned to that single batch, making the random selection of that batch more likely during the audit. Each of those individual numbers might be randomly selected and included in the overall batch audit requirement, but the single batch to which those numbers are assigned would need to be audited only once. To obtain the precinct batch number we rolled differently colored dice numbered 0 - 9, each one of the colored dice representing one digit of the batch number.

DEM - Governor

PRECINCT NAME	NUMBER OF TIMES SELECTED	SELECTED BATCH TYPE	OFFICIAL BALLOTS CAST	AUDIT HAND COUNT	DIFFERENCE
GARFIELD HEIGHTS -01-C	1	Vote-by-Mail	37	37	0
CLEVELAND -01-R	1	Election Day	74	74	0
CLEVELAND -11-H	1	Election Day	50	50	0
LAKEWOOD -02-E	1	Election Day	159	159	0
LYNDHURST -04-B	1	Election Day	71	71	0
NORTH OLMSTED -01-E	1	Election Day	133	133	0
PARMA -03-A	1	Election Day	52	52	0
PARMA -06-B	1	Election Day	33	33	0
GARFIELD HEIGHTS -01-C	1	Post ED	2	2	0
Total	9		611	611	0

REP – US Senate

PRECINCT NAME	NUMBER OF TIMES SELECTED	SELECTED BATCH TYPE	OFFICIAL BALLOTS CAST	AUDIT HAND COUNT	DIFFERENCE
MAPLE HEIGHTS -02-B	1	Vote-by-Mail	4	4	0
BAY VILLAGE -03-A	1	Election Day	153	153	0
BEDFORD HEIGHTS -04-B	1	Election Day	20	20	0
BEREA -04-B	1	Election Day	85	85	0
BROADVIEW HEIGHTS -03-A	1	Election Day	139	139	0
CLEVELAND -06-C	1	Election Day	12	12	0
CLEVELAND -13-L	1	Election Day	39	39	0
CLEVELAND -17-J	1	Election Day	114	114	0
CLEVELAND -17-N	1	Election Day	87	87	0
CLEVELAND HEIGHTS -03-C	1	Election Day	17	17	0
FAIRVIEW PARK -03-C	1	Election Day	110	110	0
HUNTING VALLEY -00-A	1	Election Day	98	98	0
LAKEWOOD -02-A	1	Election Day	71	71	0
NORTH ROYALTON -01-C	1	Election Day	150	150	0
NORTH ROYALTON -06-A	1	Election Day	119	119	0
OLMSTED TOWNSHIP -00-G	1	Election Day	167	167	0
PARMA -02-D	1	Election Day	87	87	0
PARMA -07-A	1	Election Day	137	137	0
PARMA -09-D	1	Election Day	83	83	0
PEPPER PIKE -00-C	1	Election Day	91	91	0
ROCKY RIVER -01-C	1	Election Day	102	102	0
ROCKY RIVER -02-B	1	Election Day	139	139	0
SHAKER HEIGHTS -00-Q	1	Election Day	53	53	0

SOLON -07-B	1	Election Day	101	101	0
SOUTH EUCLID -03-C	1	Election Day	33	33	0
STRONGSVILLE -01-D	1	Election Day	185	185	0
STRONGSVILLE -01-G	1	Election Day	138	138	0
WESTLAKE -04-A	1	Election Day	109	109	0
WESTLAKE -05-B	1	Election Day	90	90	0
Total	29		2733	2733	0

DEM – County Executive

PRECINCT NAME	NUMBER OF TIMES SELECTED	SELECTED BATCH TYPE	OFFICIAL BALLOTS CAST	AUDIT HAND COUNT	DIFFERENCE
CLEVELAND -01-F	1	Election Day	93	93	0
CLEVELAND -04-J	1	Election Day	45	45	0
CLEVELAND -12-P	1	Election Day	83	83	0
CLEVELAND -14-F	1	Election Day	25	25	0
CLEVELAND HEIGHTS -02-B	1	Election Day	273	273	0
CLEVELAND HEIGHTS -04-A	1	Election Day	148	148	0
CLEVELAND HEIGHTS -04-C	1	Election Day	118	118	0
OLMSTED FALLS -03-B	1	Election Day	27	27	0
ORANGE -00-B	1	Election Day	109	109	0
STRONGSVILLE -03-E	1	Election Day	70	70	0
CLEVELAND -16-I	1	Early In-Person	2	2	0
Total	11		993	993	0

