



**CUYAHOGA COUNTY
BOARD OF ELECTIONS**

Inajo Davis Chappell, Board Member

Anthony W. Perlatti, Director

Henry F Curtis, IV, Board Member

Anthony Kaloger, Deputy Director

Terence M. McCafferty, Board Member

Lisa M. Stickan, Board Member

MEETING AGENDA

March 6, 2023

9:30 a.m.

THE PLEDGE OF ALLEGIANCE

ADMINISTRATIVE

1. Reorganization of the Cuyahoga County Board of Elections pursuant to Ohio Revised Code §3501.09
2. Approval of the minutes from the February 13, 2023, Board Meeting
3. Acknowledgment of Secretary of Directives and Advisories:
 - a. Updated Directive 2023-03: Substitute House Bill 458 (134th General Assembly)
 - b. Directive 2023-04: Ballots for May 2, 2023, Primary/Special Election
 - c. Directive 2023-05: Data Collection, Notice, and Cancellation Procedures for Completion of 2019 National Change of Address ("NCOA") Process
 - d. Advisory 2023-01: House Bill 487 and Changes Regarding Ballot Printing Requirements
 - e. Advisory 2023-02: Biennial Adjustment of Recount Charges/Campaign Contribution Limit Adjustment
4. Approval of CCBOE Curbside Ballot Policy

FISCAL

5. Approval of Midwest contract extension
6. Vouchers and Resolutions
7. Approval to send the Voter Information Guide to all active voters in Cuyahoga County for the May 2, 2023, Primary Election

CANDIDATE AND PETITION SERVICES

8. Acknowledgment of resignation from and appointment to elected office
9. Certification of candidates and issue for the May 2, 2023, Primary Election
10. Certification of Berea Candidates nominated without Primary Election to the November 7, 2023, General Election (primaries eliminated per ORC 3513.02)
11. Authorizing the adjustment of Recount Charges to the maximum amount of \$70.00 per precinct for requested (non-automatic) recounts pursuant to Ohio Secretary of State Advisory 2023-02

HUMAN RESOURCES

12. Approval of the personnel agenda

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.

NEW BUSINESS

- Capital Project

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.

2023 Board Meeting Schedule

March 2023

Reorganization of the Board

Monday, March 6th @ 9:30AM

Certification of write-in candidates for May 2, 2023 Primary Election

Certification of Berea candidates and remaining issues for May 2, 2023 Primary Election

April 2023

Wednesday, April 5th @ 9:30AM

April Board Meeting

Friday, April 28th @ 9:30AM

Meeting for the May 2, 2023 Primary Election

May 2023

Tuesday, May 2nd

May 2, 2023 Primary Election

Wednesday, May 10th @ 9:30AM

Provisional verification for May 2, 2023 Primary Election

Tuesday, May 23rd @ 9:30AM

Certification of the May 2, 2023 Primary Election

June 2023

Week of June 5, 2023 (Date TBD)

Potential Audit/Recount Certification Meeting of the May 2, 2023 Primary Election

Certification of remaining issues and charter amendments for the August 8, 2023 Special Election

Wednesday, June 21st @ 9:30AM

Certification of candidates and issues for the September 12, 2023 Primary Election

Certification of independent candidates for the November 7, 2023 General Election

July 2023

Monday, July 17th @ 9:30AM

Certification of write-ins for September 12, 2023 Primary Election

Certification of remaining issues for September 12, 2023 Primary Election

August 2023

Monday, August 7th @ 9:30AM	Meeting for the August 8, 2023 Special Election
Tuesday, August 8th	August 8, 2023 Special Election Provisional verification for the August 8, 2023 Special Election
Monday, August 21st @ 9:30AM	Certification of candidates and issues for the November 7, 2023 General Election
Tuesday, August 29th @ 9:30AM	Certification of the August 8, 2023 Special Election

September 2023

Monday, September 11th @ 9:30AM	Audit/Recount Certification of the August 8, 2023 Special Election Certification of remaining candidates for the November 7, 2023 General Election Certification of remaining issues and charter amendments for the November 7, 2023 General Election Certification of write-in candidates for the November 7, 2023 General Election
Tuesday, September 12th	September 12, 2023 Primary Election
Wednesday, September 27th @ 9:30AM	Provisional verification for the September 12, 2023 Primary Election Certification of the September 12, 2023 Primary Election

October 2023

Wednesday, October 18th @ 9:30AM	October Board Meeting
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November 2023

Friday, November 3rd @ 9:30AM	Meeting for the November 7, 2023 General Election
Tuesday, November 7th	November 7, 2023 General Election
Monday, November 20th @ 9:30AM	Provisional Verification for the November 7, 2023 General Election
Tuesday, November 28th @ 9:30AM	Certification of the November 7, 2023 General Election

December 2023

Monday, December 18th @ 9:30AM	Audit Certification of the November 7, 2023 General Election Certification of candidates and issues for the March 5, 2024 Primary Election
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January 2024

Monday, January 8th @ 9:30AM	Certification of remaining issues and charter amendments for the March 5, 2024 Primary Election Certification of write-in candidates for the March 5, 2024 Primary Election
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Agenda Item

#1

Reorganization of the Cuyahoga
County Board of Elections
pursuant to ORC §3501.09

RELEASED: December 12, 2022

SUMMARY

- *Directive 2022-48* describes the process for county party executive committees to submit to the SOS candidates for board of elections appointments for full terms beginning March 1, 2023.
- Every odd-numbered year, the SOS is required to appoint two members – one from each major political party – to each county board of elections for four-year terms.
- Each executive committee must hold its meeting regarding the 2023 appointments no earlier than December 30, 2022 and no later than February 13, 2023.
- The SOS must receive the appointment submissions between January 1 and February 15, 2023.
- *Directive 2022-48* also outlines the process for the boards of elections' Reorganization, which must occur between March 2 and March 6, 2023.
- Steps taken at the Reorganization Meeting include:
 - Select a temporary chairperson
 - Appoint a Director
 - Appoint a Deputy Director
 - Appoint a Chairperson

INSTRUCTIONS

I. APPOINTMENT PROCEDURE

Every odd-numbered year, the SOS is required to appoint two members – one from each major political party – to each county board of elections for four-year terms commencing on March 1 of that year. County executive committees make these recommendations to the SOS.

By law, each executive committee must hold its meeting regarding the 2023 appointments no earlier than **December 30, 2022** and no later than **February 13, 2023**. To ensure the SOS has sufficient time to review and process the paperwork for each elector recommended for appointment, all relevant documents must be submitted by **February 15, 2023**.

II. REORGANIZATION

The CCBOE must reorganize within five days of the SOS's appointment of members for the upcoming term. It must schedule the reorganization meeting between **March 2 and March 6, 2023**.

A. STEPS FOR CONDUCTING THE REORGANIZATION MEETING

- *Step 1: Select a Temporary Chairperson*
 - A simple majority vote of the board is sufficient to select a temporary chairperson.
- *Step 2: Appoint a Director*

- The person nominated for Director must be of the same political party as the board member making the nomination.
- Three affirmative votes are necessary to select a Director.
- *Step 3: Appoint a Deputy Director*
 - The person nominated for Deputy Director must be of the same political party as the board member making the nomination.
 - Three affirmative votes are necessary to select a Deputy Director.
- *Step 4: Appoint a Chairperson*
 - After the selection of the Director and Deputy Director, nominations are made for Chairperson. The person nominated must be of the opposite political party of the Director.
 - If, upon the first ballot, no eligible member receives a simple majority vote, the board member affiliated with a different major political party than the Director having the shortest term to serve on the board shall be the chair.

B. FAILURE TO SELECT A DIRECTOR OR DEPUTY DIRECTOR

If, after five ballots for selection of a Director or Deputy Director, no person nominated has received the affirmative votes of at least three members, the names of the persons nominated on the fifth ballot, and the names of the board members who nominated them, must be certified to the Secretary of State, who selects one from the list submitted.

C. OATH OF OFFICE

Before entering the duties of the office, the newly appointed Director, Deputy Director, and board employees must subscribe to an oath to support the Constitution of the United States and the Ohio Constitution, to perform all the duties of the position to the best of their ability, to enforce the election laws, and to preserve all records, documents, and other property pertaining to the conduct of elections that are placed in their custody.

D. REPORT OF REORGANIZATION

After the reorganizational process, the board must submit a completed report of its reorganization meeting to the SOS. These documents must be completed and returned to the SOS no later than March 8, 2023.



DIRECTIVE 2022-48

December 12, 2022

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

Re: Appointments to the Board of Elections in Each County for Full Terms
Commencing March 1, 2023; Board's 2023 Reorganization

SUMMARY

This Directive describes the process for county party executive committees to submit to the Secretary of State candidates for board of elections appointments for full terms beginning March 1, 2023. The Secretary of State's Office must receive those submissions between January 1 and February 15, 2023.

Each board of elections must forward a copy of this Directive to the Democratic and Republican Party Executive Committee chairpersons of their county.

This Directive also describes the process for the boards of elections' reorganization, which must occur between March 2 and March 6, 2023.

INSTRUCTIONS

I. APPOINTMENT PROCEDURE

Every odd-numbered year, the Secretary of State is required to appoint two members – one from each major political party – to each county board of elections for four-year terms commencing on March 1 of that year.¹ The county executive committees of the two major political parties may file a recommendation with the Secretary of State for the appointment of a qualified elector of the county to serve as a board member.

If the county executive committee of either major party fails to make a recommendation, the Secretary will make the appointment. The Secretary of State has legal authority to reject the recommendation if the Secretary has reason to believe that the elector would not be a competent member of the board.² The Secretary may also reject a recommendation to re-appoint current board members upon proof that they have not demonstrated competence in service to the voters of their county. If a recommendation is rejected, the Secretary of State will state the decision in writing to the chairperson of the county executive committee, with the reasons for rejection. The executive committee may then recommend another person for appointment. If the county executive

¹ [R.C. 3501.06\(B\)\(2\)](#).

² *State ex rel. Ashtabula Cty. Democratic Executive Comm. v. LaRose*, 160 Ohio St.3d 1442, 2020-Ohio-5061.

committee applies for a writ of mandamus to compel the appointment, the committee has the burden of proof to show the qualifications of the person recommended.³

By law, the executive committee must hold its meeting regarding the 2023 appointments no earlier than **December 30, 2022** and no later than **February 13, 2023**.⁴ Any questions regarding rules and procedures for conducting executive committee meetings should be directed to the state party organization. Our Office cannot answer questions regarding party rules.

Electors recommended for appointment, including current board members seeking re-appointment, must undergo a background check.⁵ To facilitate the background checks, all persons recommended for appointment to a board of elections must complete all questions on the [Secretary of State Form 307](#), including information related to any misdemeanor or felony conviction. The information about criminal convictions bears a direct and substantial relationship to the position of member of a board of elections because of the need for public confidence in the integrity of election officials. Any criminal conviction under a state or federal statute involving elections or ethics laws disqualifies an individual from serving as a member of a board of elections.

While the form is available on the Secretary of State's website, a version of [Form 307](#) that can be electronically submitted is attached to this Directive for each prospective member to complete. Applicants should use Adobe Reader to complete this form and submit it by selecting the "submit" button at the bottom of the form. After electronically submitting and printing the form, the prospective member must sign the form and provide it to the executive committee for submission with the other documentation outlined below.

To ensure that our Office has sufficient time to review and process the paperwork for each elector recommended for appointment, boards must instruct each executive committee to submit its recommendation to the Secretary of State's Office on the forms referenced in this Directive within 48 hours after the executive committee's meeting, but no later than **February 15, 2023**.

County party executive committees must submit all of the following properly completed documents by scanning and attaching the forms to an email addressed to BoardInfo@OhioSoS.gov:

- Executive Committee Recommendation for Full Term Appointment ([Secretary of State Form No. 306](#)), to be completed by the Chairman and Secretary of the Executive Committee and the prospective appointee;
- Questionnaire and Background Check Disclosure, Authorization and Release for Prospective Appointment as a Member, Director or Deputy Director of the Board of Elections ([Secretary of State Form No. 307](#)), to be completed by the prospective appointee; and
- The resume of the elector recommended for appointment, setting forth the prospective appointee's qualifications to be a member of a board of elections (i.e., education,

³ [R.C. 3501.07](#).

⁴ [R.C. 3501.07](#).

⁵ [Election Official Manual Chapter 2, page 9](#).

employment history, etc.). The requirement to provide a resume applies to both first-time prospective appointees and board members seeking re-appointment.

Each elector appointed as a member of a board of elections will be notified by mail and provided a certificate of appointment and oath of office. The appointee must take and subscribe to the oath before a person authorized to administer oaths. A signed statement attesting to having taken the oath must be filed with the clerk of the court of common pleas not later than 15 days after the date of appointment.⁶

II. REORGANIZATION

Boards of elections must reorganize within five days of the Secretary of State's appointment of members for the upcoming term. **Boards must schedule the reorganization meeting between March 2 and March 6, 2023.**⁷

Note: The Secretary of State does not perform background checks for Directors and Deputy Directors. To conduct background checks prior to appointing or hiring Directors, Deputy Directors, and other staff, the board should consult with the county prosecuting attorney and the county sheriff.⁸

A. STEPS FOR CONDUCTING THE REORGANIZATION MEETING

Step 1: Select a Temporary Chairperson

- The current chairperson or member with the most seniority calls the meeting to order.
- A “temporary chairperson” is elected from among the members present to chair the meeting. A simple majority vote of the board is sufficient to select a temporary chairperson.

Step 2: Appoint a Director

- Nominations are made for Director. The person nominated must be of the same political party as the board member making the nomination.
- Three affirmative votes are necessary to select a Director.
- If, after five ballots, no person receives the three affirmative votes required for selection as the Director, the board shall submit the matter to the Secretary of State as described below.

⁶ [R.C. 3501.08](#).

⁷ [R.C. 3501.09](#).

⁸ [Election Official Manual Chapter 2, page 10](#).

Step 3: Appoint a Deputy Director

- Nominations are made for Deputy Director. The person nominated must be of the same political party as the board member making the nomination. The Deputy Director must be of a different major political party than the Director.⁹
- Three affirmative votes are necessary to select a Deputy Director.
- If, after five ballots, no person receives the three affirmative votes required for selection as the Deputy Director, the board shall submit the matter to the Secretary of State as described below.
- If the board members do not nominate a Deputy Director at this time, they must, by at least three affirmative votes, agree that the position of Deputy Director is not necessary as of the date of the biennial reorganizational meeting. This decision can be revisited at any time after the reorganizational meeting, again, with the agreement of at least three board members.

Step 4: Appoint a Chairperson

- After the selection of the Director and Deputy Director, nominations are made for Chairperson. The person nominated must be of the opposite political party of the Director.¹⁰
- If, upon the first ballot, no eligible member receives a simple majority vote, the board member affiliated with a different major political party than the Director having the shortest term to serve on the board shall be the chair.¹¹

B. FAILURE TO SELECT A DIRECTOR OR DEPUTY DIRECTOR

If, after five ballots for selection of a Director or Deputy Director, no person nominated has received the affirmative votes of at least three members, the names of the persons nominated on the fifth ballot, and the names of the board members who nominated them, must be certified to the Secretary of State, who selects one from the list submitted. However, if the Secretary of State has reason to believe that no person nominated is qualified, the Secretary will state that determination in writing to the board. The board must then nominate other persons in the same manner as the original persons were nominated.¹²

C. OATH OF OFFICE

Before entering the duties of the office, the newly appointed Director, Deputy Director, and board employees must subscribe to an oath to support the Constitution of the United States and the Ohio Constitution, to perform all the duties of the position to the best of their ability, to

⁹ [R.C. 3501.09](#).

¹⁰ [R.C. 3501.09](#).

¹¹ [R.C. 3501.09](#).

¹² [Election Official Manual, Chapter 2, pages 14 - 15](#).

enforce the election laws, and to preserve all records, documents, and other property pertaining to the conduct of elections that are placed in their custody.¹³ The signed statement attesting to having taken the oath must be kept on record at the board of elections office.

D. REPORT OF REORGANIZATION

After the reorganizational process, the board must submit a completed report of its reorganization meeting to the Secretary of State's Office: [Secretary of State Form 308](#) for all Chairpersons, Directors, and Deputy Directors, and the Ethics Policy Acknowledgement Form ([Secretary of State Form 350](#)) for any non-incumbent Director, Deputy Director, or board member. These forms must be completed and returned to the Secretary of State's Office **no later than March 8, 2023** by scanning and attaching the forms to an email to BoardInfo@OhioSoS.gov.

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

¹³ [R.C. 3501.13](#) and [3501.14](#).

Agenda Item #2

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting
2/13/2023

Attending:

Jeff Hastings, Chairman
Inajo Davis Chappell, Board Member
Terence M. McCafferty, Board Member
Lisa M. Stickan, Board Member
Anthony Perlatti, Director
Tony Kaloger, Deputy Director

Mary Bejjani, Clerk to the Board
Skip White, Clerk to the Board

The Cuyahoga County Board of Elections Meeting began at 9:30 a.m. Hereinafter referred to as the CCBOE/Board.

Chairman Hastings noted that all Board Members were in attendance.

Agenda Item 1: Approval of the minutes from the January 18, 2023, Board Meeting

Chairman Hastings moved to approve the minutes from the January 18, 2023, Board Meeting. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 2: Acknowledgment of Secretary of State (SOS) Directive 2023-03: Substitute House Bill 458 (134th General Assembly)

Board Member Davis Chappell noted the Directive included a section for a public outreach campaign on the changes to Ohio's voting laws. The SOS office indicated they would issue digital images and information for the CCBOE to distribute and post. She inquired what other public outreach will the CCBOE undertake to ensure voters are aware of these changes.

Director Perlatti stated the CCBOE is putting a plan together, and the CCBOE is not waiting for the SOS digital images. The CCBOE has already drafted a Frequently Asked Questions (FAQ) on the new law, which will be posted on the website. The CCBOE will also be conducting information sessions at local libraries and working with the political parties and larger advocacy groups to message these changes. The CCBOE will start pushing the messages out now that the SOS has provided the Directive.

Chairman Hastings moved to acknowledge the Secretary of State Directive 2023-03: Substitute House Bill 458 (134th General Assembly). Board Member Davis Chappell seconded. The motion passed unanimously.

Narrative that is underlined in the CCBOE minutes relates to a motion that was acted on by the Board.

Agenda Item 3: Acknowledgment of municipal ward boundaries and corresponding precinct boundaries for Parma Heights and Solon

Board Member Davis Chappell asked when voters will receive notification of the precinct changes. Director Perlatti stated letters are being prepared and will be mailed next week. Voters will also be notified when the voter guide is sent.

Chairman Hastings moved to acknowledge the municipal ward boundaries and corresponding precinct boundaries for Parma Heights and Solon. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 4: Approval of vouchers and resolutions

Chairman Hastings moved to approve the vouchers and resolutions set forth in the board materials. Board Member Davis Chappell seconded and abstained from voting on the resolution to approve Madison Development Consulting. The motion passed unanimously.

Director Perlatti introduced a walk-on item to recognize the retirement of Chairman Hastings from the CCBOE, serving over fifteen years on the Board. Board Members Davis Chappell provided remarks regarding his tenure. Board Members McCafferty and Stickman presented a resolution and memento. Rachel Ruffer from the SOS presented a commendation from the Secretary of State.

Agenda Item 5: Approval to outsource the printing and mailing of Vote-by-Mail ballots for the May 2, 2023, Primary Election.

Chairman Hastings moved to approve to outsource the printing and mailing of Vote-by-Mail ballots for the May 2, 2023, Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 6: Acknowledgment of intent to retire, resignations from, and appointments to elected office

Chairman Hastings moved to acknowledge the intent to retire, resignations from, and appointments to elected office, as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 7: Acknowledgment of candidates and issues withdrawals

Chairman Hastings moved to acknowledge the candidates and issues withdrawals as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 8: Certification of candidates for the May 2, 2023, Primary Election

Brent Lawler, Candidate and Petition Services Manager, presented a Petition of a candidate for the Board to review. Mr. Lawler stated the candidate submitted an insufficient number of signatures. Ms. Nicole Goode, a candidate for Oakwood Village Council at Large, required 50 valid signatures for certification. Ms. Goode filed 52, and there were 46 valid signatures. Ms. Goode was notified by the CCBOE staff of this matter and advised she could withdraw her petitions which she did not do. Mr.

Lawler stated that because the candidate does not have the qualifying minimum valid signatures, she should not be certified to the May 2, 2023, Primary Election.

Chairman Hastings moved not to certify Nicole Goode's petitions due to a lack of signatures. Board Member Davis Chappell seconded. The motion passed unanimously.

Chairman Hastings moved to certify the candidates for the May 2, 2023, Primary Election, as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 9: Certification of issues for the May 2, 2023, Primary Election

The Board discussed three liquor options and the guidance provided by Assistant Prosecutor Musson and recommendations from staff.

Chairman Hastings moved to certify the issues for the May 2, 2023, Primary Election, as set forth in the board materials, and add the local options in Parma Ward 9, Precinct B, South Euclid Ward 4, Precinct A, and North Royalton 03, Precinct D. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 10: Certification of Candidates nominated without Primary Election to the November 7, 2023, General Election (primaries eliminated per ORC 3513.02).

Chairman Hastings moved to certify the Candidates nominated without Primary Election to the November 7, 2023, General Election (primaries eliminated per ORC 3513.02), as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 11: Discussion whether to schedule Recall Elections for East Cleveland Council Members Blochowiak, Gowdy, and Stevenson.

The Board discussed if it has the authority to schedule Recall Elections for East Cleveland Council Members Blochowiak, Gowdy, and Steventon.

A transcript of this discussion can be obtained by contacting Mary Bejjani, CCBOE Clerk to the Board at 216-443-6430/mbejjani@cuyahogacounty.gov.

Chairman Hastings moved not to set a date for the recall petitions in East Cleveland. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 12: Protest hearing filed by Patricia Blochowiak regarding petitions for the recall of Councilor Patricia Blochowiak.

Chairman Hastings stated the matter of the protest hearing filed by Patricia Blochowiak regarding petitions for the recall of Councilor Patricia Blochowiak is moot in light of the Board's decision not to schedule a hearing, and the agenda item is removed.

Agenda Item 13: Approval of the personnel agenda

Chairman Hastings moved to approve the personnel agenda set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

NEW BUSINESS

New Voting Equipment Update

Director Perlatti provided an update on the new voting equipment for the CCBOE. The purchase agreement has been finalized and sent to County Council, which has the authority to make the purchase. The contract will be introduced at the County Council meeting on Tuesday, February 14, 2023. The following week Director Perlatti will make a presentation to the County Council committee the contract was referred to. The week of February 28, 2023, County Council will be able to approve the contract.

Board Member Davis Chappell stated she wanted to thank Assistant Prosecutor Musson and the legal team for all their work. She stated it would be important for Council to know that significant time, effort, and protections were negotiated and included in the contract. Board Member Davis Chappell asked if County Council would receive the summary of all the improvements to the contract so Council would be privy to the additional protections. She asked if an update could be provided to Council so there would be no pause when there is a vote on approving the contract. Chairman Hastings agreed that the contract summary was excellent. The CCBOE needs to let the County know and, provide Mr. Musson's summary to the Council Members so they can read it before Director Perlatti meets with Council. The Board discussed the benefits of providing an updated summary sent to County Council.

Director Perlatti stated the Clear Ballot will start delivering its voting equipment before the CCBOE has received the signed contract from the County. The CCBOE will receive the first 180 pieces of equipment on Wednesday, February 15, 2023. The CCBOE will be receiving eight to nine more deliveries of equipment over the next three weeks. Board Member Davis Chappell stated the risk then shifts to the CCBOE once the equipment is delivered as the CCBOE is then responsible for the equipment's safe keeping. Director Perlatti said Deputy Director Kaloger would be taking a lead role in working with the Ballot and Election Support Departments on the logistics of storing the equipment. Peter James, Election and Compliance Administrator, will work on developing checklists, records, and spreadsheets. The CCBOE is conducting a May Election, so additional resources will allow for coordinating the Election and other work that needs to be completed.

Board Member Davis Chappell asked if the timeline will allow the CCBOE to have acceptance by May 31, 2023, which is the deadline to accept the equipment. Director Perlatti stated the CCBOE would definitely meet the timeline. The goal is to complete user acceptance testing before the May 2, 2023, Primary Election, allowing additional time to meet the deadline if needed.

Director Perlatti stated the CCBOE would be working with Midwest Direct to print a test deck of ballots for user acceptance testing. Part of the acceptance testing is printing the test deck and running the paper through all the new equipment to make sure the equipment runs like it is supposed to. Printing the test deck is outside the scope of the Midwest Direct contract, and the Board will be charged for the Midwest Direct test deck.

2023 Polling Location PPE Safeguards

Deputy Director Kaloger gave a recap of polling location PPE safeguards. In 2020, the CCBOE hired two to three sanitation officials per voting location. In addition, a supply of PPE materials, including face masks, gloves, hand sanitizer, and cardboard sneeze guards were sent to polling locations. As the

pandemic began to recess, the CCBOE reduced some quantities off PPEs. The President announced in May 2023, he would be lifting the Public Health Emergency Declaration. The CCBOE will be eliminating the position of sanitation officials and sneeze guards. However, the CCBOE will continue to provide PPE supplies, including face masks, gloves, hand sanitizer, alcohol prep pads, and an abundant quantity of pens. Director Perlatti stated the CCBOE would also be reducing the space between the voting booths. In the November 2022 Election, some voting locations would have benefited from the deployment of additional voting booths.

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSION

At 11:06 a.m. Chairman Hastings moved to go into an executive session for the purpose of discussing employee discipline matters. Board Member Davis Chappell seconded, a roll call was taken, and each Board Member voted in the affirmative.

At 11:47 a.m., after returning from the executive session. Chairman Hastings motioned to come out of the executive session. Board Member Davis Chappell seconded, a roll call was taken, and each Board Member voted in the affirmative. The Board was then in public session.

Board Member Stickan moved to terminate Erich Stubbs effective the close of business on February 13, 2023. The motion is based on a pre-disciplinary conference report and an investigation discussed in Executive Session. Board Member Davis Chappell seconded. The motion passed unanimously.

Chairman Hastings moved to adjourn the meeting at 11:48 a.m. Board Member Davis Chappell seconded. The motion passed unanimously.

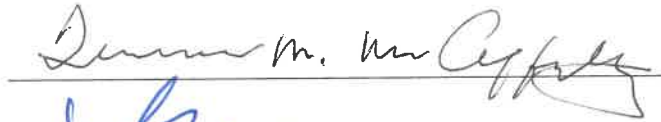
Certification: I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on February 13, 2023.

Jeff Hastings, Chairman


Inajo Davis Chappell, Board Member



Terence M. McCafferty, Board Member



Lisa M. Stickan, Board Member



Anthony Perlatti, Director



Agenda Item

#3

a)

RELEASED: February 7, 2023

SUMMARY

- *Directive 2023-03* informs the Cuyahoga County Board of Elections (CCBOE) of changes to election administration policies and procedures resulting from the passage of Substitute House Bill 458 (H.B. 458).
- The CCBOE must implement the changes from H.B. 458 in time for the start of early voting in the May 2, 2023 Primary/Special Election, including the start of UOCAVA voting.

Voter ID

- In general, a voter must have photo ID to vote in person. For Vote-by-Mail, a voter may still provide an Ohio driver license number or state ID card number, or the last four digits of their SSN.
- Beginning on April 7, 2023, any person ages 17 and over who applies for and receives a state ID card from the BMV may receive it for free.
- When Voting-by-Mail (VBM), a voter may provide the last four digits of their SSN as a valid form of ID. This is different from the requirements for voting in-person.
- Confined or disabled voters (e.g., nursing home voters) may follow the same ID requirements as a VBM voter.
- To register or update an existing voter registration, a voter *must* provide an Ohio driver license number or state ID card number, or the last four digits of the SSN. A voter who registered using a form of ID not just listed *does not* have to re-register.

Provisional Voting

- A provisional voter *must show* a photo ID (or a copy of) to meet the threshold of providing a valid form of ID. It is no longer sufficient for a voter to provide the last four digits of their SSN.
- The cure period for a provisional ballot has been shortened to the 4th day after Election Day.

Vote-by-Mail

- The deadline to submit a VBM application is now the close of business on the 7th day before Election Day. For the May 2, 2023 Primary/Special Election, close of business is 8:30 p.m. on Tuesday, April 25.
- Non-UOCAVA absentee voters may only use an application form prescribed by the SOS. If a voter submits a VBM application on the SOS's previously prescribed form, the application may be accepted so long as the voter includes a valid form of ID.
- UOCAVA voters may still apply on the Federal Post Card Application or submit a Federal Write-in Absentee Ballot.
- The deadline for VBM ballots to arrive at the CCBOE is now the 4th day after the election. Non-UOCAVA ballots must still be postmarked by the day before Election Day.
- The deadline for UOCAVA voters to return/postmark their ballot is now 7:30 p.m. on Election Day. Previously it was 12:01 a.m. on Election Day.

- The cure period for VBM ballots is now the 4th day after Election Day, same as for provisional ballots.
- The CCBOE must begin counting late arriving and cured VBM ballots on the 5th day after Election Day, and provisional ballots by the 8th day.

Drop Box

- The CCBOE may provide only **one** drop box on the property on which the office is located for the purpose of receiving absentee ballots.
- The drop box must be open to receive ballots only from the first day after the close of voter registration through 7:30 p.m. on Election Day. Drop boxes may be utilized for other purposes year-round.
- Each drop box must be monitored by video surveillance at all times, and the video recordings are a public record.

Early In-Person Voting Hours

- The Monday immediately before Election Day has been eliminated as an Early In-Person voting day.
- The SOS is required to reallocate those hours by adding six hours on Monday through Friday of the preceding week.
- For the May 2, 2023 Primary/Special election, boards must be open for EIP voting the final week from 7:30 a.m. to 7:30 p.m., except for Tuesday, when they must be open until 8:30 p.m.

Other Changes

- Special elections held in August are eliminated except when a political subdivision or school district is in a state of fiscal emergency.
- A voter must be *physically unable to enter a polling location* to be permitted to vote a curbside ballot. Election officials *must not* challenge a voter's attestation that he or she has a disability and is physically unable to enter a polling place.
- The bill removes the requirement that a high school student be a senior to be a poll worker through the Youth and the Booth program. All other existing provisions still apply.
- For the May 2, 2023 Primary/Special Election, boards must use the newly prescribed SOS forms or modify existing stock to match the new language on the forms.

INSTRUCTIONS

I. VOTER IDENTIFICATION

H.B. 458 changes the types of ID an individual may use for voter registration and voting. In general, a voter must have photo ID to vote in person. For Vote-by-Mail, a voter may still provide an Ohio driver license number or state ID card number, the last four digits of their SSN, or a photocopy of the voter's photo identification. Beginning on April 7, 2023, any person ages 17 and over who applies for and receives a state ID card from the BMV may receive it for free.

A. ACCEPTABLE FORMS OF PHOTO ID

Beginning on the first day of early voting for the May 2, 2023 Primary/Special Election, the following documents will be acceptable photo ID for voting if the ID is not expired and includes the individual's name and photograph:

- Ohio driver license, state ID card, or interim ID form issued by the Bureau of Motor Vehicles ("BMV").
 - This includes a commercial driver's license, motorcycle operator's license, probationary or restricted license, or temporary instruction permit.
- U.S. passport or passport card; or
- U.S. military ID card, Ohio National Guard ID card, or U.S. Department of Veterans Affairs ID card (collectively referenced in this Directive as "military ID").

Note: A suspended driver's license that is not expired may still be used as ID for voting.

B. IDENTIFICATION FOR VOTER REGISTRATION

H.B. 458 requires a person who registers or updates their voter registration to provide at least one of the following:

- An Ohio driver license number or state ID card number; or
- The last four digits of the voter's SSN.

The following forms of identification may no longer be used to register to vote:

- A copy of a photo ID;
- A military ID;
- A copy of any of the formerly valid types of voter ID (utility bill, bank statement, government check, paycheck, or other government document).

The change in law applies to new voter registrations and updates to voter registration. It does *not* require anyone to re-register to vote.

C. IDENTIFICATION FOR ELECTION DAY VOTING

Voters will be required to show photo ID to cast a regular ballot on Election Day. A voter who does not provide photo ID may cast a provisional ballot.

D. IDENTIFICATION FOR IN-PERSON ABSENTEE VOTING

A voter who comes to vote Early In-Person (EIP) must provide photo ID in the same manner as a voter voting on Election Day. If the person does not provide photo ID and wants to vote EIP, they may cast a provisional ballot. If a person who comes to vote EIP and does not wish to cast a provisional ballot, the CCBOE may offer the voter an absentee ballot application to receive a ballot by mail.

E. IDENTIFICATION FOR ABSENTEE VOTING-BY-MAIL

A voter who is completing a Vote-by-Mail application or an identification envelope must provide one of the following forms of ID:

- An Ohio driver license or state ID number;
- The last four digits of the voter's SSN; or
- A *copy* of the voter's photo ID.

Confined or disabled voters (e.g., nursing home voters) who receive assistance from visiting election officials to vote absentee may follow the VBM voter ID requirements (providing last four digits of SSN or Driver License/State ID number) or, if the voter chooses, may show photo ID to the bipartisan team of election officials who come to their location to facilitate voting. The deadline to submit an application for a confined or disabled voter is the close of business on the 7th day before Election Day.

F. IDENTIFICATION FOR PROVISIONAL VOTING

1. Voters Who Cannot Provide Photo ID

Voters without ID may still cast a provisional ballot when they appear in person to vote. Those voters will have four days after Election Day to appear at the CCBOE to show photo ID (except in the case of a religious objector). Voters must show a photo ID ~~or provide a copy of an acceptable form of ID~~. It is not sufficient to provide the Ohio driver license or state ID card number or the last four digits of the voter's SSN.

2. Religious Objectors

If a voter does not have a photo ID because of a religious objection to being photographed, the voter must be provided an affidavit of religious objection on a form that the SOS will prescribe and will vote a provisional ballot. Election officials must attach the affidavit to the provisional ballot affirmation. The CCBOE must transmit the completed affidavit of religious objection to the SOS, which then must consult the BMV's database to determine whether they issued a currently unexpired photo ID to that voter.

3. Cure Period for Provisional Ballots

The time period when a provisional voter may cure a ballot by going to the CCBOE has been shortened to the 4th day after Election Day.

II. ABSENTEE VOTING BY MAIL

A. APPLICATION DEADLINE

The deadline to submit a valid VBM application is now the **close of business on the 7th day before Election Day**. "Close of business" is the time that in-person voting ends on the Tuesday before Election Day. For the May 2, 2023 Primary/Special Election, the absentee application deadline is 8:30 p.m. on April 25, 2023.

A voter may still apply for an absentee ballot after the regular application deadline and not later than 3p.m. on Election Day if they or their minor child has been unexpectedly hospitalized.

B. FORM OF APPLICATION

Beginning with the May 2, 2023 Primary/Special Election, **non-UOCAVA absentee voters may use only an application form prescribed by the Secretary of State**. UOCAVA voters may still apply on the Federal Post Card Application or submit a Federal Write-in Absentee Ballot. If the CCBOE receives an application that is not submitted on an appropriate form, it must promptly direct the applicant to use an appropriate form.

If a voter submits a VBM application on the SOS's previously prescribed form, the application may be accepted so long as the voter includes a valid form of ID. If the CCBOE desires to make formatting changes to the prescribed VBM form, it must submit the proposed form to the SOS for review and approval by Feb. 21, 2023. A modified form *may not* be used prior to receiving approval.

C. ABSENTEE BALLOT RETURN PROCEDURES

1. Ballot Return and Cure Period Deadlines

The deadline for absentee ballots to arrive at the CCBOE will be the **4th day after Election Day**. Under continuing law, absentee ballots for non-UOCAVA voters that arrive after the polls close must be postmarked by the day before Election Day.

The new law changes the deadline for UOCAVA voters to complete their ballots. Going forward, a UOCAVA voter must sign their ballot by the close of the polls (7:30 p.m.), regardless of whether they are postmarked or where the voter is located.

The cure period for VBM ballots is now the 4th day after Election Day, same as for provisional ballots.

2. Accelerated Final Ballot Examination

The CCBOE must begin counting late arriving and cured VBM ballots on the 5th day after Election Day, and must begin counting cured provisional ballots by the 8th day after Election Day. The calendar provisions for the final canvass remain the same: the CCBOE must begin an official canvass not earlier than the 11th or later than the 15th day after an election and must complete it by the 21st day after.

3. Secure Receptacles (Drop Boxes)

The CCBOE may provide only **one** drop box on the property on which the office is located for the purpose of receiving absentee ballots. The drop box must be open to receive ballots only from the first day after the close of voter registration through 7:30 p.m. on Election Day. The drop box must be open to receive ballots at all times during that period.

Before early voting begins and after Election Day, signage should indicate that ballots *cannot* be deposited in the drop box. Drop boxes may be utilized for other purposes year-round.

Each drop box must be monitored by video surveillance at all times, and the video recordings are a public record.

4. New Statutory Reporting

During the absent voting period, the board must send a daily report to the SOS each day the board is open for business that contains:

- The number of return envelopes purported to contain absentee ballots, both UOCAVA and non-UOCAVA, the board received by personal delivery (not through the drop box); and
- The number of return envelopes received in the drop box.

5. Processing Ballots Before the Close of Polls

The CCBOE is now required to process absentee ballots before the close of the polls on Election Day (this is current practice). It may begin processing absentee ballots as early as the day following the close of registration.

6. Change from “Director” to “Board”

Numerous references in the law governing absentee voting are changed from the director receiving ballots to the board of elections receiving, sending, and processing applications and ballots.

D. EARLY VOTING SCHEDULE

The Monday immediately before Election Day has been eliminated as an Early In-Person voting day. The SOS is required to reallocate those hours by adding six hours on Monday through Friday of the preceding week. H.B. 458 states that the General Assembly intends to enact legislation that specifies the days and hours for in-person absentee voting (this has yet to occur).

For the May 2, 2023 Primary/Special election, boards must be open for EIP voting the final week from 7:30 a.m. to 7:30 p.m., except for Tuesday, when they must be open until 8:30 p.m.

III. AUGUST SPECIAL ELECTIONS

Special elections held in August are eliminated except when a political subdivision or school district is in a state of fiscal emergency as determined by the Auditor of State. If an August election is held, the entire cost of the special election will be charged to the political subdivision or taxing authority.

IV. ADDITIONAL ADMINISTRATIVE CHANGES

A. CURBSIDE VOTING

H.B. 458 states: “A board of elections must permit an elector with a disability who is **physically unable to enter a polling place** to vote in the elector’s vehicle or at the door of the polling place with the assistance of a bipartisan team of election officials.” The bill prohibits an elector from being permitted to vote curbside under any other circumstance.

Election officials *must not* challenge a voter’s attestation that he or she has a disability and is physically unable to enter a polling place.

B. 17-YEAR-OLD POLL WORKERS

17-year-old poll workers are no longer required to be seniors in high school to participate in a Youth at the Booth program. The student must be at least 17, a U.S. citizen, and a resident of the county, and must apply through a program at the student's school.

C. LOGIC AND ACCURACY TESTING FOR VOTING EQUIPMENT

Pre-election logic and accuracy testing is required for all voting equipment that will be used in that election (this is current practice).

D. ELECTION ADMINISTRATION PLANS

H.B. 458 codifies the Election Official Manual's requirement that the CCBOE prepare an Election Administration Plan ("EAP") before each presidential primary election and each general election held in an even-numbered year.

E. GOVERNOR'S COMMISSION FEE

H.B. 458 eliminates the fee that a newly elected state or county officer or judge must pay in order to receive a commission from the Governor.

V. NEWLY PRESCRIBED FORMS AND OLD STOCK

For the May 2, 2023 Primary/Special Election, boards must use the newly prescribed SOS forms or modify existing stock to match the new language on the forms.

VI. PUBLIC AWARENESS CAMPAIGN

Each board must review its website, social media, and other communication resources to ensure that accurate information is provided to the public. The SOS is preparing to launch a robust public information campaign so that Ohio voters know about the changes in law. Boards should be proactive in educating their local communities about the changes in law.



DIRECTIVE 2023-03

February 7, 2023

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

Re: Substitute House Bill 458 (134th General Assembly)

BACKGROUND

The purpose of this Directive is to inform boards of elections of changes to elections administration policies and procedures resulting from the passage of Substitute House Bill 458 ("H.B. 458").¹ The Secretary of State's Office is working to develop new forms, directives, and training manuals to implement the changes in law. In order to maintain statewide uniformity in election administration and to reduce potential voter confusion, boards must implement the changes in time for the start of early voting in the May 2, 2023 Primary/Special Election, including the start of voting for uniformed and overseas voters.²

INSTRUCTIONS

I. VOTER IDENTIFICATION

H.B. 458 changes the types of identification ("ID") Ohioans may use for voter registration and voting. In general, a voter must have photo ID to vote in person, unless the voter has a religious objection to being photographed and attests to this on the form prescribed by the Secretary of State. For absentee voting by mail, a voter may still provide an Ohio driver's license number or state ID card number, the last four digits of their Social Security Number ("SSN"), or a photocopy of the voter's photo identification. Beginning on April 7, 2023, any person ages 17 and over who applies for and receives a state ID card from the Bureau of Motor Vehicles ("BMV") may receive it for free.

The graphic on the next page shows the types of ID that will be acceptable for registering to vote, voting early in person, voting by mail, and voting by provisional ballot (comparing prior law to the new law).

¹ Additional changes to Ohio's election laws were included in H.B. 45 with the intent to supersede any conflicting provisions in H.B. 458; this Directive addresses the changes in H.B. 458, in conformity with H.B. 45.

² Litigation is pending in federal court regarding the voter ID, absentee, provisional voting changes, elimination of Monday in-person voting prior to Election Day, and ballot drop box requirements in H.B. 458. The Secretary of State's Office will promptly notify boards of elections of any court order relevant to this directive and change in law.

Voter Identification Requirement Chart

Forms of Voter ID	Register to Vote		Election Day Voting		In-person Absentee Voting		Absentee Voting by Mail		Provisional Voting	
	Prior	H.B. 458	Prior	H.B. 458	Prior	H.B. 458	Prior	H.B. 458	Prior	H.B. 458
Ohio DL/ID with current address	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓
Ohio DL/ID with former address	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓
Military ID	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓
U.S. passport or passport card	✗	✗	✗	✓	✗	✓	✗	✓	✗	✓
Utility bill, bank statement, government check, paycheck, or other government document with current address	✓	✗	✓	✗	✓	✗	✓	✗	✓	✗
Ohio DL/ID number	✓	✓	✗	✗	✓	✗	✓	✓	✓	✗
Last four digits of SSN	✓	✓	✗	✗	✓	✗	✓	✓	✓	✗

A. ACCEPTABLE FORMS OF PHOTO ID

Beginning on the first day of early voting for the May 2, 2023 Primary/Special Election, the following documents will be acceptable photo ID for voting as long as the ID is not expired and includes the individual's name and photograph:³

- Ohio driver's license, state ID card, or interim ID form issued by the Bureau of Motor Vehicles ("BMV").
 - This includes a commercial driver's license, motorcycle operator's license, probationary or restricted license, or temporary instruction permit.
 - An interim identification form is a BMV document issued to a person who has just applied for a driver's license or state ID card, to use until the permanent card arrives in the mail;
- U.S. passport or passport card; or
- U.S. military ID card, Ohio National Guard ID card, or U.S. Department of Veterans Affairs ID card (collectively referenced in this Directive as "military ID").

Note: A suspended driver's license that is not expired may still be used as photo identification for voting.

B. IDENTIFICATION FOR VOTER REGISTRATION

H.B. 458 requires a person who registers or updates their voter registration to provide at least one of the following:

- An Ohio driver's license number or state ID card number; or
- The last four digits of the voter's SSN.

The following forms of identification may no longer be used to register to vote:

- A copy of a photo ID;
- A military ID;
- A copy of any of the formerly valid types of voter ID (utility bill, bank statement, government check, paycheck, or other government document).

The change in law applies to new voter registrations and updates to voter registration. It does *not* require anyone to re-register to vote. Just as before, to register online, a person must provide **both** an Ohio driver's license number or state ID card number **and** the last four digits of the person's SSN.⁴

C. IDENTIFICATION FOR ELECTION DAY VOTING

Voters will be required to show photo ID to cast a regular ballot on Election Day. A voter who does not provide photo ID may cast a provisional ballot. See the above list of acceptable forms of ID.

³ R.C. 3501.01(AA).

⁴ R.C. 3503.14 and 3503.20.

Additionally, a voter must sign their name in the pollbook as opposed to writing their name and address in the pollbook. This change is consistent with continuing law that requires the election officials to compare the voter's signature with the signature on file.⁵

D. IDENTIFICATION FOR IN-PERSON ABSENTEE VOTING

A voter who comes to vote early in person at the board of elections must provide photo ID in the same manner as a voter voting on Election Day. If the person does not provide photo ID and wants to vote early in person, they may cast a provisional ballot. If a person who comes to vote early in person at the board of elections does not wish to cast a provisional ballot, the board of elections may offer the voter an absentee ballot application to receive a ballot by mail.

E. IDENTIFICATION FOR ABSENTEE VOTING BY MAIL

A voter who is completing an absentee ballot application or an identification envelope must provide one of the following forms of ID:

1. An Ohio driver's license or state ID number;
2. The last four digits of the voter's SSN; or
3. A *copy* of the voter's photo ID.

A "copy" of a photo ID requires images of both the **front and back** of one of the forms of photo ID acceptable on Election Day (see above), except in the case of a U.S. passport. A "copy" of a passport means a copy of the ID page of the passport that includes the voter's name, photograph, and other identifying information and the passport's expiration date.

Voters may no longer provide a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the voter's name and address.

Confined or disabled voters (e.g. nursing home voters) who receive assistance from visiting election officials to vote absentee may follow the by-mail voter ID requirements (providing last four digits of SSN or Driver's License/State ID number) or, if the voter chooses, may show photo ID to the bipartisan team of election officials who come to their location to facilitate voting.⁶ The deadline to submit an application for a confined or disabled voter is the close of business on the seventh day before Election Day.

F. IDENTIFICATION FOR PROVISIONAL VOTING

1. Voters Who Cannot Provide Photo ID⁷

Voters without ID may still cast a provisional ballot when they appear in person to vote. Those voters will have four days after Election Day to appear at the board of elections office to show photo ID (except in the case of a religious objector, as described below). It is not sufficient to provide a copy of a photo ID, the Ohio driver's license number or state ID card number, or the last four digits of the voter's SSN.⁸

⁵ R.C. 3505.18.

⁶ R.C. 3501.01(AA)(2), 3509.03, 3509.04 to 3509.08, 3511.02, 3511.05, and 3511.09.

⁷ The paragraph in this section was corrected and the updated version of this Directive posted on February 27, 2023.

⁸ R.C. 3505.18, 3505.181, 3505.182, and 3505.183.

2. Religious Objectors

If a voter does not have a photo ID because of a religious objection to being photographed, the precinct election official or board staff, as applicable, must provide the voter an affidavit of religious objection on a form that our Office will prescribe. This may occur either when the voter casts the provisional ballot or at the office of the board by the fourth day after Election Day. Election officials must attach the affidavit to the provisional ballot affirmation. The board must transmit the completed affidavit of religious objection to the Secretary's Office, which then must consult the BMV's database to determine whether they issued a currently unexpired photo ID to that voter.

The affidavit of religious objection is not valid if the BMV has issued a currently unexpired photo ID or if the last four digits of the voter's SSN provided on the affidavit do not match those digits in the Statewide Voter Registration Database.⁹

This Office will prescribe the form of the affidavit based on the wording in statute.

3. Cure Period for Provisional Ballots

The time period when a provisional voter may cure a ballot by going to the board of elections and providing a photo ID, signing a religious objection affidavit, or providing other information needed to count the person's ballot is shortened. Provisional voters now have until the **fourth** day after Election Day to do so.¹⁰

II. ABSENTEE VOTING BY MAIL

H.B. 458 made several changes in processes associated with voting absentee by mail, as described below.

A. APPLICATION DEADLINE

The deadline to submit a valid absentee application for absentee ballots by mail will now be the **close of business on the seventh day before Election Day**. However, a voter may still apply for an absentee ballot after the regular application deadline and not later than 3:00 p.m. on Election Day if they or their minor child has been unexpectedly hospitalized.¹¹

"Close of business" is the time that in-person voting ends on the Tuesday before Election Day. For the May 2, 2023 Primary/Special Election, the absentee application deadline is 8:30 p.m. on April 25, 2023.

B. FORM OF APPLICATION

Beginning with the May 2, 2023 Primary/Special Election, non-UOCAVA absentee voters may use only an application form prescribed by the Secretary of State.¹² UOCAVA voters may still apply on the Federal Post Card Application or submit a Federal Write-in Absentee Ballot. A board of elections that receives an application that is not submitted on an appropriate form must

⁹ R.C. 3505.181, 3505.182, and 3505.183, and 3505.19.

¹⁰ Same as footnote 8.

¹¹ R.C. 3503.16(E), 3509.03(D), 3509.031(A)(2), 3509.08, 3511.02, and 3511.04.

¹² R.C. 3509.03(B).

promptly direct the applicant to use an appropriate form.¹³ The board must use all available contact information (phone and/or email) to contact the voter and provide the correct application form prior to the application deadline.

If a voter submits an absentee ballot application on the Secretary of State's previously prescribed form, the application may be accepted so long as the voter includes a valid form of ID required by H.B. 458. As explained above, the application must include one of the following:

1. An Ohio driver's license number or state ID card number;
2. The last four digits of the voter's SSN; or
3. A *copy* of the voter's photo ID.

If a county board of elections desires to make formatting changes to the prescribed absentee application form, the board must submit the proposed form to the Secretary of State's Office for review and approval. The Secretary of State may then prescribe a modified form for the board of elections.

C. ABSENTEE BALLOT RETURN PROCEDURES

1. Ballot Return and Cure Period Deadlines

The deadline for absentee ballots to arrive at a board of elections office will be the **fourth day after Election Day**. Under continuing law, absentee ballots for non-UOCAVA voters that arrive after the polls close must be postmarked by the day before Election Day. The new law changes the deadline for UOCAVA voters to complete their ballots. Going forward, a UOCAVA voter must sign their ballot by the close of the polls, regardless of whether they are postmarked or where the voter is located.¹⁴ Absentee voters who need to provide additional or corrected information have until the **fourth day** after Election Day to do so, which is similar to the changes to the cure period for provisional ballots described above.¹⁵

2. Accelerated Final Ballot Examination

Boards of elections must begin counting late arriving and cured absentee ballots on the **fifth day** after Election Day, instead of the eleventh day as required under prior law.¹⁶ Additionally, boards must begin counting cured provisional ballots by the **eighth day** after Election Day, instead of the eleventh day.¹⁷ However, the calendar provisions for the final canvass remain: a board must begin an official canvass not earlier than the 11th or later than the 15th day after an election and must complete it by the 21st day after.¹⁸

More information concerning the canvass timeline will be provided in a future directive.

¹³ R.C. 3503.16(E), 3509.03, 3509.04, 3511.02, and 3511.04. *See also* 52 United States Code (U.S.C.) 20302(a); Ohio Secretary of State, Forms 11-A through 11-I-2, available at www.ohiosos.gov/elections/elections-officials/forms-petitions and Federal Voting Assistance Program, available at www.fvap.gov.

¹⁴ R.C. 3511.09(A).

¹⁵ R.C. 3509.06 and 3509.07.

¹⁶ R.C. 3509.05, 3509.06, 3511.05, 3511.09, and 3511.11.

¹⁷ R.C. 3505.183(G)(2).

¹⁸ R.C. 3505.32(A).

3. Secure Receptacles (Drop Boxes)¹⁹

A board of elections may provide only **one** secure receptacle outside of the office of the board, on the property on which the office is located, for the purpose of receiving absentee ballots. A board that maintains multiple offices in the county may designate any of its offices for the return of absentee ballots, but it may designate only **one** of those offices for its drop box.

Only a bipartisan team of election officials may open a drop box or handle its contents. The team must collect the contents of each drop box and deliver them to the board at least once each day and promptly at 7:30 p.m. on Election Day. If there are persons waiting in line to deposit ballots in a drop box at the close of polls, those persons must be permitted to do so.

Any drop box the board provides must be open to receive ballots only from on the first day after the close of voter registration before the election through 7:30 p.m. on Election Day. The drop box must be open to receive ballots at all times during that period.²⁰ Before early voting begins and after Election Day, signage should indicate that ballots *cannot* be deposited in the drop box. Drop boxes may be utilized for other purposes year-round. Each drop box must be monitored by video surveillance at all times, and the video recordings are a public record.

The new law gives boards two options for complying with public records requests related to their video surveillance. Each board must either (1) make the recordings available for inspection immediately upon request or (2) make each day's recording available online for free streaming or download within 24 hours after the recording ends. For the first option, access to the recordings must be provided as soon as practicable. Boards must also make the recordings available to the public upon request in accordance with normal procedures under the Public Records Act.

4. New Statutory Reporting

During the absent voting period, the board must send a daily report to the Secretary of State each day the board is open for business that contains:

- The number of return envelopes purported to contain absentee ballots, both UOCAVA and non-UOCAVA, the board received by personal delivery (not through the drop box); and
- The number of return envelopes received in the drop box.

The Secretary's Office must make that daily report publicly available on the official website as soon as practicable after receiving the reports.²¹ We will provide instructions to the boards on the submission of these reports.

5. Processing Ballots Before the Close of Polls

Boards are now *required* to process absentee ballots before the close of the polls on Election Day. Boards may begin processing absentee ballots as early as the day following the close

¹⁹ R.C. 3509.05(C)(3).

²⁰ Although H.B. 458 states that a drop box is to be open to receive ballots only during the board's hours of operation during that period, the General Assembly separately amended that in H.B. 45 to require a drop box to be open at all times during that period.

²¹ R.C. 3509.05(C).

of voter registration. Boards are still prohibited from tabulating the ballots before the close of the polls. Under continuing law, processing an absent voter's ballot means all of the following:²²

- Examining the ID envelope in order to verify that the ballot is eligible to be counted;
- Opening the ID envelope, if the ballot is eligible to be counted;
- Determining whether the ballot is valid;
- Preparing and sorting the ballot for scanning by automatic tabulating equipment; and
- Scanning the ballot by automatic tabulating equipment, if the equipment permits the ballot to be scanned without tabulating or counting the votes on the ballots scanned.

6. Change from “Director” to “Board”

Numerous references in the law governing absentee voting are changed from the director receiving ballots to the board of elections receiving, sending, and processing applications and ballots. This clarifies that the director is not required to personally carry out those duties. Under continuing law and practice, the board delegates many of its duties to the director and deputy director and to other employees.

D. EARLY VOTING SCHEDULE

In-person absentee voting must be permitted for all voters starting the day after the close of voter registration before an election and ending on the Sunday before the election. The Monday immediately before Election Day is eliminated as an in-person absentee voting day. To make up for that loss of six hours of voting time, the Secretary of State is required to reallocate those hours by adding six hours on Monday through Friday of the preceding week. H.B. 458 states that the General Assembly intends to enact legislation that specifies the days and hours for in-person absentee voting.²³ Our office will work closely with the legislature to assure that the concerns of our election officials are considered when establishing early voting hours in law. For the May 2, 2023 Primary/Special Election, the in-person absentee hours are as follows:

Weeks One, Two, and Three of Voting

Voting begins the day after the close of registration for the election. Boards must not be open for early in-person absentee voting on any holiday established by state or federal law.

- ☐ 8:00 a.m. to 5:00 p.m. on each weekday (Monday through Friday)

Week Four of Voting

Boards must be open for early in-person absentee voting during the hours listed below. Boards must not be open for early in-person absentee voting on any holiday established by state or federal law.

- ☐ 7:30 a.m. to 7:30 p.m. (Monday)
- ☐ 7:30 a.m. to 8:30 p.m. (Tuesday)
- ☐ 7:30 a.m. to 7:30 p.m. (Wednesday through Friday)
- ☐ 8:00 a.m. to 4:00 p.m. (Saturday)
- ☐ 1:00 p.m. to 5:00 p.m. (Sunday)

²² R.C. 3509.06(F) and [Chapter 7](#), Section 7.06 of the Election Official Manual.

²³ Section 4(A) of H.B. 458.

Absentee ballot applications are due by close of business on the seventh day before Election Day (*i.e.*, Tuesday, April 25, 2023 at 8:30 p.m.)

III. AUGUST SPECIAL ELECTIONS

Special elections held in August are eliminated except when a political subdivision or school district is in a state of fiscal emergency as determined by the Auditor of State “at the time the board of elections certifies the office, question, or issue for placement on the ballot.” If an August election is held, the entire cost of the special election will be charged to the political subdivision or taxing authority.²⁴

IV. ADDITIONAL ADMINISTRATIVE CHANGES

A. CURBSIDE VOTING

According to H.B. 458, a voter with a disability (rather than “handicap”) who is physically unable to enter a polling place must be permitted to vote in their vehicle or at the door of the polling place with the assistance of a bipartisan team of election officials. This is the only circumstance where curbside voting is permitted. Election officials must not challenge a voter’s attestation that he or she has a disability and is physically unable to enter a polling place.²⁵

B. 17-YEAR-OLD POLL WORKERS

17-year-old poll workers are no longer required to be seniors in high school to participate in a Youth at the Booth program. The student must be at least 17, a U.S. citizen, and a resident of the county, and must apply through a program at the student’s school.²⁶

C. LOGIC AND ACCURACY TESTING FOR VOTING EQUIPMENT

H.B. 458 updates the law requiring pre-election testing of voting equipment consistent with existing Secretary of State directives. Pre-election logic and accuracy testing is required for all voting equipment that will be used in that election. No voting machine, marking device, or piece of automatic tabulating equipment may be used in an election without undergoing successful testing by a bipartisan team. Boards must give public notice of the time and place of all testing, including the testing and auditing of software codes.²⁷

D. ELECTION ADMINISTRATION PLANS

H.B. 458 codifies the Election Official Manual’s requirement that each board prepare an Election Administration Plan (“EAP”) before each presidential primary election and each general election held in an even-numbered year. The new law requires boards to submit the EAP no later than 75 days before the election. The topics are the same as those found on the current EAP template and may include additional topics prescribed by the Secretary in the future.²⁸

²⁴ R.C. 3501.022.

²⁵ R.C. 3501.29(C).

²⁶ R.C. 3501.22(C).

²⁷ R.C. 3506.14

²⁸ R.C. 3501.10(BB).

E. GOVERNOR'S COMMISSION FEE

H.B. 458 eliminates the fee that a newly elected state or county officer or judge must pay in order to receive a commission from the Governor. Those officers still must receive formal commissions to take office, but fees are no longer required.²⁹

V. NEWLY PRESCRIBED FORMS AND OLD STOCK

For the May 2, 2023 Primary/Special Election, boards must use the newly prescribed forms or modify existing stock to match the new language on the forms. For example, if a board is not able to produce a sufficient number of ID envelopes with the updated Form 12-A, the board may cover over any outdated information to be consistent with the changes in law. Boards must be cautious to ensure all changes are accurate and that any updated information is applied in a manner not easily removed (i.e., some labels may otherwise be removed inadvertently).

VI. PUBLIC AWARENESS CAMPAIGN

Each board must review its website, social media, and other communication resources to ensure that accurate information is provided to the public. The Secretary of State's Office is preparing to launch a robust public information campaign so that Ohio voters know about the changes in law. Boards should be proactive in educating their local communities about the changes in law. Our Office will inform boards once both printed and digital resources are developed or updated.

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

Yours in service,

Frank LaRose
Ohio Secretary of State

²⁹ R.C. 107.06 (repeal effective April 7, 2023) and R.C. 107.07.

b)

RELEASED: February 21, 2023

SUMMARY

- *Directive 2023-04* provides the certified forms of the official ballots to be used in the May 2, 2023 Primary Election.
- There are now only two political parties that formally exist in Ohio – the Democratic and Republican Parties (there are no Republican Party candidate contests in May in Cuyahoga County).
- In odd-numbered years, if there are no valid declarations of candidacy for nomination, or the number of persons filing declarations of candidacy of one political party does not exceed the number of candidates which such party is entitled to nominate for that office, a primary election is *not* held.
- *Directive 2023-04* prescribes the order offices must be listed on the ballot for all municipalities, as well as the order for questions and issues (by political subdivision).
- There are no statewide issues on the May 2, 2023 Primary Election ballot.
- Beginning this year, a local liquor option can occur on the standard date of a primary election, even when no primary is held.
- Absentee ballots must be printed and ready for use by Friday, March 17, for UOCAVA voters, and by Tuesday, April 4, for non-UOCAVA voters.
- Sample ballots must be posted on the CCBOE by Friday, March 17.

INSTRUCTIONS

I. VERIFYING DISTRICT RELATIONSHIPS

Before programming any aspect of the central tabulating system for the May 2, 2023 Primary Election, the CCBOE must verify the accuracy of district relationships in its central tabulating system against its voter registration system.

II. OFFICIAL BALLOT FORMS

The CCBOE is required to provide a separate ballot for each political party listing candidates for nomination or election in a primary election. Presently, only two political parties formally exist in Ohio – the Democratic and Republican Parties. (There are no Republican Party candidate contests in May in Cuyahoga County).

In odd-numbered years for a statutory municipality that nominates municipal office holders by partisan primary election, an election is **not held** if either of the following circumstances occurs:

- No valid declaration of candidacy is filed for nomination as a candidate of a political party for election to any of the offices to be voted for at the General Election to be held in such year; **or**
- The number of persons filing such declarations of candidacy for nominations as candidates of one political party for election to such offices does not exceed, as to any such office, the

number of candidates which such political party is entitled to nominate as its candidates for election to such office.

A. STATUTORY MUNICIPALITIES V. HOME RULE MUNICIPALITIES

A statutory municipal corporation is a city or village that is governed by the general laws of Ohio. In comparison, a municipal corporation that has adopted a form of limited home rule may have adopted provisions governing elections for municipal offices or issues that differ from general statutory provisions. If specific home rule provisions relating to elections cannot be harmonized with the statutory provisions, the home rule provisions will control the elections of the home rule municipality.

B. ORDER OF OFFICES FOR ALL CANDIDATE BALLOTS

1. Primary Ballot – Statutory City

City offices must be listed in the following order:

1. Mayor
2. President of Council
3. Auditor
4. Treasurer
5. Director of Law
6. Member of Council at Large
7. Member of Council – Ward
8. Judge of the Municipal Court
9. Clerk of the Municipal Court

2. Primary Ballot – Statutory Village

Village offices must be listed in the following order:

1. Mayor
2. Clerk-Treasurer
3. Clerk
4. Treasurer
5. Member of Council
6. Member of Board of Trustees of Public Affairs

3. Write-In Vote Blank Spaces

A write-in space must be provided on the ballot for every office for which the CCBOE has received a valid declaration of intent to be a write-in candidate. [\(There are no write-in candidates on the May ballot in Cuyahoga County\)](#)

C. OFFICIAL QUESTIONS AND ISSUES BALLOT

Candidates are presented first on the ballot, followed by questions and issues. Starting this year, a local liquor option can occur on the standard date of a primary election at the expense of the municipal corporation or township of which the precinct is a part, even where no primary is held.

No statewide issue will appear on the May 2, 2023 ballot. Questions and issues must be grouped together in the following political subdivision order for elections held in 2023:

1. Township
2. School and other districts
3. County
4. Municipal

III. ABSENTEE BALLOTS

The CCBOE must have absentee ballots printed and ready for use by Friday, March 17 (46 days before the May 2, 2023 Primary Election) for UOCAVA voters, and by Tuesday, April 4 for regular, non-UOCAVA absentee voters.

Additionally, the CCBOE must ensure that:

- Sample ballots are updated on the website by Friday, March 17.
- The absentee ballots are provided to the SOS by March 16 using SharePoint.
- The remote ballot marking system is updated to include all eligible candidates.



DIRECTIVE 2023-04

February 21, 2023

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

Re: Ballots for May 2, 2023 Primary/Special Election

SUMMARY

This Directive provides the certified forms of the official ballots to be used in the May 2, 2023 Primary/Special Election. Please note that this Directive must be used alongside [Chapter 5 of the Election Official Manual](#) when preparing ballots for this election. [Chapter 5](#) provides specific instructions on the following subjects:

- Ballot format;
- Voter instructions;
- Ballot stubs;
- Partisan primary elections;
- Seventeen-year-old voters;
- Candidate ballots (names, restrictions, political party, rotation, etc.);
- Questions and issues ballot;
- Ballot proofs;
- Overlaps;
- Bid requirements;
- Ballot quantities;
- Logic and accuracy testing; and
- Public test.

INSTRUCTIONS

I. VERIFYING DISTRICT RELATIONSHIPS

Before programming any aspect of the central tabulating system for the May 2, 2023 Election, boards of elections must verify the accuracy of district relationships in the central tabulating system against the county's voter registration system. 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.

II. OFFICIAL BALLOT FORMS

Each board of elections is required to provide a separate ballot for each political party listing candidates for nomination or election in a primary election.¹ Following the 2020 General Election, no minor political party met the threshold for minor party recognition under Ohio law. Presently, only two political parties formally exist in Ohio – the Democratic and Republican Parties.²

The names of all candidates who have not withdrawn pursuant to [R.C. 3513.30](#) 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.

Please note that partisan primary elections held in statutory municipalities in odd-numbered years are subject to the restrictions of [R.C. 3513.02](#). Pursuant to that provision, no partisan primary election will be held for a party in an odd-numbered year in a statutory municipality that nominates municipal office holders by partisan primary election if either of the following circumstances occurs:

- No valid declaration of candidacy is filed for nomination as a candidate of a political party for election to *any* of the offices to be voted for at the general election to be held in such year; **or**
- The number of persons filing such declarations of candidacy for nominations as candidates of one political party for election to such offices does not exceed, as to any such office, the number of candidates which such political party is entitled to nominate as its candidates for election to such office.³

For a statutory municipality, if a municipal-wide office is the office for which there are more valid declarations of candidacy than the number to be nominated by a political party, a primary election shall be held in all precincts of the city with all candidates for that political party on the ballot for all offices. If a ward council seat is the only contested race, a primary election shall be held in the precincts of the affected ward(s) only.⁴

A. STATUTORY MUNICIPALITIES V. HOME RULE MUNICIPALITIES

A statutory municipal corporation is a city or village that is governed by the general laws of Ohio. In comparison, a municipal corporation that has adopted a form of limited home rule may have adopted provisions governing elections for municipal offices or issues that differ from general statutory provisions. If specific home rule provisions relating to elections cannot be harmonized with the statutory provisions, the home rule provisions will control the elections of the home rule municipality. Questions about the applicability or implementation of home rule provisions should be directed to the municipal corporation's legal counsel.⁵

¹ [R.C. 3513.13](#).

² See [Advisory 2021-01](#) for more information.

³ See [Chapter 10](#), Section 10.04 of the Election Official Manual for guidance on issuing certificates of nomination.

⁴ [R.C. 3513.02](#).

⁵ See [Chapter 1](#), Section 1.02 and [Chapter 2](#), Section 2.03 of the Election Official Manual for additional guidance on Municipal & County Charters and corresponding legal counsel.

B. ORDER OF OFFICES FOR ALL CANDIDATE BALLOTS⁶

1. Primary Ballot – Statutory City

City offices must be listed in the following order:

1. Mayor
2. President of Council
3. Auditor
4. Treasurer
5. Director of Law
6. Member of Council at Large
7. Member of Council – Ward
8. Judge of the Municipal Court
9. Clerk of the Municipal Court

2. Primary Ballot – Statutory Village

Village offices must be listed in the following order:

1. Mayor
2. Clerk-Treasurer
3. Clerk
4. Treasurer
5. Member of Council
6. Member of Board of Trustees of Public Affairs

3. Write-In Vote Blank Spaces

A write-in space must be provided on the ballot for every office for which the board of elections has received a valid declaration of intent to be a write-in candidate.⁷ However, a board of elections shall not accept a declaration of intent to be a write-in candidate for any office for which the primary election has been eliminated pursuant to [R.C. 3513.02](#).⁸

C. OFFICIAL QUESTIONS AND ISSUES BALLOT

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 attached ballot form 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, so please apply as much of the form as is appropriate to the ballots in your county.

⁶ [R.C. 3513.13](#); If a city or village has adopted a charter or one of the three alternate forms of home rule government set forth in Revised Code Chapter 705 (i.e., commission plan, city manager plan, or federal plan), you must refer to the charter or appropriate provisions of R.C. Chapter 705 to determine the following: what officers are to be elected; the term of each office to be elected; the method of nomination (e.g., partisan primary election, nonpartisan primary election, or nominating petition) for each office; and the form of the ballot, if such ballot is prescribed by charter.

⁷ [R.C. 3513.041](#); [R.C. 3513.14](#).

⁸ See [1973 OAG 094](#)

Please note that the ballot form for the Official Questions and Issues Ballot contains an example of a local liquor option question. Remember that starting this year, a local liquor option can occur on the standard date of a primary election at the expense of the municipal corporation or township of which the precinct is a part, even where no primary is held.⁹

Additional instructions on headings, ballot language, and percentage of votes can be found in [Chapter 5](#) of the Election Official Manual.

No statewide issue will appear on the May 2, 2023 ballot. Questions and issues must be grouped together in the following political subdivision order for elections held in 2023:

1. Township
2. School and other districts
3. County
4. Municipal

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.

Please 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 in the attached Official Questions and Issues Ballot.

III. ABSENTEE BALLOTS¹⁰

As a reminder, boards must follow the instructions for proofing the ballot as outlined in [Chapter 5](#) of the Election Official Manual. All board members, but especially those who are new to the ballot-proofing process, should read over these provisions to ensure they are familiar with the process.

Each board of elections must have absentee ballots printed and ready for use by Friday, **March 17, 2023** (46 days before the May 2, 2023 Primary/Special Election) for Uniformed and Overseas Citizens Absentee Voting Act (“UOCAVA”) voters, and by Tuesday, **April 4, 2023** for regular, non-UOCAVA absentee voters.

As provided in [Chapter 7](#) of the Election Official Manual, boards may not outsource the printing and mailing of absentee ballots to vendors or any other third party without prior written authorization from the Director of Elections. The deadline to request outsourcing of absentee ballots is Friday, **March 3, 2023** (60 days before the election). Keep in mind that legislation allowing out-of-state printing is not in effect until April and **will not apply** to ballot printing contracts for the May election.¹¹

Additionally, each board must ensure that:

- The ballot file is provided to the ballot printing vendor, if applicable, to produce absentee and Election Day ballots and that all such ballot files are reviewed and approved before production;
- Any absentee ballot that is printed and mailed by a vendor is properly proofed and tested according to the instructions in [Chapter 7](#) of the Election Official Manual;
- The sample ballot on the board’s website is updated by Friday, **March 17, 2023** (at least 46 days

⁹ See [Advisory 2022-02](#) (“Substitute Senate Bill 102 and Changes to Local Option Elections Law”) and [R.C. 4301.355](#).

¹⁰ [R.C. 3509.01](#) and [R.C. 3511.04](#).

¹¹ See [Advisory 2023-01](#).

- before the election);¹²
- The absentee ballots are provided to the Secretary of State's Office at least 47 days before the election (**March 16, 2023**) using SharePoint; and
 - The remote ballot marking system is updated to include all eligible candidates.

If you have any questions regarding this Directive or [Chapter 5](#) of the Election Official Manual, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,



Frank LaRose
Ohio Secretary of State

¹² [R.C. 3511.04\(B\)](#).

OFFICIAL QUESTIONS AND ISSUES BALLOT

A _____ County	B Special Election	C May 2, 2023
Instructions to Voter <ul style="list-style-type: none"> • To vote: completely darken the oval (●) to the left of your choice. • Do not mark the ballot for more choices than allowed. Vote either "Yes" or "No," or "For" or "Against," on any issue. • If you mark the ballot for more choices than permitted, that question will not be counted. • If you make a mistake or want to change your vote: return your ballot to an election official and get a new ballot. You may ask for a new ballot up to two times. 	<div style="border: 1px solid black; padding: 5px;"> Proposed Tax Levy (Additional) _____ <small>(name of subdivision)</small> A majority affirmative vote is necessary for passage. </div> <div style="border: 1px solid black; padding: 5px;"> An additional tax for the benefit of _____ <small>(name of subdivision or public library)</small> for the purpose of _____ that the county auditor estimates will collect \$ _____ annually, at a rate not exceeding _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's appraised value, for _____ <small>(life of indebtedness, number of years levy to run, or a continuing period of time)</small> commencing in _____, <small>(first year tax to be levied)</small> first due in calendar year _____. <small>(first calendar year tax due)</small> <input type="radio"/> FOR THE TAX LEVY <input type="radio"/> AGAINST THE TAX LEVY </div> <div style="border: 1px solid black; padding: 5px;"> Proposed Municipal Income Tax _____ <small>(name of subdivision)</small> A majority affirmative vote is necessary for passage. </div> <div style="border: 1px solid black; padding: 5px;"> Shall the Ordinance providing for a _____ percent levy on income for _____ <small>(brief description of purpose of the levy)</small> be passed? <input type="radio"/> FOR THE INCOME TAX <input type="radio"/> AGAINST THE INCOME TAX </div>	<div style="border: 1px solid black; padding: 5px;"> Local Liquor Option (By Petition) A majority affirmative vote is necessary for passage. </div> <div style="border: 1px solid black; padding: 5px;"> Shall the sale of _____ <small>(Insert above one or more of the following three choices: "beer"; "wine and mixed beverages"; or "spirituous liquor")</small> be permitted by _____ <small>(Insert name (as submitted to Division of Liquor Control) of liquor permit holder or applicant, or liquor agency store, including, if applicable, trade or fictitious name under which applicant for, or holder of, liquor permit or liquor agency store either does, or intends to do, business at the particular location]</small> a(n) _____ <small>(insert "an applicant for" or "a holder of" or "an operator of")</small> a _____ <small>(insert name of the type of liquor permit or permits or, if appropriate, "liquor agency store for the State of Ohio")</small> who is engaged in the business of _____ <small>(insert general nature of the business in which liquor permit holder or applicant is engaged, or will be engaged, at the particular location)</small> at _____ <small>(insert address of the particular location within the precinct)</small> in this precinct? <input type="radio"/> YES <input type="radio"/> NO </div> <div style="border: 1px solid black; padding: 5px; height: 150px;"> Insert board member signatures </div>
A 001 _____ TWP A	B 0001:1	C 001

OFFICIAL (INSERT NAME OF POLITICAL PARTY) PRIMARY BALLOT

A _____ County	B Primary Election	C May 2, 2023
<p>Instructions to Voter</p> <ul style="list-style-type: none"> • To vote: completely darken the oval (●) to the left of your choice. • Note the permitted number of choices directly below the title of each candidate office. Do not mark the ballot for more choices than allowed. • If you mark the ballot for more choices than permitted, that contest or question will not be counted. • To vote for a write-in candidate: completely darken the oval (●) to the left of the blank line and write in the candidate's name. Only votes cast for candidates who filed as write-in candidates can be counted. • Do not write in a candidate's name if that person's name already is printed on the ballot for that same contest. • Before casting your ballot, if you make a mistake or want to change your vote: return your ballot to an election official and get a new ballot. You may ask for a new ballot up to two times. 	<p>CITY OF _____</p> <p>For Mayor (Vote for not more than 1)</p> <p><input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name</p> <p>For President of Council (Vote for not more than 1)</p> <p><input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name</p> <p>For Auditor (Vote for not more than 1)</p> <p><input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name</p> <p>For Treasurer (Vote for not more than 1)</p> <p><input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name</p> <p>For Director of Law (Vote for not more than 1)</p> <p><input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name</p> <p>For Member of Council At Large (Vote for not more than ____)</p> <p><input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name</p> <p>For Member of Council (____ Ward) (Vote for not more than 1)</p> <p><input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name</p> <p>For Judge of the Municipal Court (Full term commencing xx-xx-20xx) (Vote for not more than 1)</p> <p><input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name</p> <p>For Clerk of the Municipal Court (Vote for not more than 1)</p> <p><input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name</p>	<p>If applicable insert: OFFICIAL QUESTIONS AND ISSUES BALLOT from this point forward</p> <p>Insert board member signatures</p> <p>Page 1 of 1</p>
A 001 _____ TWP A	B 0001:1	C 001

This **SAMPLE** ballot provides the **CORRECT TITLE** and **ORDER OF OFFICES** for ballot layout for candidates for city offices for the May 2023 Primary Election. The space for a write-in candidate should be provided only if applicable. See ballot layout directive.

OFFICIAL (INSERT NAME OF POLITICAL PARTY) PRIMARY BALLOT

A	County	B	Primary Election	C	May 2, 2023
Instructions to Voter <ul style="list-style-type: none"> To vote: completely darken the oval (●) to the left of your choice. Note the permitted number of choices directly below the title of each candidate office. Do not mark the ballot for more choices than allowed. If you mark the ballot for more choices than permitted, that contest or question will not be counted. To vote for a write-in candidate: completely darken the oval (●) to the left of the blank line and write in the candidate's name. Only votes cast for candidates who filed as write-in candidates can be counted. Do not write in a candidate's name if that person's name already is printed on the ballot for that same contest. Before casting your ballot, if you make a mistake or want to change your vote: return your ballot to an election official and get a new ballot. You may ask for a new ballot up to two times. 		VILLAGE OF _____ <hr/> For Mayor (Vote for not more than 1) <input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name <hr/> For Clerk-Treasurer (Vote for not more than 1) <input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name <hr/> For Clerk (Vote for not more than 1) <input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name <hr/> For Treasurer (Vote for not more than 1) <input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name <hr/> For Member of Council (Vote for not more than ____) <input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name <hr/> For Member of Board of Trustees of Public Affairs (Vote for not more than ____) <input type="radio"/> Print Candidate Name <input type="radio"/> Print Candidate Name <hr/> <p style="text-align: center;">If applicable insert: OFFICIAL QUESTIONS AND ISSUES BALLOT from this point forward</p> <p>Insert board member signatures</p>			
Page 1 of 1					
A	001 _____ TWP A	B	0001:1	C	001

This **SAMPLE** ballot provides the **CORRECT TITLES** and **ORDER OF OFFICES** for ballot layout for candidates for village offices for the May 2023 Primary Election. The space for a write-in candidate should be provided only if applicable. See ballot layout directive.

c)

RELEASED: February 28, 2023

SUMMARY

- *Directive 2023-05* requires the CCBOE to provide a list of registrations in active-confirmation status to the SOS as a result of the 2019 NCOA Process pursuant to *Directive 2019-03*.
- By noon on March 10, the CCBOE must upload the registration records that will receive a registration readiness notice. The SOS will review the data, then authorize the CCBOE to mail the notices, which must be completed by March 23.
- The SOS will publish the list of registrations in active-confirmation status to encourage a response to the notices that will be sent to registrations on the list.
- After the May 2, 2023 Primary Election, the CCBOE must provide a pre-cancellation list, but only after uploading all voter history from the election and processing voter registration transactions pending after the election.
- **The CCBOE is prohibited from cancelling any voter registration pursuant to the 2019 NCOA Process prior to the May 2, 2023 Primary Election.**
- By noon on June 16, the CCBOE must upload the spreadsheet containing the records of registrations that are pending cancellation pursuant to the 2019 NCOA Process.
- All identified records (having passed SOS review) must be cancelled on July 20, 2023. Prior to cancelling any records, the CCBOE must update all recent voter-initiated activity.

INSTRUCTIONS

I. REGISTRATION READINESS NOTICES PURSUANT TO 2019 NCOA PROCESS

Before mailing registration readiness notices, the CCBOE must submit a “registration readiness file” to the SOS. Boards must process any outstanding voter registration transactions and timely resolve duplicates before submitting the registration readiness file. Prior to submitting the registration readiness file, the CCBOE must complete the following steps:

1. Receive from all designated agencies and process all outstanding voter registration transactions by the close of business on **March 6**.
2. Resolve all outstanding duplicate registrations by the close of business on **March 8**.

The CCBOE must pause entering voter registration registrations between **March 7** and **March 15**. By **12:00 noon on March 10**, the CCBOE must upload the spreadsheet containing the registration records that will receive the registration readiness notice.

The SOS will review the CCBOE’s data. If the review is satisfactory, the SOS will email the CCBOE to authorize it to mail registration readiness notices. The CCBOE must then send, by forwardable mail, the registration readiness notice (Form 255-A-3) to each registration that meets the criteria. The

CCBOE must finish mailing the notices by **March 23**. The CCBOE is eligible for reimbursement of actual costs for printing and mailing registration readiness notices sent pursuant to this Directive.

II. CANCELLATIONS PURSUANT TO THE 2019 NCOA PROCESS

The CCBOE is prohibited from cancelling any voter registration pursuant to the 2019 NCOA Process prior to the May 2, 2023 Primary Election.

A. PRE-CANCELLATION SPREADSHEET: 2019 NCOA PROCESS

Before completing any cancellations pursuant to the 2019 NCOA Process, the CCBOE must submit a “pre-cancellation file” to the SOS. Prior to providing the pre-cancellation file, the CCBOE must process all outstanding voter registration transactions and timely resolve duplicate registrations. To meet the goal of resolving all duplicate registrations prior to providing the pre-cancellation spreadsheet, each board must complete the following steps:

1. Receive from all designated agencies and process all voter registration transactions received by the close of business on **June 12**.
2. Resolve all outstanding duplicate registrations by the close of business on **June 14**.

No earlier than the afternoon of **June 16**, boards may resume processing voter registration transactions. By **12:00 noon on Friday, June 16**, the CCBOE must upload the spreadsheet containing the records of registrations that are pending cancellation pursuant to the 2019 NCOA Process. The CCBOE is prohibited from cancelling any registration that appears on a “Do Not Cancel” list from the SOS.

B. CANCELLATION SPREADSHEET: 2019 NCOA PROCESS RECORDS

Once the SOS reviews the list of voter registration records pending cancellation, the CCBOE will receive an email instructing it on how to proceed with cancelling the registrations. Prior to cancelling any records, the CCBOE must update voter-initiated activity for any voter who signed a petition that was verified by the board or had any other type of voter-initiated activity. All identified records must be cancelled on **July 20**. By **12:00 noon on July 25**, the CCBOE must upload a spreadsheet containing the registrations that received the registration readiness notice and were cancelled.

III. MAINTAINING RECORDS OF CANCELLATION

The CCBOE must work with its voter registration vendor to ensure that its voter registration system maintains and can produce a list of voter registrations cancelled pursuant this Directive. The CCBOE must record all the following in its county’s voter registration system:

- The date that it mailed a registration readiness notice to an elector;
- If the elector responds to the notice, the date on which the elector responded; and
- If the elector does not respond to the notice, the date the registration was cancelled.



DIRECTIVE 2023-05

February 28, 2023

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

Re: Data Collection, Notice, and Cancellation Procedures for Completion of 2019 National Change of Address ("NCOA") Process

BACKGROUND

State and federal law require maintaining accurate voter registration records. The Secretary of State's Office is committed to encouraging all eligible voters to remain active voters. Therefore, this Directive requires each county board of elections to provide a list of registrations in active-confirmation status as a result of the 2019 NCOA Process pursuant to [Directive 2019-03](#) to the Secretary of State's Office. The Secretary of State's Office will publish the list of registrations in active-confirmation status to encourage a response to the notices that will be sent to registrations on the list.

This Directive requires the boards of elections to send a registration readiness notice ([Secretary of State Form 255-A-3 – Updated 2/24/2023](#)) to each registration that is in active-confirmation status as a result of the 2019 NCOA Process.

After the May 2, 2023 Primary/Special Election and per the timelines set forth in this Directive, boards must provide a pre-cancellation list, but only after (1) uploading all voter history from the primary/special election, if applicable, and (2) processing voter registration transactions pending after the election. Cancellations will occur in two phases as outlined in the instructions below.

INSTRUCTIONS

I. REGISTRATION READINESS NOTICES PURSUANT TO 2019 NCOA PROCESS

Before mailing registration readiness notices, boards must submit a "registration readiness file" to the Secretary of State's Office. Boards must process any outstanding voter registration transactions and timely resolve duplicates before submitting the registration readiness file.

Prior to submitting the registration readiness file to the Secretary of State's Office, each board of elections must complete the following steps:

1. Receive from all designated agencies and process all outstanding voter registration transactions by the close of business on **March 6, 2023**.¹
2. Resolve all outstanding duplicate registrations by the close of business on **March 8, 2023**.

¹ [R.C. 3503.10](#)

This timeline must be followed to ensure that each board resolves duplicate registrations without being impacted by another board's processing of voter registration transactions. Each board must pause entering voter registration registrations between **March 7 and March 15, 2023**.

By 12:00 noon on March 10, 2023, each board of elections must upload the spreadsheet containing the registration records that will receive the registration readiness notice: Note that every record on the spreadsheet must receive a registration readiness notice, unless there is voter-initiated activity prior to the notice being mailed.

All boards must utilize the same spreadsheet format, containing the following information:

- County Number
- County Name
- State Voter ID
- Cancel Reason (NCOA)
- Registration Date
- Last Voted Date
- First Name
- Last Name
- Address
- Address 2
- City
- State
- Zip Code
- Voter Status
- Confirmation Notice Mail Date

The spreadsheet must be uploaded to the board's SharePoint folder in a .csv format. Each record provided in the spreadsheet must meet the following data conditions:

- The record is in active-confirmation status as a result of the **2019 NCOA Process**;
- The record must be contained on the 2019 Out-of-County NCOA list;
- The Out-of-County Confirmation Notice must have been mailed no later than March 22, 2019;
- There must be no voter history on or after May 7, 2019;
- The registration date is before February 27, 2019;
- The record does not contain any voter-initiated activity between the date the confirmation notice was mailed and the date the data is compiled for the mailing of the registration readiness notice. 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 elections²; and

² See Election Official Manual, [Chapter 4, Section 4.01](#).

- The record does not appear on the “Do Not Cancel” list. This list will be provided prior to the deadline to upload the list of identified records.

The Secretary of State’s staff will review each board’s data. If the review is satisfactory, the Secretary of State’s Office will email each board to authorize the board to mail registration readiness notices.

Boards of elections must send, by forwardable mail, the registration readiness notice ([Secretary of State Form 255-A-3 – Updated 2/24/2023](#)) to each registration that meets the criteria above. Each board must finish mailing the notices by **March 23, 2023**. The notice must be populated with the recipient’s name and address. If the elector replies to the notice by updating or confirming the elector’s address at any time prior to the anticipated cancellation date, the elector’s registration must not be cancelled. Each board utilizing a vendor to print the notices must inform the vendor of the timeframe associated with this mailing to ensure the deadline is achieved. The board must review and follow the outsourcing required mailings section in [Chapter 2, page 47 of the Election Official Manual](#).

Boards must include a courtesy reply mail return envelope with each notice. As a reminder, each board must incorporate the use of the Official Election Mail logo on both outbound and inbound envelopes used with the registration readiness notices. Each board should consult with its Election Mail Coordinator for assistance in preparing for this mailing. Boards must ensure proper quality control is performed to ensure the registration readiness notice ([Secretary of State Form 255-A-3 – Updated 2/24/2023](#)) and the courtesy reply mail return envelope are properly printed and included in the outbound mailing envelope. This mailing should be organized in a fashion that maximizes the recipients’ desire to read the contents.

Counties are eligible for reimbursement of actual costs for printing and mailing registration readiness notices sent pursuant to this Directive. Information regarding reimbursement procedures is forthcoming.

II. CANCELLATIONS PURSUANT TO THE 2019 NCOA PROCESS

Boards of elections are prohibited from cancelling any voter registration pursuant to the 2019 NCOA Process prior to the May 2, 2023 Primary/Special Election. The following instructions are for the period after the May 2, 2023 Primary/Special Election, preceding any cancellation.

A. PRE-CANCELLATION SPREADSHEET: 2019 NCOA PROCESS RECORDS

Before completing any cancellations pursuant to the 2019 NCOA Process, all boards must submit a “pre-cancellation file” to the Secretary of State’s Office. Prior to providing the pre-cancellation file, boards must process all outstanding voter registration transactions and timely resolve duplicate registrations. To meet the goal of resolving all duplicate registrations prior to providing the pre-cancellation spreadsheet, each board must complete the following steps:

1. Receive from all designated agencies and process all voter registration transactions received by the close of business on **June 12, 2023**.³

³ [R.C. 3503.10](#)

2. Resolve all outstanding duplicate registrations by the close of business on **June 14, 2023**.

This timeline must be followed to ensure that each board resolves duplicate registrations⁴ without being impacted by another board's processing of voter registration transactions. No earlier than the afternoon of **June 16, 2023**, boards may resume processing voter registration transactions.

By 12:00 noon on Friday, June 16, 2023, each board must upload the spreadsheet containing the records of registrations that are pending cancellation pursuant to the 2019 NCOA Process:

The pre-cancellation file format is the same as for the registration readiness file and must be uploaded to the board's SharePoint folder in a .csv format. Each record provided in the spreadsheet must meet the following data conditions:

- The record is in active-confirmation status as a result of the 2019 NCOA Process.
- The record appears on the 2019 Out-of-County NCOA list.
- The record's registration date is before February 27, 2019.
- The record does not contain voter history on or after May 7, 2019.
- The record does not contain any voter-initiated activity between the date the confirmation notice was mailed and the date the data is compiled for the pre-cancellation list. 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.⁵
- The record appears on the registration readiness notice spreadsheet.

Boards are prohibited from cancelling any registration that appears on a "Do Not Cancel" list from the Secretary of State's Office.

B. CANCELLATION SPREADSHEET: 2019 NCOA PROCESS RECORDS

Once the Secretary of State's Office reviews the list of voter registration records pending cancellation, each board will receive an email instructing the board to proceed with cancelling the registrations. The boards must not cancel any registration until receipt of that email. Prior to cancelling any records, boards must update voter-initiated activity for any voter who signed a petition that was verified by the board or had any other type of voter-initiated activity. All identified records must be cancelled on **July 20, 2023**. If a board of elections is holding a special or charter election within 30 days of that date, the board must notify the Secretary of State's Office as soon as that is known, so that an alternative date can be set.

⁴ See Election Official Manual, [Chapter 4, Section 4.01](#).

Boards of elections must not cancel any registration pursuant to the 2019 NCOA Process to which any of the following apply:

1. The registration appears on the “Do Not Cancel” list;
2. The registration is impacted by a voter registration vendor’s error known to the board;
3. The board is missing voter history in their county voter registration database from any election between May 7, 2019 Primary/Special Election through the May 2, 2023 Primary/Special Election; or
4. The registration appears on the Secretary of State’s Statewide Voter Registration Database (“SWVRD”) in “active” status.

By 12:00 noon on July 25, 2023, each board must upload the spreadsheet containing the registrations that received the registration readiness notice and were cancelled. The cancellation file format is the same as described above for the registration readiness file and pre-cancellation file. The cancellation file must be uploaded to the board’s SharePoint folder in a .csv format.

III. MAINTAINING RECORDS OF CANCELLATION

Each board must work with its voter registration vendor to ensure that its county voter registration system maintains and can produce a list of voter registrations cancelled pursuant this Directive. Boards must record all of the following in their county’s voter registration system:

- The date that it mailed a registration readiness notice ([Secretary of State Form 255-A-3 – Updated 2/24/2023](#)) to an elector;
- If the elector responds to the notice, the date on which the elector responded; and
- If the elector does not respond to the notice, the date the registration was cancelled.

Boards of elections must maintain and make available for public inspection and copying at a reasonable cost all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of registration lists, including the names and addresses of all registered electors sent confirmation notices and whether the elector responded to the confirmation notice.⁶

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

⁶ [52 U.S.C.A. §20507\(i\)](#); [R.C. 3503.26\(B\)](#); CBE-44 & CBE-46, [Secretary of State Retention Schedule](#).

d)

RELEASED: February 17, 2023

SUMMARY

- *Advisory 2023-01* alerts the Cuyahoga County Board of Elections (CCBOE) to changes in the administration of elections resulting from the passage of Amended House Bill 487 (H.B. 487).
- H.B. 487 allows the CCBOE to award the ballot printing contract to an out-of-state vendor.
- Due to the effective date of H.B. 487, the outsourcing and bid requirements will **not** apply to ballot printing contracts for the May 2023 election.
- Starting April 3, 2023, a ballot printing contract must be awarded to the most qualified responsible proposer that meets certain printing, mailing, and security standards. H.B. 487 requires the SOS establish those standards under its administrative rule-making power.
- A ballot printing contract of over \$25,000 cannot be awarded until after a 15-day proposal period.
- Each bid must be accompanied by a bid bond equal to 10% of the proposal and a performance bond.

SUMMARY

I. OUTSOURCING OF BALLOT PRINTING

Previously, a ballot printing contract could only be awarded within the State of Ohio. H.B. 487 allows the CCBOE to award the ballot printing contract to an out-of-state vendor.

Starting April 3, 2023, a ballot printing contract must be awarded to the most qualified responsible proposer that meets certain printing, mailing, and security standards. H.B. 487 requires the SOS establish those standards under its administrative rule-making power. The proposer must post a performance bond equal to 100% of a single election's contract amount, or if the contract is for multiple elections, then the board may require the proposer to post a performance bond of a sum equal to 100% of the board's estimated ballot printing costs for the largest election to be conducted during the contract period.

II. PROPOSAL REQUIREMENTS FOR BALLOT PRINTING

A. TIMING

Previously, a ballot printing contract of over \$25,000 could not be awarded until five days' notice after either newspaper publication or mailing notice to printing offices within the state. Starting on April 3, 2023, a ballot printing contract of over \$25,000 cannot be awarded until after a 15-day proposal period. During that period, the board *must* publish a notice at least once in a newspaper of general circulation published in the county.

B. BID REQUIREMENTS

Starting April 3, 2023, each proposal must be accompanied by a bid bond equal to 10% of the proposal. Due to the effective date of H.B. 487, the outsourcing and bid requirements will not apply to ballot printing contracts for the May 2023 elections.



ADVISORY 2023-01

February 17, 2023

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

Re: House Bill 487 and Changes Regarding Ballot Printing Requirements

BACKGROUND

This Advisory alerts boards of elections to changes in the administration of elections resulting from the passage of Amended House Bill 487 ("H.B. 487"). More specifically, H.B. 487 changes R.C. 3505.13 regarding Ohio's requirement for the printing of ballots and contract proposals related to that printing. The change in law takes effect on April 3, 2023.¹

SUMMARY

I. OUTSOURCING OF BALLOT PRINTING

Previously, a ballot printing contract could be awarded to the lowest responsible bidder in the state, and all ballots were required to be printed within the State of Ohio. H.B. 487 allows a board of elections to award the ballot printing contract to an out-of-state vendor.

Starting April 3, 2023, a ballot printing contract must be awarded to the most qualified responsible proposer that meets certain printing, mailing, and security standards. H.B. 487 requires that the Secretary of State establish those standards under its administrative rule-making power. The proposer must post a performance bond equal to 100% of a single election's contract amount, or if the contract is for multiple elections, then the board may require the proposer to post a performance bond of a sum equal to 100% of the board's estimated ballot printing costs for the largest election to be conducted during the contract period.

II. PROPOSAL REQUIREMENTS FOR BALLOT PRINTING

A. TIMING

Previously, a ballot printing contract of over \$25,000 could not be awarded until five days' notice after either newspaper publication or mailing notice to printing offices within the state. H.B. 487 changes that timeline.

Starting on April 3, 2023, a ballot printing contract of over \$25,000 cannot be awarded until after a 15-day proposal period. During that period, the board must publish a notice at least

¹ [Article II, Section 1\(c\)](#) of the Ohio Constitution.

once in a newspaper of general circulation published in the county. The board also may post the notice electronically or mail notices to the responsible printing offices.

B. BID REQUIREMENTS

Previously, a bid for ballot printing must have included at least two sureties, or a surety company, satisfactory to the board, equal to twice the bid amount, conditioned upon the faithful performance of the printing contract and payment as damages by such bidder to the board of any excess of cost over the bid caused by the bidder's incomplete contract, although these requirements could be waived if the contract was \$25,000 or less. Starting April 3, 2023, each proposal must be accompanied by a bid bond equal to 10% of the proposal.

Due to the effective date of H.B. 487, the outsourcing and bid requirements will not apply to ballot printing contracts for the May 2023 elections. As noted above, the Secretary of State's Office must adopt administrative rules for outsourced ballot printing, mailing, and security standards. Our Office will seek your input and provide notice when proposed rules are available for public comment.

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

Yours in service,


Frank LaRose
Ohio Secretary of State

e)

RELEASED: February 23, 2023

SUMMARY

- *Advisory 2023-02* advises the CCBOE that each odd-numbered year, the SOS adjusts the minimum recount deposit and the amount required for a recount, and the minimum and maximum charge per precinct for a recount. The SOS also adjusts the maximum campaign contribution limit.
- Beginning February 25, the minimum deposit for a requested (non-automatic) recount will change to \$70.00 per precinct.
- The minimum charge for a requested recount remains \$5.00 per precinct, and the maximum charge for a requested recount will be \$70.00 per precinct.
- Beginning on February 25, new maximum campaign contribution limits were instituted. A chart showing those limits were a part of this Advisory.

SUMMARY

I. BIENNIAL ADJUSTMENT OF RECOUNT CHARGES

Pursuant to R.C. 3515.072, in January of each odd-numbered year, the SOS adjusts the minimum recount deposit and the amount required for a recount, and the minimum and maximum charge per precinct for a recount.

Based on SOS calculations in January 2023, as certified by the Auditor of State, there will be a change to the recount charges for the period beginning February 25, 2023 through February 24, 2025.

- The minimum recount deposit will increase to \$70.00 per precinct.
- The maximum recount charge will increase to \$70.00 per precinct.
- The minimum recount charge will remain at \$5.00 per precinct.

II. CAMPAIGN CONTRIBUTION LIMIT ADJUSTMENT

Pursuant to R.C. 3517.102(A), in January of each odd-numbered year, the SOS adjusts each contribution limitation amount specified in R.C. 3517.102, 3517.10(B)(4)(e), and 3517.101(B) based on the yearly average of the previous two years of the Consumer Price Index. The new maximum contribution limits will apply for the period beginning February 25, 2023 through February 24, 2025.

The SOS is required to issue a report setting forth the new maximum contribution limits. This report, entitled *2023 Adjusted Campaign Contribution Limits*, was included with this Advisory. It summarizes the new contribution limits and has a "Contribution Limit Chart" that is available for public distribution ([we post this one-page chart on our website](#)).



ADVISORY 2023-02

February 23, 2023

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

Re: Biennial Adjustment of Recount Charges/Campaign Contribution Limit Adjustment

BACKGROUND

I. BIENNIAL ADJUSTMENT OF RECOUNT CHARGES

Beginning February 25, 2023, the minimum deposit for a requested (non-automatic) recount will change to \$70.00 per precinct. The minimum charge for a requested recount remains \$5.00 per precinct, and the maximum charge for a requested recount will be \$70.00 per precinct.

II. CAMPAIGN CONTRIBUTION LIMIT ADJUSTMENT

Beginning February 25, 2023, new maximum campaign contribution limits will apply.

SUMMARY

I. BIENNIAL ADJUSTMENT OF RECOUNT CHARGES

Pursuant to [R.C. 3515.072](#), in January of each odd-numbered year, the Secretary of State adjusts the minimum recount deposit and the amount required for a recount,¹ and the minimum and maximum charge per precinct for a recount.² The Secretary of State calculates the biennial adjustment according to a statutory formula based on the yearly average of the previous two years of the Consumer Price Index.³

Based on the Secretary of State's calculations in January 2023, as certified by the Auditor of State, there will be a change to the recount charges for the period beginning February 25, 2023 through February 24, 2025. The recount charges shall be as follows:

- The minimum recount deposit required by [R.C. 3515.03](#) will increase to \$70.00 per precinct.

¹ [R.C. 3515.03](#).

² [R.C. 3515.07](#).

³ [R.C. 3515.072\(A\)](#).

- The maximum recount charge required by [R.C. 3515.07](#) will increase to \$70.00 per precinct.
- The minimum recount charge required by [R.C. 3515.07](#) will remain at \$5.00 per precinct.

Pursuant to [R.C. 3515.072\(B\)](#), on or before February 25th of each odd-numbered year, the Secretary of State must create a report setting forth the recount charges and a summary of how the recount charges were calculated. This report, entitled *2023 Procedure and Findings for Recount Charges*, is attached to this Advisory.

II. CAMPAIGN CONTRIBUTION LIMIT ADJUSTMENT

Pursuant to [R.C. 3517.102\(A\)](#), in January of each odd-numbered year, the Secretary of State adjusts each contribution limitation amount specified in [R.C. 3517.102](#), [3517.10\(B\)\(4\)\(e\)](#), and [3517.101\(B\)](#) based on the yearly average of the previous two years of the Consumer Price Index. The new maximum contribution limits will apply for the period beginning February 25, 2023 through February 24, 2025.

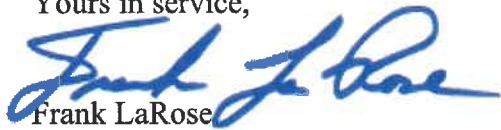
Pursuant to [R.C. 3517.104\(B\)\(3\)](#), the Secretary of State must issue a report setting forth the new maximum contribution limits. This report, entitled *2023 Adjusted Campaign Contribution Limits*, is also attached to this Advisory.

- Appendix A of the report contains a summary of each new adjusted contribution limit in [R.C. 3517.102](#), [3517.10\(B\)\(4\)\(e\)](#), and [3517.101\(B\)](#). The new contribution limits are highlighted in bold.
- Appendix B of the report is an overview chart showing Ohio's new campaign contribution limit amounts effective as of February 25, 2023.

The updated Contribution Limit Chart for public distribution may be found on the Secretary of State's website here: [Current Limit Chart \(Effective February 25, 2023, PDF\)](#).

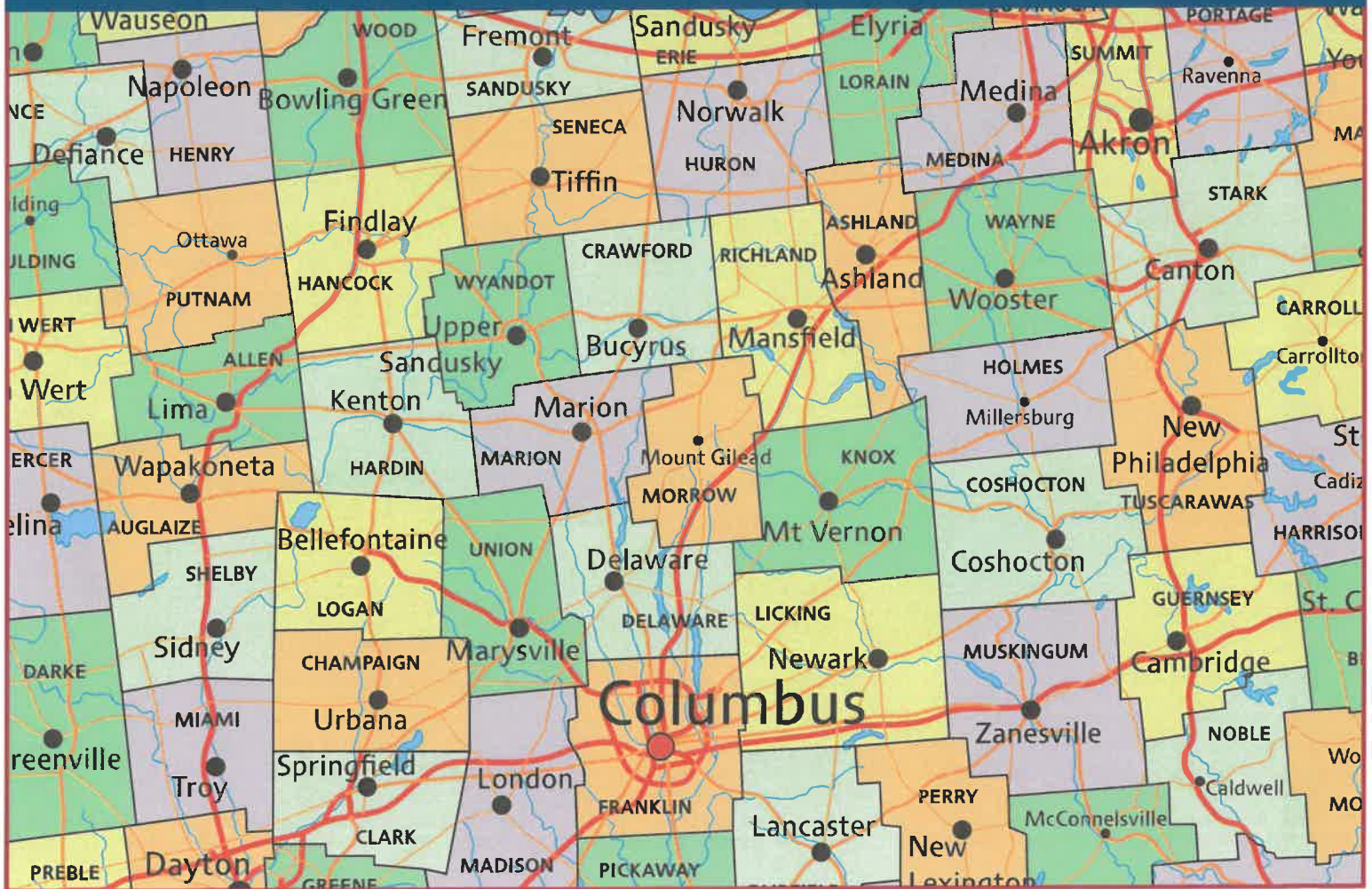
If you have any questions regarding this Advisory, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,


Frank LaRose
Ohio Secretary of State

2023 PROCEDURE AND FINDINGS FOR RECOUNT CHARGES

Effective February 25, 2023 - February 24, 2025



Elections Division

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22 North Fourth Street | Columbus Ohio 43215



2023 PROCEDURE AND FINDINGS FOR RECOUNT CHARGES

Effective: February 25, 2023 – February 24, 2025

SUMMARY OF PROCEDURE AND FINDINGS

RECOUNT CHARGES

Pursuant to division (B)(3) of section 3515.072 of the Revised Code, the Secretary of State issues this report setting forth the amount required to be deposited with a board of elections at the time a recount application is filed for each precinct to be recounted under section 3515.03 of the Revised Code and the minimum and maximum per precinct charge for a recount under section 3515.07 of the Revised Code. These charges will apply for the period beginning February 25, 2023 through February 24, 2025.

In January of each odd-numbered year, the Secretary of State, in accordance with section 3515.072 of the Revised Code, adjusts the minimum deposit amount and the minimum and maximum charge per precinct for a requested recount of election results specified in sections 3515.03 and 3515.07 of the Revised Code. The adjustments are based on the yearly average of the previous two years of the Consumer Price Index for All Urban Consumers (the "CPI"). Using the 2005 yearly average as the base year, the Secretary of State compares the most current average CPI with that determined in the preceding odd-numbered year and determines the percentage increase or decrease. The percentage increase in CPI from 2020 to 2022 is thirteen and one-tenth percent (13.1%).

The percentage increase is then multiplied by the actual dollar figure for the minimum deposit amount specified in section 3515.03 of the Revised Code and by the actual dollar figures for the minimum and maximum per precinct charges for a requested recount specified in section 3515.07 of the Revised Code, as determined in the previous odd-numbered year. The product is added to the corresponding actual dollar figure determined in the previous odd-numbered year to calculate the new requested recount charges.

However, under section 3515.072 of the Revised Code, if the resulting amount is less than five dollars, the Secretary of State retains a record of the resulting amount and the manner in which it was calculated, but does not make an adjustment unless the resulting amount, when added to the resulting amount calculated in each prior odd-numbered year since the last adjustment was made, equals or exceeds five dollars.

Appendix A of this report details how the minimum deposit amount and the minimum and maximum per precinct recount charges were calculated for the period February 25, 2023 through February 24, 2025. In summary, because the resulting calculation to the minimum deposit amount and the per precinct maximum charge is above five dollars, the charge will increase to seventy dollars under sections 3515.03 and 3515.07 of the Revised Code. The minimum amount an applicant for a requested recount must deposit with a board of elections at the time a recount application is filed for each precinct to be recounted under section 3515.03 of the Revised Code will be seventy dollars. Similarly, the per precinct charge for a recount under section 3515.07 of the Revised Code will not be more than seventy dollars or less than five dollars for each precinct to be recounted.

This report and all related documents are available for inspection and copying at the Secretary of State's Office.

Appendix A
2023 Recount Charges
February 25, 2023, through February 24, 2025

Pursuant to division (A) of section 3515.072 of the Revised Code, the Secretary of State's Office performed the following calculations to determine whether the recount charges in sections 3515.03 and 3515.07 of the Revised Code must be adjusted.

R.C. 3515.03

The current minimum amount to be deposited with a board of elections at the time of filing a recount application is sixty-five dollars for each precinct. An adjustment was made in 2021 to the minimum amount; however, there is a carryover of \$1.12 from the 2021 calculations. The current calculation is multiplied by the CPI increase to equal \$8.66 ($\66.12×0.131).

The 2023 amount was added to the resulting amount calculated in the prior odd-numbered year – 2021.

Because the resulting amount exceeds five dollars, an adjustment will be made to the minimum deposit amount for a requested recount under R.C. 3515.03. Accordingly, the amount required to be deposited with a board of elections at the time of filing a recount application under R.C. 3515.03 is seventy dollars for each precinct to be recounted.

R.C. 3515.07

Currently the minimum and maximum per precinct charges for a recount are five dollars and sixty-five dollars. These minimum and maximum amounts with prior year CPI increases were multiplied by the CPI increase of 13.1% to equal \$0.86 cents ($\6.60×0.131) and \$8.66 ($\66.12×0.131).

In accordance with R.C. 3515.072(A), the 2021 resulting amounts were added to the resulting amounts calculated in the prior odd-numbered years:

- Minimum recount charge:
 - 2007 increase - \$0.16
 - 2009 increase - \$0.34
 - 2011 increase - \$0.07
 - 2013 increase - \$0.29
 - 2015 increase - \$0.18
 - 2017 increase - \$0.08
 - 2019 increase - \$0.28
 - 2021 increase - \$0.20
 - 2023 increase - \$0.86
 - Total increase - \$2.46

- Maximum recount charge: As an adjustment was made to the maximum recount charge in 2021, there is a carryover from the prior year calculations between 2021 and 2023.
 - 2021 increase - \$1.12
 - 2023 increase - \$8.66

Total increase - \$9.78

Because the resulting amount for the maximum recount charge exceeds five dollars, an adjustment of five dollars will be made to the maximum per precinct requested recount charges under R.C. 3515.07. Accordingly, the charges per precinct under R.C. 3515.07 will be not more than seventy dollars or less than five dollars for each precinct to be recounted. The Secretary of State will retain a record of the 2023 resulting amount for the minimum recount charge and the manner in which it was calculated for future biennial adjustments.



Elections Division

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22 North Fourth Street | Columbus Ohio 43215

2023

ADJUSTED CAMPAIGN CONTRIBUTION LIMITS



EFFECTIVE

FEBRUARY 25, 2023 -
FEBRUARY 24, 2025

CAMPAIGN FINANCE DIVISION
PHONE 614.466.3111
TOLL-FREE 877.SOS.OHIO 767.6446
TTY 877.644.6889 OR 614.466.0562
WWW.OHIOSOS.GOV
CFINANCE@OHIOSOS.GOV



Summary of Procedure and Findings For Adjustments To Contribution Limitation Amounts

Pursuant to division (B)(3) of section 3517.104 of the Revised Code, the Secretary of State issues this report setting forth the new maximum contribution limits for the amounts specified in section 3517.102, the amounts required under division (B)(4)(e) of section 3517.10, and the amount specified under division (B) of section 3517.101 of the Revised Code. The new maximum contribution limits will apply for the period beginning February 25, 2023, through February 24, 2025.

The Secretary of State calculated the new maximum contribution limit amounts according to the formula in division (A) of section 3517.102 of the Revised Code. Under that section, in January of each odd-numbered year, the Secretary of State shall adjust each contribution limitation amount specified in section 3517.102, in division (B)(4)(e) of section 3517.10, and in division (B) of section 3517.101 of the Revised Code based on the yearly average of the previous two years of the Consumer Price Index for All Urban Consumers (the “CPI”). Using the 1996 yearly average as the base year, the Secretary of State compares the most current average CPI with that determined in the preceding odd-numbered year and calculates the percentage increase or decrease. **The percentage increase in CPI from 2020 to 2022 is thirteen and one-tenth percent (13.1%).** This amount is then multiplied by the actual dollar figure for each office or entity specified in section 3517.102, division (B)(4)(e) of section 3517.10, and division (B) of 3517.101 of the Revised Code as determined in the previous odd-numbered year. Finally, the product is added to the corresponding actual dollar figure determined in the previous odd-numbered year to calculate the new contribution limit amounts.

In accordance with the requirements of section 3517.104 of the Revised Code, the calculations are rounded to the nearest \$25.00 for the calculations made to the amounts specified in division (B)(4)(e) of section 3517.10 of the Revised Code for reporting contributions and in-kind contributions at social or fundraising activities and contributions from amounts deducted from an employee’s wages and salary. However, the contribution limit amounts are not rounded for the calculations made to the amounts specified in section 3517.102 or in division (B) of 3517.101 of the Revised Code.

Appendix A of this report contains a summary of each new adjusted contribution limit in section 3517.102, division (B)(4)(e) of section 3517.10, and in division (B) of 3517.101 of the Revised Code. The new contribution limits are highlighted in bold.

Appendix B of this report is an overview chart setting forth Ohio's new campaign contribution limit amounts effective as of February 25, 2023.

Appendix C of this report is the Bureau of Labor Statistic's Consumer Price Index for All Urban Consumers (CPI-U) data for years 2012 through 2022.

This report and all related documents are available for inspection and copying at the office of the Secretary of State. The complete report is available for download at the Secretary of State's website: www.OhioSoS.gov.

APPENDIX A

2023 Adjusted Campaign Contribution Limits

R.C. 3517.10(B)(4)(e), 3517.102, and 3517.101 dollar figures have been adjusted pursuant to R.C. 3517.104. The adjusted contribution limits are effective as of February 25, 2023, and are as follows:

3517.10

3517.10(B)(4)(e): A statement of contributions received does not need to include a separately itemized account of any contribution of:

- **\$50.00** or less received from a person at one social or fundraising activity.
- **\$50.00** or less aggregated in a calendar year from amounts deducted from the wages and salary of one employee.

3517.10(B)(4)(e): An account of the total contributions from each social or fundraising activity shall include a description of and the value of each in-kind contribution received at that activity from any person who made one or more such contributions whose aggregate value exceeds **\$400.00**.

3517.101

3517.101(B): The maximum aggregate amount any person may contribute to a state political party, a county political party, or a legislative campaign fund that is specifically designated and used to defray any cost incurred for the purposes described in division (A)(1) of this section in a calendar year is now **\$12,751.16**.

3517.102

3517.102(B)(1)(a)(i), (ii), & (iii): The maximum aggregate contributions from an individual who is seven years of age or older to the campaign committee of any one statewide candidate, senate candidate, or house candidate in a primary or general election period is now **\$15,499.69**.

3517.102(B)(1)(a)(iv): The maximum aggregate contributions from an individual who is seven years of age or older to any county political party's state candidate fund of the county in which the individual's designated Ohio residence is located in a calendar year is now **\$15,499.69**.

3517.102(B)(1)(a)(v): The maximum aggregate contributions from an individual who is seven years of age or older to any one legislative campaign fund in a calendar year is now **\$23,249.54**.

3517.102(B)(1)(a)(vi): The maximum aggregate contributions from an individual who is seven years of age or older to a state political party's state candidate fund in a calendar year is now **\$46,499.08**.

3517.102(B)(1)(a)(vii): The maximum aggregate contributions from an individual who is seven years of age or older to any one political action committee in a calendar year is now **\$15,499.69**.

3517.102(B)(1)(a)(viii): The maximum aggregate contributions from an individual who is seven years of age or older to any one political contributing entity in a calendar year is now **\$15,499.69**.

3517.102(B)(2)(a)(i), (ii), & (iii): The maximum aggregate contributions from a political action committee to the campaign committee of any one statewide candidate, senate candidate, or house candidate in a primary or general election period is now **\$15,499.69**.

3517.102(B)(2)(a)(iv): The maximum aggregate contributions from a political action committee to any one legislative campaign fund in a calendar year is now **\$23,249.54**.

3517.102(B)(2)(a)(v): The maximum aggregate contributions from a political action committee to a state political party's state candidate fund in a calendar year is now **\$46,499.08**.

3517.102(B)(2)(a)(vi): The maximum aggregate contributions from a political action committee to another political action committee, with which it is not affiliated, in a calendar year is now **\$15,499.69**.

3517.102(B)(3)(a), (b) & (c): The maximum aggregate contributions from a campaign committee to the campaign committee of any one statewide candidate, senate candidate, or house candidate in a primary or general election period is now **\$15,499.69**.

3517.102(B)(3)(d): The maximum aggregate contributions from a campaign committee to any one political action committee in a calendar year is now **\$15,499.69**.

3517.102(B)(3)(e): The maximum aggregate contributions from a campaign committee to any one political contributing entity in a calendar year is now **\$15,499.69**.

3517.102(B)(4)(a): The maximum aggregate contributions from a political party to any one political action committee or to any one political contributing entity in a calendar year is now **\$15,499.69**.

3517.102(B)(5)(a)(i): The maximum aggregate contributions from a campaign committee, other than a designated state campaign committee, to a state political party's state candidate fund in a calendar year is now **\$46,499.08**.

3517.102(B)(5)(a)(ii): The maximum aggregate contributions from a campaign committee, other than a designated state campaign committee, to any one legislative campaign fund in a calendar year is now **\$23,249.54**.

3517.102(B)(5)(a)(iii): The maximum aggregate contributions from a campaign committee, other than a designated state campaign committee, to any one county political party's state candidate fund in a calendar year is now **\$15,499.69**.

3517.102(B)(6)(a)(i): The maximum aggregate contributions from a county political party's state candidate fund to the campaign committee of any statewide candidate, except a contribution to a designated state campaign committee, in a primary or general election period is now **\$387,492.30**.

3517.102(B)(6)(a)(ii) & (iii): The maximum aggregate contributions from a county political party's state candidate fund to the campaign committee of any senate candidate or house candidate, except a contribution to a designated state campaign committee, in a primary or general election period is now **\$15,499.69**.

3517.102(B)(6)(b)(i)(I): The maximum aggregate contributions of cash or cash equivalents from a county or state political party's state candidate fund to a designated state campaign committee of any one statewide candidate in a primary or general election period is now **\$874,182.62**.

3517.102(B)(6)(b)(i)(II): The maximum aggregate contributions of cash or cash equivalents from a county or state political party's state candidate fund to a designated state campaign committee of a senate candidate in a primary or general election period is now **\$174,371.53**.

3517.102(B)(6)(b)(i)(III): The maximum aggregate contributions of cash or cash equivalents from a county or state political party's state candidate fund to a designated state campaign committee of a house candidate in a primary or general election period is now **\$86,798.27**.

3517.102(B)(6)(b)(ii)(I): The maximum aggregate contributions of cash or cash equivalents from a legislative campaign fund to a designated state campaign committee of a senate candidate is now **\$86,798.27** for a primary election period and **\$174,371.53** for a general election period.

3517.102(B)(6)(b)(ii)(II): The maximum aggregate contributions of cash or cash equivalents from a legislative campaign fund to a designated state campaign committee of a house candidate is now **\$44,959.27** for a primary election period and **\$86,798.27** for a general election period.

3517.102(B)(6)(c): The maximum aggregate contributions from other lawful accounts of a county political party that has no state candidate fund and is located in a county having a population of less than 150,000 to any one statewide candidate or to any one designated state campaign committee in any primary or general election period is now **\$3,874.92**.

3517.102(B)(7)(a)(i), (ii) & (iii): The maximum aggregate contributions from a political contributing entity to the campaign committee of any one statewide candidate, senate candidate, or house candidate in a primary or general election period is now **\$15,499.69**.

3517.102(B)(7)(a)(iv): The maximum aggregate contributions from a political contributing entity to any one legislative campaign fund in a calendar year is now **\$23,249.54**.

3517.102(B)(7)(a)(v): The maximum aggregate contributions from a political contributing entity to a state political party's state candidate fund in a calendar year is now **\$46,499.08**.

3517.102(B)(7)(a)(vi): The maximum aggregate contributions from a political contributing entity to another political contributing entity or a political action committee, with which it is not affiliated, in a calendar year is now **\$15,499.69**.

3517.102(C)(1)(a)(ii): The maximum aggregate contributions a campaign committee of a statewide candidate may accept from any one individual who is seven years of age or older, any one political action committee, any one political contributing entity, or any one other campaign committee in a primary or general election period is now **\$15,499.69**.

3517.102(C)(1)(a)(iii): The maximum aggregate contributions a campaign committee of a statewide candidate may accept from any one or combination of state candidate funds of county political parties in a primary or general election period is now **\$387,492.30**.

3517.102(C)(1)(b): The maximum aggregate contributions a campaign committee of a statewide candidate may accept, in a primary or general election period, from any county

political party that has no state candidate fund and that is located in a county having a population of less than 150,000 is now **\$3,874.92**.

3517.102(C)(2)(a)(ii): The maximum aggregate contributions a campaign committee of a senate candidate, except for a designated state campaign committee, may accept from any one individual who is seven years of age or older, any one political action committee, any one political contributing entity, any one state candidate fund of a county political party, or any one other campaign committee in a primary or general election period is now **\$15,499.69**.

3517.102(C)(2)(b): The maximum aggregate contributions a campaign committee of a senate candidate may accept, in a primary or general election period, from a county political party that has no state candidate fund and that is located in a county having a population of less than 150,000 is now **\$3,874.92**.

3517.102(C)(3)(a)(ii): The maximum aggregate contributions a campaign committee of a house candidate, except for a designated state campaign committee, may accept from any one individual who is seven years of age or older, any one political action committee, any one political contributing entity, any one state candidate fund of a county political party, or any one other campaign committee in a primary or general election period is now **\$15,499.69**.

3517.102(C)(3)(b): The maximum aggregate contributions a campaign committee of a house candidate may accept, in a primary or general election period, from a county political party that has no state candidate fund and that is located in a county having a population of less than 150,000 is now **\$3,874.92**.

3517.102(C)(4)(a)(i): The maximum aggregate contributions a county political party state candidate fund, except for a designated state campaign committee, may accept from any one individual who is seven years of age or older and whose designated Ohio residence is located within that county or from any one campaign committee, in a calendar year is now **\$15,499.69**.

3517.102(C)(4)(b)(ii): The maximum aggregate contributions a state political party state candidate fund may accept from any one individual who is seven years of age or older, any one political action committee, any one political contributing entity, or any one campaign committee, other than a designated state campaign committee, in a calendar year is now **\$46,499.08**.

3517.102(C)(5)(b): The maximum aggregate contributions a legislative campaign fund may accept from any one individual who is seven years of age or older, any one political action committee, any one political contributing entity, or any one campaign committee, other than a designated state campaign committee, in a calendar year is now **\$23,249.54**.

3517.102(C)(6)(a)(i): The maximum aggregate contributions of cash or cash equivalents a designated state campaign committee, in the case of a campaign committee of a statewide candidate, may accept from a state political party state candidate fund in a primary or general election period is now **\$874,182.62**.

3517.102(C)(6)(a)(ii): The maximum aggregate contributions of cash or cash equivalents a designated state campaign committee, in the case of a campaign committee of a senate candidate, may accept from a state political party state candidate fund in a primary or general election period is now **\$174,371.53**.

3517.102(C)(6)(a)(iii): The maximum aggregate contributions of cash or cash equivalents a designated state campaign committee, in the case of a campaign committee of a house candidate, may accept from a state political party state candidate fund in a primary or general election period is now **\$86,798.27**.

3517.102(C)(6)(b)(i): The maximum aggregate contributions of cash or cash equivalents a designated state campaign committee of a senate candidate may accept from a legislative campaign fund is now **\$86,798.27** in a primary election period and **\$174,371.53** in a general election period.

3517.102(C)(6)(b)(ii): The maximum aggregate contributions of cash or cash equivalents a designated state campaign committee of a house candidate may accept from a legislative campaign fund is now **\$44,959.27** in a primary election period and **\$86,798.27** in a general election period.

3517.102(C)(6)(c)(i): The maximum aggregate contributions of cash or cash equivalents a campaign committee of a senate candidate, including a campaign committee that is a designated state campaign committee, may accept from any one or combination of state candidate funds of county political parties in a primary or general election period is now **\$155,051.32**.

3517.102(C)(6)(c)(ii): The maximum aggregate contributions of cash or cash equivalents a campaign committee of a house candidate, including a campaign committee that is a designated state campaign committee, may accept from any one or combination of state candidate funds of county political parties in a primary or general election period is now **\$77,498.46**.

3517.102(C)(7)(a)(ii): The maximum aggregate contributions a political action committee may accept from any one individual who is seven years of age or older, any one campaign committee, or any one political party in a calendar year is now **\$15,499.69**.

3517.102(C)(7)(b): The maximum aggregate contributions a political action committee or a political contributing entity may accept from any one political action committee or any one political contributing entity, except a political action committee or political contributing entity with which it is affiliated, in a calendar year is now **\$15,499.69**.

3517.102(E)(1): A legislative campaign fund must dispose of excess funds exceeding **\$262,719.78**.

Appendix B
Ohio Campaign Contribution Limits
Effective February 25, 2023 through February 24, 2025

THIS CHART IS INTENDED TO BE A GENERAL GUIDE AND DOES NOT INCLUDE
EVERY STATUTORY PROVISION RELATING TO CONTRIBUTION LIMITS.

FROM TO ↓ Per Election Period unless footnoted	INDIVIDUAL (Must be 7 years of age or older)	PACs PCEs	COUNTY PARTY State Candidate Fund	COUNTY PARTY Other Account ⁸	STATE PARTY State Candidate Fund	LEGISLATIVE CAMPAIGN FUND	CAMPAIGN COMMITTEE (includes local)
STATEWIDE	\$15,499.69	\$15,499.69	\$387,492.30 ¹²	\$3,874.92 ⁹	\$874,182.62 ⁷	PROHIBITED	\$15,499.69
SENATE	\$15,499.69	\$15,499.69	\$15,499.69 ¹ \$174,371.53 ²	\$3,874.92 ⁹	\$174,371.53 ⁷	\$86,798.27 ⁶ \$174,371.53 ⁶	\$15,499.69
HOUSE	\$15,499.69	\$15,499.69	\$15,499.69 ¹ \$86,798.27 ²	\$3,874.92 ⁹	\$86,798.27 ⁷	\$44,959.27 ⁶ \$86,798.27 ⁶	\$15,499.69
STATE PARTY State Candidate Fund	\$46,499.08 ³	\$46,499.08 ³	No Limit	PROHIBITED	No Limit	No Limit	\$46,499.08 ³
LEGISLATIVE CAMPAIGN FUND	\$23,249.54 ³	\$23,249.54 ³	No Limit	PROHIBITED	No Limit	PROHIBITED	\$23,249.54 ³
COUNTY PARTY State Candidate Fund	\$15,499.69 ¹⁰	PROHIBITED	PROHIBITED	PROHIBITED	No Limit	No Limit	\$15,499.69 ⁴
PACs PCEs	\$15,499.69 ³	\$15,499.69 ¹³	\$15,499.69 ¹¹	\$15,499.69 ¹¹	\$15,499.69 ¹¹	PROHIBITED	\$15,499.69 ³

1. These limits apply to contributions given to a campaign committee which is not a 'designated state campaign committee'.
2. These limits apply to cash or cash equivalents, not in-kind. The campaign committee of a House or a Senate candidate which is a 'designated state campaign committee' may accept, in aggregate, from any one or a combination of state candidate funds of county political parties \$77,498.46 and \$155,051.32, respectively, in an election period.
3. These limits are per calendar year.
4. This limit is per calendar year and may only be made if the campaign committee's candidate will appear on a ballot in that county or is an officeholder representing any part of that county.
5. These limits are per calendar year and do not apply to contributions given by a 'designated state campaign committee'.
6. These limits apply to cash or cash equivalents, not in-kind. The smaller limit is for the Primary election period and the larger limit is for the General election period.
7. These limits apply to cash or cash equivalents, not in-kind.
8. These limits apply to political parties in counties having a population of less than 150,000 which do not establish a State Candidate Fund. 'Other Account' does not include a Restricted Fund.
9. Recipients of county party non-State Candidate Fund contributions must be campaign committees for statewide candidates or a 'designated state campaign committee.'
10. This limit is per calendar year. Contributions to a County Party SCF are restricted to individuals residing in the county or 'designated state campaign committees' of the County Party SCF.
11. These limits are per calendar year and apply to the aggregate of contributions given by the National, State, and County level of a political party.
12. A campaign committee for a statewide candidate may accept not more than this amount, in aggregate, from any one or a combination of state candidate funds of county political parties in an election period.
13. This limit is per calendar year and does not apply to contributions made to or received by one or more PACs that are affiliated.

CPI for All Urban Consumers (CPI-U)
Original Data Value

Series CUUR0000SA0
Not Seasonally Adjusted
Series All items in U.S. city average, all urban
Area: U.S. city average
Item: All items
Base 1982-84=100
Years: 2012 to 2022

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2012	226.665	227.663	229.392	230.085	229.815	229.478	229.104	230.379	231.407	231.317	230.221	229.601	229.594	228.850	230.338
2013	230.280	232.166	232.773	232.531	232.945	233.504	233.596	233.877	234.149	233.546	233.069	233.049	232.957	232.366	233.548
2014	233.916	234.781	236.293	237.072	237.900	238.343	238.250	237.852	238.031	237.433	236.151	234.812	236.736	236.384	237.088
2015	233.707	234.722	236.119	236.599	237.805	238.638	238.654	238.316	237.945	237.838	237.336	236.525	237.017	236.265	237.769
2016	236.916	237.111	238.132	239.261	240.229	241.018	240.628	240.849	241.428	241.729	241.353	241.432	240.007	238.778	241.237
2017	242.839	243.603	243.801	244.524	244.733	244.955	244.786	245.519	246.819	246.663	246.669	246.524	245.120	244.076	246.163
2018	247.867	248.991	249.554	250.546	251.588	251.989	252.006	252.146	252.439	252.885	252.038	251.233	251.107	250.089	252.125
2019	251.712	252.776	254.202	255.548	256.092	256.143	256.571	256.558	256.759	257.346	257.208	256.974	255.657	254.412	256.903
2020	257.971	258.678	258.115	256.389	256.394	257.797	259.101	259.918	260.280	260.388	260.229	260.474	258.811	257.557	260.065
2021	261.582	263.014	264.877	267.054	269.195	271.696	273.003	273.567	274.310	276.589	277.948	278.802	270.970	266.236	275.703
2022	281.148	283.716	287.504	289.109	292.296	296.311	296.276	296.171	296.808	298.012	297.711	296.797	292.655	288.347	296.963



CAMPAIGN FINANCE DIVISION

PHONE 614.466.3111

TOLL-FREE 877.SOS.OHIO 767.6446

TTY 877.644.6889 **OR** 614.466.0562

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CFINANCE@OHIOSOS.GOV

OHIO AUDITOR OF STATE KEITH FABER



88 East Broad Street
Columbus, Ohio 43215
ContactUs@ohioauditor.gov
(800) 282-0370

February 14, 2023

The Honorable Frank LaRose
Ohio Secretary of State
22 North Fourth Street, 15th Floor
Columbus, Ohio 43215

2023 FEB 14 AM 12:18
CLERK OF COURT

Dear Secretary LaRose:

Our office has received your *2023 Procedure and Findings for Recount Charges* in which you enclosed your final calculations of the charges for a requested recount of election results as set forth in Ohio Revised Code (ORC) Sections 3515.03 and 3515.07, adjusted by the Consumer Price Index for all Urban Consumers per ORC Section 3515.072.

Pursuant to ORC Section 3515.072, I hereby certify that your calculations are correct. As evidence of my certification, I have affixed the seal of the Auditor of State on the enclosed pages.

Sincerely,

KEITH FABER
Auditor of State

Robert R. Hinkle, CPA, CGFM
Chief Deputy Auditor

Enclosures

OHIO AUDITOR OF STATE KEITH FABER



88 East Broad Street
Columbus, Ohio 43215
ContactUs@ohioauditor.gov
(800) 282-0370

February 14, 2023

The Honorable Frank LaRose
Ohio Secretary of State
22 North Fourth Street, 15th Floor
Columbus, Ohio 43215

Dear Secretary LaRose:

Our office has received the *2023 Adjusted Campaign Contribution Limits* in which you enclosed the final calculations of the campaign finance dollar amounts set forth in the Ohio Revised Code (ORC) Sections 3517.102, 3517.10(B)(4)(e) and 3517.101(B) as adjusted by the Consumer Price Index for all Urban Consumers.

Pursuant to ORC Section 3517.104, I hereby certify that your calculations are correct. As evidence of my certification, I have affixed the seal of the Auditor of State on the enclosed pages.

Sincerely,

KEITH FABER
Auditor of State

Robert R. Hinkle, CPA, CGFM
Chief Deputy Auditor

Enclosures

2023 FEB 14 AM 12:15
CLIENT SERVICE UNIT

Agenda Item

#4



CURBSIDE BALLOT SCANNING POLICY

3/2/2023

Table of Contents

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Defining Curbside Voting.....	2
Curbside Ballot Scanning in Practice	2

Overview

Chapter 7 (Absentee Voting) of the Election Official Manual states a board of elections should adopt a *policy* that determines whether curbside ballots are scanned centrally *or* at a polling location (or Early In-Person voting center). This policy instructs staff of the Cuyahoga County Board of Elections (CCBOE), particularly the Ballot and Election Officials Departments, to require poll workers at polling locations and during Early In-Person voting to scan all valid curbside ballots in the optical ballot scanner at the time a curbside voter casts his or her ballot.

Defining Curbside Voting

As defined in the Election Official Manual, curbside voting is:

The process followed when a person who is physically unable to enter a polling location, including the early voting location, can send another person into the polling location to inform election officials of their desire to vote.

Ohio House Bill 458 (H.B. 458) of the 134th Ohio General Assembly codified curbside voting, stating a board of elections must permit an elector with a disability who is **physically unable to enter a polling place** to vote in the elector’s vehicle or at the door of the polling place with the assistance of a bipartisan team of election officials. The bill prohibits an elector from being permitted to vote curbside under any other circumstance.

Curbside Ballot Scanning in Practice

Commencing with the May 2, 2023 Primary Election poll workers and continuing thereafter, unless this policy is modified or rescinded, both at polling locations and at the Early In-Person voting center, poll workers will scan curbside ballots in an optical ballot scanner at the time a curbside voter casts his or her ballot on Election Day or during Early In-Person Voting.

A voter eligible to vote a curbside ballot will be issued a ballot via a bipartisan poll worker team in accordance with Election Official Department protocols. Once the curbside voter completes voting his or her ballot, a bipartisan team of poll workers will transport the voted curbside ballot into the polling location in a secrecy folder and scan it into an optical

ballot scanner at the polling location.

If for any reason the curbside voter's ballot does not successfully scan through the optical ballot scanner, the bipartisan poll worker team will place the curbside ballot into a curbside envelope in the manner similar to the practice for curbside voting prior to the adoption of this policy. Examples of why a ballot may not successfully scan include, but are not limited to, the ballot containing an overvote, or the ballot being torn to the point that it cannot be scanned when the ballot stub is removed. These ballots will be delivered to the Tabulation Center where Board Employees will review the curbside ballots and cure the scanning issue in accordance with the CCBOE's Vote-by-Mail ballot scanning processes and Remake Policy and will be scanned centrally.

Agenda Item

#5

Resolution No. R2023-5-1

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the amendment to extend the contract with Midwest until May 31, 2023 for the May Election in an amount not to exceed \$270,308.00 (Renewal Letter Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: March 06, 2023

Agenda Item: Fiscal Services 5-1

Vendor: Midwest Direct, Inc.

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- CHAIRMAN CURTIS

Motion seconded by: ----- BOARD MEMBER DAVIS CHAPPELL

Vote of the Board Members:

Henry F Curtis, IV, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on 6th
MARCH 2023

Signature of Chairman Henry F Curtis, IV

Signature of Director Anthony J. ...

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Henry F Curtis, IV
Member

Inajo Davis Chappell
Member

Lisa M. Stickan
Member

Terence M. McCafferty
Member

Anthony W. Perlatti
Director

Anthony N. Kaloger
Deputy Director

March 2, 2023

Mid-West Presort Mailing Services, Inc.
(dba Midwest Direct)
Mr. Richard T. Gebbie, CEO
2222 West 110th Street
Cleveland, Ohio 44102
rtgebbie@mw-direct.com

RE: Notice to Renew – Acknowledging the Board of Election’s Decision to Extend the Current Ballot Printing Contract for the “Second Renewal Period” between the Cuyahoga County Board of Elections and Mid-West Presort Mailing Services, Inc. (dba Midwest Direct) for the time period of 8/2/2022 – 5/1/2023 to 5/31/23 in an amount not to exceed \$270,308.00.

Dear Mr. Gebbie,

The current contract between Cuyahoga County Board of Elections (“Board”) and Midwest Direct (“Vendor”) for the Printing of Official Ballots for all Elections in Cuyahoga County, was approved on April 5, 2021, (“Contract”) for the time period beginning August 3, 2021, through December 31, 2021 (the “Initial Term”), January 1, 2022, through August 1, 2022 (the “First Renewal Period”), and August 2, 2022 through May 1, 2023 (“Second Renewal Period”).

This letter serves to memorialize that the Board of Elections (“Board”) and Midwest Direct (“Vendor”) mutually agree to extend the Contract in accordance with subdivision (D) of Article I. of the Contract for the time period beginning **August 2, 2022, through May 31, 2023 (the “Second Renewal Period”).**

Also, pursuant to subdivision (D) of Article IV. of the Contract, the **Performance Bond** obtained for the second renewal period is sufficient to cover the extension and does not need to be amended.

Please signify Midwest Direct’s acknowledgment of the above-described extension by signing in the place provided below and return my attention at the Board of Elections.

Please do not hesitate to give me a call with any questions or concerns.

Sincerely,

Anthony W. Perlatti, Director
Cuyahoga County Board of Elections
aperlatti@cuyahogacounty.gov

ACKNOWLEDGED AND AGREED:
MID-WEST PRESORT MAILING SERVICES, INC.

By: _____

Printed: _____

Title: _____

Agenda Item

#6

Voucher Summary

Board Approval Date March 6, 2023

				\$167,120.00
	Vendor	Department	Description	Amount
1	PO23001108 Berman Moving & Storage (Midfitz)	Fiscal Services	Delivery and return of voting equipment and supplies to voting locations for the May 2, 2023 Primary Election.	\$16,032.50
2	PO22005284 Mascot Metropolitan	Fiscal Services	2,550 supply bags of various color to be used for transporting election materials to and from polling locations (Ancillary Table C).	\$151,087.50

Resolution No. R2023-6-1

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the moving and storage expenses for May 2023 primary election in an amount not to exceed \$16,032.50 (Purchase Order Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: March 06, 2023

Agenda Item: Fiscal Services 6-1

Vendor: Midfitz, Inc. dba Berman Moving and Storage

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- *CHAIRMAN CURTIS*

Motion seconded by: ----- *BOARD MEMBER DAVIS Chappell*

Vote of the Board Members:

Henry F Curtis, IV, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on *10th*
MARCH 2023

Signature of Chairman *Henry F Curtis, IV*

Signature of Director *[Signature]*

DEPARTMENT APPROVAL

CUYAHOGA COUNTY BOARD OF ELECTIONS

Vendor Name: Berman Moving & Storage

Vendor Number: 5480

PO Number: 23001108 EXTB

BILL TO:

Board of Elections
2925 Euclid Avenue
Cleveland, OH 44115

DELIVER TO:

Various Polling Locations

Requested By: Tony Perlatti, Diretor

Date: 2/28/23

Item	Quantity	UOM	Description	Unit Price	Total Price
1	1	LO	Moving & storage expenses for May 2023 primary elections	\$ 16,032.50	\$ 16,032.50

PO TOTAL: \$ 16,032.50

Justification for not receiving three quotes:

See attached Procurement Exemption Form

Accounting Unit:	BE100105
Account:	55140
Sub-Account:	0
Type:	Service
Asset:	No

Authorized Department Signature

Resolution No. R2023-6-2

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the Table C Ancillary IT items previously approved for purchase on September 12, 2022, Board meeting in an amount not to exceed \$151,087.50 (Purchase Order Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: March 06, 2023

Agenda Item: (Fiscal Services 6-2)

Vendor: Mascot Metropolitan Inc.

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- *Chairman Curtis*

Motion seconded by: ----- *Board Member Davis Chappell*

Vote of the Board Members:

Henry F Curtis, IV, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on *6th*
MARCH 2023

Signature of Chairman *Henry F Curtis, IV*

Signature of Director *[Signature]*

Mascot Metropolitan Inc.

380 Swift Avenue Unit 18
South San Francisco, CA 94080

INVOICE

Invoice Number: 169877
Invoice Date: Feb 28, 2023
Page: 1
Duplicate

Voice: 650-873-7717
Fax: 650-873-1623

Bill To:

CUYAHOGA COUNTY
2925 EUCLID AVENUE
BOARD OF ELECTIONS MAIN BLDG.
CLEVELAND, ON 44115
USA

Ship to:

CUYAHOGA COUNTY
3951 PERKINS AVE
CLEVELAND, OH 44114

Customer ID	Customer PO	Payment Terms	
CUYAHOGACOUNTY	22005284/1551	Prepaid	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	Others	2/27/23	2/28/23

Quantity	Item	Description	Unit Price	Amount
800.00	11-211414EBB	BAG 21X14X14 GRAY	57.50	46,000.00
500.00	11-211414CBB	BAG 21X14X14 RED	57.50	28,750.00
400.00	11-211414UBB	BAG 21X14X14 BLUE	57.50	23,000.00
425.00	11-181406GBB	BAG 18X14X6 GREEN	47.50	20,187.50
425.00	11-191212YBB	BAG 19X12X12 YELLOW	52.50	22,312.50
1.00	SHIPPING FEE	SHIPPING FEE	10,837.50	10,837.50
Subtotal				151,087.50
Sales Tax				
Freight				
Total Invoice Amount				151,087.50
Payment/Credit Applied				
TOTAL				151,087.50

Check/Credit Memo No:

Agenda Item

#7

Resolution No. R2023-7-1

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the printing and mailing of the Voter Information Guide for the May 2023 primary election in an amount not to exceed \$10,931.13 (Quote Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: March 06, 2023

Agenda Item: Fiscal Services 7-1

Vendor: Midwest Direct, Inc.

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- *CHAIRMAN CURTIS*

Motion seconded by: ----- *BOARD MEMBER DAVIS CHAPPELL*

Vote of the Board Members:

Henry F Curtis, IV, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on *6/11*
MARCH 2023

Signature of Chairman *Henry F Curtis IV*

Signature of Director *[Signature]*

Henry F Curtis, IV
Member

Inajo Davis Chappell
Member

Lisa M. Stickan
Member

Terence M. McCafferty
Member

Anthony W. Perlatti
Director

Anthony N. Kaloger
Deputy Director

Memorandum

To: Board Members

Cc: Anthony W. Perlatti, Director
Anthony N. Kaloger, Deputy Director

From: Shaunquitta Walker, Fiscal Services Manager

Date: March 6, 2023

Re: Voter Information Guide May 2, 2023, Primary Election

As you are aware, a Primary Election will take place on May 2, 2023. The plan is to mail out a Voter Information Guide to all registered voters for this election—approximately 175,000 voters.

The Voter Information Guide includes the following information:

- Identification requirements for voting on Election Day;
- How to request a Vote-By-Mail application;
- Early In-Person voting dates and hours at the Board of Elections;
- The voter's Election Day poll location and voting hours;
- Board of Election Website Information

Early In-Person voting begins on Tuesday, April 4, 2023. **The voter information guide will be mailed approximately one week before early voting begins.**

An unrestricted, informal bid was conducted through the Cuyahoga County's procurement system, INFOR, to 49 registered suppliers. The bid closed on Tuesday, February 21, 2023, at 10:00am EST. There was one successful bid from **Midwest Direct, Inc.** for a total of **\$10,931.13** for the printing and mailing of the Voter Information Guides.

See summary of the bid responses of costs for the printing, mailing and postage for an estimated 175,000 Voter Information Guides.

Rank	Bidder Name	Total
1	MIDWEST PRESORT MAILING SERV	\$ 10,931.13
2	Weekley's Mailing Service Inc.	\$ 12,355.00
3	Angstrom Graphics Inc Midwest	\$ 19,544.00

Necessary funds were allocated in the 2023 BOE Primary Election Budget for this purpose.



2002 Ohio 110th Street • Cleveland, OH 44102-2512
 Phone: 216-251-2500 • Fax: 216-251-2500 • TOLL FREE: 1-800-368-2500
 "Standing on the Promises of God"

Proposal

Cuyahoga County Board of Elections

2925 Euclid Ave
 Cleveland, OH 44115

Ph: 216-443-6486

Fax: 000-000-0000

Proposal 70922.

Date February 20, 2023

Project

Continuous Voter Info Guide 2023 Primary

Print 435000 8.5x11's 2/2. Inkjet color. Fold in half and tab. Sort and mail using BOE permit

Components

Voter Info Guide

Quantity of 175,000

Services	Quantity	Setup	Minimum	Rate	per	Price
Snailworks	175,000		\$65.00	\$1.20	/m	\$210.00
Cvt,CASS,NCOA,Presort,Output	175,000			\$0.00	ea	\$700.00
Shop Supplies	1					\$0.00
Purchase Paper	175,000			\$16.22	/m	\$2,837.63
Purchase Tabs	350,000		\$25.00	\$1.50	/m	\$525.00
Duplex	175,000			\$18.82	/m	\$3,293.50
Fold 2up	175,000	\$65.00		\$6.00	/m	\$1,115.00
Tab	175,000			\$10.00	/m	\$1,750.00
Sort	175,000			\$2.00	/m	\$350.00
Warehouse Handling	1			\$100.00	ea	\$100.00
Deliver to Post Office	1			\$50.00	ea	\$50.00

Total Cost for Services

\$10,931.13

Thank you for the opportunity to quote on this project.

Gary Close

Account ManagerCustomer Service
 Representative

Agenda Item

#8

Resignation from Elected Office

1. Dawn Carbone-McDonald, North Royalton City Council, Member of Council Ward 5¹

Appointments to Elected Office

1. Mark R. Majer, Cleveland Municipal Court, Judge (UTE 1-2-2024)²
2. Monica Wilson, Parma City Council, Member of Council (Ward 1)³

¹ Election is already set for the November 7, 2023 General Election; no special election is necessary.

² Judge Majer replaces former Judge Pinkey Carr. Election is already set for the November 7, 2023 General Election; no special election is necessary.

³ Vacancy acknowledged by the CCBOE at the 2-13-23 Meeting. Term ends 12-31-2023; no special election is required.

RE: Carbone-McDonald resignation

Dana Schroeder <dschroeder@northroyalton.org>

Tue 2/28/2023 1:43 PM

To: Brent Lawler <blawler@cuyahogacounty.gov>

Cc: Cory Milne <cmilne@cuyahogacounty.gov>


Brent,

I apologize that this was overlooked on my part. It's been a little crazy around here the last couple of weeks. I have attached her resignation. Council will be appointing (per Charter) a new member to fill the vacancy on March 13, 2023. When I receive signed copies of the Oath I will send your way the next day, with contact information.

You would think I'd be used to all of this by now since I have had 3 in 2 ½ years 😊

Thanks again,

Dana

Dana A. Schroeder, MMC 
Director of Legislative Services
Council Office
City of North Royalton
14600 State Road
North Royalton, OH 44133
440-237-4260
Fax 440-237-0470

From: Brent Lawler <blawler@cuyahogacounty.gov>

Sent: Tuesday, February 28, 2023 1:38 PM

To: Dana Schroeder <dschroeder@northroyalton.org>

Cc: Cory Milne <cmilne@cuyahogacounty.gov>; Brent Lawler <blawler@cuyahogacounty.gov>

Subject: Carbone-McDonald resignation

Good afternoon Dana

We have read that Councilwoman Carbone-McDonald has resigned her Ward 5 seat as of the 20th.

If so, please forward us her resignation letter for our Board to acknowledge. Her term is up this year so there will be no need for a unexpired term election - do you agree?

Also, when the new person is sworn in, please send us their Oath of Office and contact information. Please also advise them that they will need to complete their ethics filing within 15 days of being sworn in. Here is the link you can provide them.

<https://ethics.ohio.gov/fds/index.html>

Thank you,
Brent



North Royalton City Council
14600 State Road
North Royalton, OH 44133
(440) 694-9446
Ward5@northroyalton.org

Committees

Utilities, Chair
Building & Building Codes, Vice Chair
Safety

Dawn Carbone-McDonald
Ward 5 Councilwoman

Letter of Resignation

Sent Via Email

Council President Paul Marnecheck
North Royalton City Council
14600 State Road
North Royalton, OH 44133

February 20, 2023

Council President Marnecheck,

Effective today February 20, 2023, I, Dawn Carbone-McDonald, resign my Ward 5 Council Representative position. My husband received a promotional "offer he could not refuse" that required him to relocate to Tampa, FL. As I shared privately to you and City Council that this might be an issue if my alternative plans to remain in North Royalton to complete my term of office fell through.

I was seeking to not only complete my term, but I also considered to campaign and would definitely have become the third female Mayor of North Royalton in November. As much as I appreciated my husband's willingness support and sacrifices for me remain back here and follow my dreams, it became apparent that my dedication, positive energy and thoughtfulness belong in Florida.

It was truly an honor and privilege be elected as your Ward 5 Council Representative. I took this opportunity to serve all the residents of Ward 5 with my family values of Passion, Empathy, and Compassion, while taking the time to caringly listen to and help resolve so many your issues where possible, as immediately as possible, and by requiring the city to address issues as they developed and to also deal with many issues that were overlooked and ignored in the past. I came in contact with many and I treated everyone how I expect to be treated, with the utmost respect. I kept my residents informed. On controversial matters, I never made assumptions but actually sought out many more than just a few opinions from residents. I actually took the time to research the issues before us, and never assumed a department head recommendation was an expert opinion and the only course of action. At Council meetings, I considered each item voted on based upon both what I believe was in our residents' best interest and based on the input

provided by many residents. This allowed me to be a true voice of the people and for the people and not just another “rubber stamp” yes person that past regimes covet.

I am especially proud to have accomplished some of the following as your Ward 5 Council Representative:

- Structured my own transition program to becoming a city council member, by meeting with ALL of the department heads in the city to understand their roles and the needs of their departments.
- Served as Utilities Committee Chair, Building & Building Codes Committee Vice Chair, and a member of the Safety Committee for City Council.
- Became the first North Royalton City Councilwoman to be appointed as an Executive Board Member of the Northeast Ohio City Council Association (NOCCA) and having a positive impact by addressing important issues throughout Northeast Ohio.
- Successfully, thoroughly researched the costs of our city jail and campaigned to keep the jail operational, by providing suggestions to cut costs and seek increases in jail rates charged to surrounding communities. The Mayor reluctantly chose this course. This action keeps all of our residents and our surrounding community safer and our unique public safety asset remains utilized.
- Sponsoring and getting passed into law Ordinance 22-62 increasing the penalties for violators who pass stopped school buses in North Royalton and ensuring our most precious children are kept safe as they travel to and back home from school.
- Resolving a number of long-standing issues in Ward 5 such as getting a dangerous blighted home on Martin Drive demolished.
- Supporting efforts for the city to recovery economically from the aftermath of the COVID-19 pandemic.
- Successfully completing a special project with my colleague Ward 4 Councilman Jeremy Dietrich to have the newly constructed Memorial Park Bridge dedicated on Veteran’s Day November 11, 2022 in honor of Vietnam Veteran and City Veteran Liaison Walter Ohler all our local veterans.
- Establishing the North Royalton Guardian Angels Program, my all volunteer group, that has helped numerous residents in both Ward 5 and throughout the city needing an extra hand in a time of need or crisis. Especially, so many elderly residents.
- Establishing a New Resident Welcome Wagon Program, to provide new residents with a warm welcome to their new home and some resources to help them as they get on their feet.
- Successfully recognizing and highlighting a local business each quarter of the year through my Ward 5 Business of the Quarter Program for the positive things these businesses do to give back to the community. This provides an opportunity for our residents to become aware of, and help support our local businesses.
- I used this opportunity to make a difference and bring positivity to in places where it was clearly deficient. I connected with, and brought joy and smiles to the faces of many residents of all ages by attending our many community events and adding my own special touch.

I truly hope that this current council will replace the open Ward 5 Council position with an individual who will truly listen to the voice of the residents, and will not be another "yes" person resurrected from the past. With a person who has the compassion, empathy, and time to dedicate to serve the constituents well. The decision Council makes can and should be watched and considered by the residents with their vote in City elections in November 2023. I also hope that another candidate will step up to run in the race for Mayor and bring about numerous changes in leadership that our city both desperately needs and deserves! I truly wish all the best for all the residents of North Royalton.

May you all have many years of good health and happiness in the city. Thank you again for giving me the opportunity to serve you in Ward 5.

Respectfully,



Dawn Carbone-McDonald
Ward 5 Councilwoman

Cc: City Council Members, Director of Legislative Services, & Mayor

FW: Mark R. Majer - Judicial Appointment

ElectionInfo <electioninfo@cuyahogacounty.gov>

Thu 2/23/2023 11:19 AM

To: Anthony W. Perlatti <aperlatti@cuyahogacounty.gov>; Anthony N. Kaloger <tkaloger@cuyahogacounty.gov>; Brent Lawler <blawler@cuyahogacounty.gov>; Cory Milne <cmilne@cuyahogacounty.gov>

Cc: Taran Henderson <thenderson@cuyahogacounty.gov>; Brent Charnigo <bcharnigo@cuyahogacounty.gov>

From: Brown, Jennifer <Jennifer.Brown@governor.ohio.gov>

Sent: Wednesday, February 22, 2023 6:01 PM

To: ElectionInfo <electioninfo@cuyahogacounty.us>

Cc: Dunahay, Haylee <Haylee.Dunahay@governor.ohio.gov>

Subject: Mark R. Majer - Judicial Appointment

2925 Euclid Ave.
Cleveland, OH 44115

Re: Mark R. Majer
Cleveland Municipal Court

Dear Sir or Madam:

This letter is written to advise you that on February 27, 2021, Governor Mike DeWine appointed Mark R. Majer as a Judge to the Cleveland Municipal Court. He will assume office on February 24, 2023, for the term ending January 2, 2024. Judge Majer's appointment replaces the resigned Judge Carr.

Thank you,
Jennifer Brown



Jennifer Brown
Deputy Director of Boards & Commissions
Office of Governor Mike DeWine
77 South High Street, 30th Floor
Columbus, OH 43215
Direct: (614) 728-5964

This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.



23 FEB 23 AM 11:28


OATH OF OFFICE

STATE OF OHIO)
 SS. PARMA CITY COUNCIL
COUNTY OF CUYAHOGA) COUNCILMAN WARD ONE

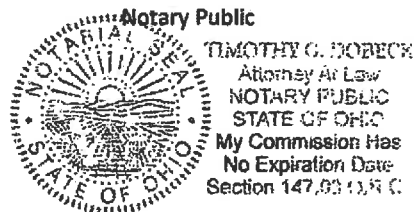
IN RE: CERTIFICATE AND OATH OF
 COUNCILMAN WARD ONE

I, Monica Wilson, do solemnly swear, that I will support the
Constitution of the United States and the Constitution of the State of Ohio,
and faithfully and impartially discharge and perform all the duties incumbent on me as
Council Member Ward One, according to the best of my ability and understanding.

This I promise as I shall answer to God.



Sworn to before me by the said Monica Wilson and subscribed in my
presence this 6th day of February, 2023



RECEIVED
VOTE
CUYAHOGA COUNTY
BOARD OF ELECTIONS
CANDIDATE & PETITIONS SERVICES

'23 MAR 3 AM 9:55

Agenda Item #9

Petition for Board Review
Sufficiency of Petition Contents

Anthony Leon Alexander – Berea Council at Large – Nonpartisan

Overview:

- Candidate filed a nonpartisan nominating petition for Berea Council at Large for the May 2, 2023 Primary Election.
- Staff review of the petition determined that the candidate failed to complete the Acceptance of Nomination as required in the City charter. (see below)
- Candidate was immediately called and left a voice message to return to the CCBOE and complete the Acceptance of Nomination filing. He was also called after the filing deadline with again no answer.
- Candidate was given a packet of information when he came Board to pick up the petitions which included the Berea calendar page the state the Acceptance needs to be completed as well as the Candidate Petition Rules (both attached).
- Petition is valid in all other respects.

RECOMMENDATION: Candidate did not complete the required elements of the City Charter of signing a written acceptance, and therefore should not be certified to the May 2, 2023 Primary Election.

Berea Charter

ITEM XIII-2. REGULAR MUNICIPAL ELECTIONS.

Nominations for municipal elective offices shall be initiated by filing nonpartisan petitions. Each candidate for a municipal elective office shall be a qualified elector of the City of Berea, and each candidate for the office of Ward-Council member shall be a qualified elector of the ward for which he seeks office prior to the due date for filing of nominating petitions with the Board of Elections. Each petition for nomination of a candidate for the office of Mayor shall be signed by not less than seventy-five (75) registered electors of the Municipality. Each petition for nomination of a candidate for the office of Council-At-Large or Council President shall be signed by not less than seventy-five (75) registered electors of the Municipality. Each petition for nomination of a candidate for the office of Ward-Council member shall be signed by not less than fifty (50) registered electors of the Municipality residing in the ward from which election is sought. **Such petition or petitions when filed must be accompanied by the written acceptance of the nominee.** Each signator of a petition shall sign his name and after his name shall designate his address and date of signing. Nominating petitions for candidacy for an office shall be filed with the Board of Elections of Cuyahoga County not less than sixty (60) days prior to the date of the primary election for such office. (Amended 11/8/16)

For Board of Elections use only - Do not write in this box

Office Sought: Berea - Council At LargeFiling Fee \$45Signatures 75/225Filing Deadline March 3, 2023 PM**Declaration of Candidacy
Nonpartisan Primary Election
For Elective Offices of Cities or Villages**To be filed with the Board of Elections not later than 4 p.m. of the 90th day before the primary election.

R.C. 3513.05, .07, .09, .10, .191, 3501.38

Declaration of Candidacy**NOTE- The candidate must fill in, sign and date this declaration of candidacy before the signatures of electors are affixed.**

I, Anthony Leon Alexander the undersigned, hereby declare under penalty of election falsification that
Printed Name of Candidate
 my voting residence address is 27 Piesport St, Berea, Ohio 44017
Street Number and Address (or rural route and number) City or Village Zip Code
 and I am a qualified elector.

I further declare that I desire to be a candidate for nomination to the office of Council At Large
Office (If Ward Council, must include the Ward)

in the municipality of Berea, for the:

Check ☒ full term or ☐ unexpired term ending

at the primary election to be held on the

2 day of May, 2023
Day Month Year

Dated this 20 day of January, 2023
Day Month Year

BOARD USE ONLY	
City, Ward & Precinct	
Voter ID	
Signature	
Initials	

Anthony Leon Alexander
 Print name as it should appear on ballot
 *** Case Sensitive ***

Anthony Leon Alexander
 Signature of Candidate

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

I, _____, hereby designate the persons named below as a committee to represent me:

Name	Residence

Petition for Candidate

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township, set opposite our names, hereby certify that Anthony Leon Alexander
Printed Name of Candidate
 whose declaration of candidacy is filed herewith, is in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

23 MAR 3 PM 1:26

Signatures on this petition should be from only one county and must be written in ink.

SIGNATURE	PRINTED NAME OF SIGNER	FULL STREET ADDRESS (Must use address on file with the Board of Elections)	CITY, VILLAGE OR TOWNSHIP (REQUIRED)	DATE OF SIGNING
<u>Paul F Penko</u>	Paul F Penko	22 Third Ave	Berea	2-15-23
<u>Todd Hwa</u>	Todd Hwa	70 3rd Ave	Berea	2-15-23
<u>Mark Weber</u>	Mark Weber	4414 Beech St	Berea	2-15-23
<u>Kimberly M. Bettner</u>	Kimberly M. Bettner	110 E 5th Ave	Berea	2-15-23
<u>J. Andrew Fennel</u>	J. Andrew Fennel	104 E 4th	Berea	3/15

SIGNATURE	PRINTED NAME OF SIGNER	FULL STREET ADDRESS (Must use address on file with the Board of Elections)	CITY, VILLAGE OR TOWNSHIP (REQUIRED)	DATE OF SIGNING
	Ruth Chesley	364 Fairwood	Berea	2/15/23
	Gini D. Cressman	152 4th Ave	Berea	2/15/23
	Tom Cressman	152 4th Ave	Berea	2/15/23
	Lori Wren	72 Prospect St	Berea	2/15/23
	MICHAEL SIDOTI	70 BAKER ST.	Berea	2/15/23
	James Wren	91 Baker St.	Berea	2/15/23
	Lewis Meriam	326 Baker St.	Berea	2/15/23
	MARGARET Meriam	326 BAKER ST	Berea	2-15-23
	Daina Weiler	260 Baldwin Dr	Berea	2-15-23
	Charles Smolko	333 Runn St	Berea	2-16-23
	Ellyn Smolko	333 Runn St.	Berea	2-16-23
	JAMES SIEVERT	66 WHITEHALL	Berea	2-16-23
	PATRICK SIEVERT	66 WHITEHALL OL	Berea	2-16-23

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

Circulator Statement

Must be completed and signed by the circulator.

I, Angela Leon Alcorn, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 18 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Acceptance of Nomination (If required by municipal charter)

20

I hereby accept the within nomination.

Signature of Candidate

Address

City and Zip Code

Angela Leon Alcorn
Signature of Circulator

77 Prospect St
Permanent Residence Address

Berea
City or Village

OH 44007
State Zip Code

CITY OF BEREA
NONPARTISAN PRIMARY May 2, 2023
(See bottom of next page)

GENERAL ELECTION - November 7, 2023

PETITION NUMBER: 2-2-I-NP
LAST FILING DATE: March 3, 2023 - 4:00 p.m. (60 days before the Primary)
FILING FEE: \$20.00 + \$25.00 OEC Fee = Total Fee \$45.00

ELECTED OFFICES				NUMBER OF SIGNATURES
	POSITION and NUMBER IN OFFICE	TERM LENGTH	ELECT 2023	PER CITY CHARTER
1	For Mayor	4 Years	Yes	Min.75 – Max. 225
1	For President of Council	2 Years	Yes	Min.75 – Max. 225
2	For Member of Council at Large	2 Years	Yes (2)	Min. 75 – Max. 225
1	For Member of Council Ward 1	2 Years	Yes	Min. 50 – Max. 150
1	For Member of Council Ward 2	2 Years	Yes	Min. 50 – Max. 150
1	For Member of Council Ward 3	2 Years	Yes	Min. 50 – Max. 150
1	For Member of Council Ward 4	2 Years	Yes	Min. 50 – Max. 150
1	For Member of Council Ward 5	2 Years	Yes	Min. 50 – Max. 150

IMPORTANT CIRCULATION AND FILING NOTES:

1. Candidates must date and sign **WRITTEN ACCEPTANCE** on back of at least one part petition.
2. Write-in votes for municipal candidates shall be permitted only if a duly nominated candidate cannot participate due to death or other disqualification; or if each candidate does not have an opponent.
3. Charter amendment passed November 2016 changing the number of signatures required, and the filing deadline from 90 days to 60 days prior to the primary election.

DATES TERMS COMMENCE

All city office terms commence on the first Sunday in January.

Designated school districts and municipal court district

Berea City School District - All but precinct 2-B.02

Fairview Park City School District – Precinct 5-B.02 only

Olmsted Falls City School District - Precinct 2-B.02 only

Berea Municipal Court

**CITY OF BERE
MISCELLANEOUS NOTES**

RUN-OFF ELECTION (for top two mayoral candidates only)

First Tuesday in December, if one candidate for mayor does not receive a majority of the votes. (The term commences on the first Sunday of January following election)

CHARTER ADOPTED:	5/3/60 (Amended 11/16)
CHARTER EFFECTIVE:	1/1/61 (As amended 1/1/17)
BALLOT TYPE:	NON-PARTISAN
CITY CHARTER SOURCE:	ARTICLES III; IV; and XIII

CITY POPULATION 2020:	18,545
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VOTE TOTAL – GENERAL ELECTION 2022:	6,997
VOTE FOR GOVERNOR 2022:	6,922
VOTE TOTAL – MUNICIPAL ELECTION 2021:	3,697
VOTE TOTAL – GENERAL ELECTION 2020:	9,876
VOTE TOTAL – MUNICIPAL ELECTION 2019:	4,582

INCUMBENTS IN OFFICES TO BE ELECTED IN 2023

Mayor	Cyril M. Kleem
President of Council	Jim Maxwell
Council at Large	Mary K. Brown
Council at Large	Gene Zacharyasz
Council Ward 1	Leon R. Dozier
Council Ward 2	Christopher McManis
Council Ward 3	Lisa J. Weaver
Council Ward 4	Erika Coble
Council Ward 5	Rick Skoczen

PRIMARY ELECTION

Primary held only if:

Mayor:	Three or more candidates file.
President of Council:	Three or more candidates file.
Council at Large:	Five or more candidates file.
Ward Council:	Three or more candidates file

Candidate Petition Rules

Updated 11.9.21

THE TERM "PART-PETITION" REFERS TO ONE PETITION FORM.

THE TERM "PETITION" REFERS TO THE ENTIRE SET OF PART-PETITION FORMS.

Statement of Candidacy Section

- The **"Declaration of Candidacy" (party petition) or "Statement of Candidacy" (nonpartisan petition) portion of each part petition must be completely filled out and signed by the candidate(s) before being circulated.** (R.C. 3513.07, 3513.261):
- Name of candidate as it appears on the candidate's registration card;
- Candidate's voting residence as it appears on file with the Board of Elections;
 - Street Address, City and Zip Code;
- Office candidate is running for; including, if applicable, the ward/district.
- Court of Common Pleas judicial petition must contain the Division (General, Juvenile, Probate, or Domestic Relations);
- Print political party if partisan candidate;
- Check the box of either "Full Term" or "Unexpired Term Ending" whichever is applicable to your candidacy:
 - Candidates (other than judicial) who are running for a full term need only to check the "full term" box on the petition.
 - **Additional Judicial Requirement:** Judicial candidates must also choose either one of the "full term commencing" or "unexpired term ending" options, and complete the appropriate term date to indicate which judicial seat to which you are seeking election.
 - Candidates running for an unexpired term should only check the "unexpired term ending" box and fill in the appropriate ending date on the petition. (R.C. 3513.08, 3513.28)
- Complete the date of the election.
- Complete the "Dated this ____ day of _____, _____."
- The signature of candidate as it appears on file at the Board of Elections. At least one filed petition must have candidate's original signature in ink.
- Complete name as it should appear on the ballot. Name may be a derivative of person's name (i.e. Robert = Bob, Margaret = Peg). Nicknames are not permitted. ***The candidates name is Case Sensitive (Utilize upper and lower case letters).***
- Professional titles are not permitted. (Dr.; Rev., PhD. etc.)

Petition for Candidate (Partisan)

- Name of political party;
- Name of candidate as it appears on file with the Board of Elections
- Check the box of either "Full Term" or "Unexpired Term Ending" whichever is applicable to your candidacy:
 - Candidates (other than judicial) who are running for a full term need only to check the "full term" box on the petition.

Candidate & Petition Services

2925 Euclid Avenue • Cleveland, Ohio 44115-2497 • (216) 443-3231

boe.cuyahogacounty.gov • Ohio Relay Service 711

- **Additional Judicial Requirement:** Judicial candidates must also choose either one of the “full term commencing” or “unexpired term ending” options and complete the appropriate term date to indicate which judicial seat to which you are seeking election.

Nominating Petition Section

- Name of candidate as it appears on the candidate’s registration card;
- Office and candidate is running for;
- District or municipality if required; including, if applicable, the ward/district.
- Check the box of either “Full Term” or “Unexpired Term Ending” whichever is applicable to your candidacy:
 - Candidates who are running for a full term should only check the “full term” box on the petition.
 - Candidates seeking election to fill an unexpired term (as a result of resignation, death, etc. while serving a current elected term in office), should check the “unexpired term ending” box, and fill in the following space to indicate the end date of term. See the BOE election calendar, or contact staff to confirm the date if needed.

Independent Candidates

- The Secretary of State’s office issued Advisory 2007-05 regarding independent candidates and party affiliation as a result of *Morrison v. Colley*, 467 F.3d (6th Cir. 2006). **Refer to this advisory for specific information regarding your candidacy.** In part the advisory reads, “...We advise, as indicated by the Morrison court, that R.C. requires that:
 - an independent candidate actually be unaffiliated, or disaffiliated from any political party; and
 - the required claim of unaffiliation by an independent candidate must be made in good faith.”
- **Non-Judicial:** R.C. 3505.03 & R.C. 3513.257
 - Prior to filing the nominating petition, please indicate by circling “nonparty candidate,” “other-party candidate,” or “no designation” on your part-petitions. If a candidate files a nominating petition but does not request a ballot designation under R.C. 3513.257, then no designation will be printed on the ballot below the candidate’s name.
- The committee of five on a nominating petition (nonpartisan candidate) is generally an optional item. Persons named on this list would have the opportunity to appoint someone to run upon the withdrawal or death of the candidate.

Petition for Candidate Section

Complete the following:

Member of political party if partisan candidate
 Name of candidate
 Term of office (if required)

Nominating Petition Section

Complete the following:

Name of candidate
 Office
 County or District (if required)
 Term of office (if required)

Voter Signature Section

- Only qualified electors may sign a petition. An elector's qualifications are determined as of the date the petition is filed. (R.C. 3501.38 (A))
- Each signature must be an original signature of an elector or of the elector's duly appointed attorney-in-fact acting pursuant to R.C. 3501.382, written in ink. "Signature" means that person's written, cursive-style legal mark written in that person's own hand. However, if an elector's voter on file with the Board of Election is printed (non-cursive), the signature will be accepted. (R.C. 3501.38 (B), 3501.382, 3501.011)
- Each signature must be personally affixed by a registered elector who is qualified to vote on the candidacy or by the elector's duly appointed attorney-in-fact who is acting pursuant to R.C. 3501.382. The elector's name may be printed underneath or next to the elector's signature. (R.C. 3501.38)
- Circulator must witness each and every signature.
- Each signer's residence address, including the municipality the signer resides in. Failure to include the city will result in the signature being invalid and rejected. The municipality must be complete (i.e. Olmsted Falls Village; Olmsted Falls or just Village are not acceptable. You may use "OFV". Staff must be able to distinguish between Olmsted Falls Village and Township; Chagrin Falls Village or Township; Highland Hills or Heights, etc.
- The date of signing must be placed on the petition after the elector's signature. Failure to include the date of signing will result in the signature being invalid and rejected (R.C. 3501.38 (C)).
- The signer or petition circulator may use ditto marks for all information that is the same as the line above, except the signature.
- The signers of a petition must live in the same jurisdiction as the candidate who is seeking office.
- If a person registers to vote and signs a petition at the same time, the registration card must be returned to the Board of Elections within 10 days of the voter's completion of the registration card.
- Petitions for a candidate for party nomination must be signed by persons who are members of the same political party as the candidate:
 - A voter is considered a member of a political party if he or she voted in that party's primary election within the last two (2) calendar years, or if he or she did not vote in any other party's primary election within the last (2) years. Therefore, a voter listed as a nonpartisan voter may sign and circulate a party petition. (R.C. 3513.05)

Circulator Statement

- A candidate may circulate his or her own petition as an elector but cannot sign their own petition.
- No person under the age of 18 is eligible to circulate a petition.
- Petitions for a candidate for party nomination must be circulated by persons who are

members of the same political party as the candidate:

- A voter is considered a member of a political party if he or she voted in that party's primary election within the last two (2) calendar years, or if he or she did not vote in any other party's primary election within the last (2) years. Therefore, a voter listed as a nonpartisan voter may sign and circulate a party petition. (R.C. 3513.05)
- If the circulator is of a different political party as the candidate (not including nonpartisan circulators) the part-petition and all signatures contained therein will be considered invalid.
- **Failure to complete the circulatory statement showing the correct number of signatures is a fatal error and invalidates the part-petition and all signatures contained therein.**
- A circulator may not sign the part-petition that he or she is circulating. However, the circulator may sign a part-petition for the same candidate being circulated by a different circulator.
- Each part-petition shall be circulated by one person only and shall contain signatures of qualified electors of one county only.
- After circulating the petition, the circulator must sign the circulator statement ***IN INK*** and provide a complete residence address on each part-petition, under penalty of election falsification:
 - That the circulator witnessed the affixing of each signature on the petition.
 - That all signers, to the best of the circulator's knowledge and belief, were qualified to sign.
 - That each signature is, to the best of the circulator's knowledge and belief, the signature of the person whose signature it purports to be
 - Must include the number of signatures witnessed by the circulator.
- Signatures witnessed in circulator's clause:
 - Unless the signature line is clearly crossed out, the line will be considered a signature in the count, and must be included in the total number of signatures witnessed.
 - A signature line is considered completed if the name appears on the signature line.
 - If the candidate and/or circulator sign the petition and have not crossed out their name(s), their names must be included in the total number of signatures witnessed. Reminder: a circulator cannot sign part-petitions they circulated, nor can the candidate sign his/her own petition.
- If a circulator knowingly permits an unqualified person to sign a part-petition or permits a person to write a name other than the person's own on a part-petition (except for an attorney-in-fact under R.C. 3501.382), that part-petition is invalid; otherwise, the signature of a person not qualified to sign shall be rejected but shall not invalidate the other valid signatures on the part-petition. (R.C. 3501.38 (E) and (F))

Important Notes

- The filing deadline for all candidate petitions is 4:00 pm. No petition will be accepted after 4:00 pm. The time stamp located at the 2nd floor customer service counter is the ***ONLY*** official time for petition filings.

- A candidate must file the minimum number of signatures required for a given office, or the petition cannot be accepted. A petition cannot be altered or supplemented after filing. Cleveland candidates should check the Cleveland Charter for more information about the filing of petitions.
- The original petition with the **candidate's original signature must be filed** at the same time as all part-petitions are filed. (R.C. 3501.38 (K) This ***petition must have a least one voter's signature on the petition.***
- Original petitions must be filed with original ink signatures of registered voters - no copies allowed.
- When circulating a petition for an office that encompasses more than one county, all signatures of a part-petition must be limited to one county, containing electors residing in that county only. (R.C. 3513.38, 3513.05, 3513.07, 3513.261)
- No petition shall be filed with more than three times the minimum number of required signatures. (R.C. 3513.05, 3513.257, 3513.259) Note: Some municipalities limit the filing to no more than 2 times the minimum number of required signatures. Check your municipality's charter.
- All petitions must contain the following statement in boldface capital letters: **"WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE."** (R.C. 3501.38(J), 3599.36)
- All petitions remain open for public inspection, under reasonable regulations, at the Board of Elections in which they were filed. (R.C. 3513.05, 3513.262)
- Certain Federal / State candidates: If the circulator was paid to circulate the part-petition, the circulator is required to complete the box stating the name and address of their employer.
- **Cleveland City & Judicial Offices:** If a petition is found to have an insufficient number of valid signatures, additional part-petitions may be filed within five days of official notification by the Board of Elections. However, at the time of the initial filing, a petition must contain no less than the minimum number of signatures required or the petition filing will not be accepted.
- **East Cleveland Municipal and Judicial and Mayfield Village candidates:** The committee is mandatory and must be electors of the city. This does not apply to the East Cleveland Board of Educ.
- If required by city charter, the candidate must sign and date the "Acceptance of Nomination" on the back of at least one part-petition after circulation of that part-petition is complete. Refer to the municipal charter or the BOE's election calendar for more information.
- No board of elections shall pre-check any petition to determine the petition's validity and sufficiency before such time as the original petition has been filed. Under Ohio election law the candidate is solely responsible for ensuring that his or her own petition satisfies the requirements of law. Please refer to the Board of Elections "petition protocols" provided for further information.

City of Berea - Anthony Alexander

Brent Lawler <blawler@cuyahogacounty.us>

Mon 3/6/2023 8:34 AM

To: Brent Lawler <blawler@cuyahogacounty.gov>

From: Barb Jones <bjones@cityofberea.org>

Sent: Sunday, March 5, 2023 5:54 PM

To: Brent Lawler <blawler@cuyahogacounty.us>

Subject: City of Berea - Anthony Anderson

Brent:

Upon a thorough review of the Charter of the City of Berea, I concur with your determination that the petition(s) submitted by Anthony Anderson are deficient due to his failure to complete and sign the Acceptance of Nomination, as required in the City's charter.

Due to the deficiency, it is my opinion that he is not qualified to appear on the ballot.

Kind regards,

Barb Jones

Barbara L Jones



Certification of Candidates to the May 2, 2023 Primary Election

Office	Name	Last Name	Party
Berea Council Ward 01	Leon R.	Dozier, Sr.	Nonpartisan
Berea Council Ward 01	Jonathan	Montag	Nonpartisan
Berea Council Ward 01	Vance	Redding	Nonpartisan

Certification of an Issue for the May 2, 2023 Primary Election

Note: Issue language is subject to review/revision prior to printing on the ballot.

CITY OF MAPLE HEIGHTS

Proposed Charter Amendment

Shall Article IV of the Charter of the City of Maple Heights be amended to provide that the Council shall have the power to change the salaries of all elected officials at any time, including during the elected officials' term, or terms, or any part thereof?

Agenda Item

#10



Certification of Candidates Nominated without Primary Election to the Nov. 7, 2023 General Election (primaries eliminated per ORC 3513.02)

Office	Name	Last Name	Party
Berea Mayor	Cyril	Kleem	Nonpartisan
Berea President of Council	Jim	Maxwell	Nonpartisan
Berea Council at Large	Christopher	McManis	Nonpartisan
Berea Council at Large	Gene	Zacharyasz	Nonpartisan
Berea Council Ward 02	Mary K.	Brown	Nonpartisan
Berea Council Ward 03	Lisa J.	Weaver	Nonpartisan
Berea Council Ward 04	Erika	Coble	Nonpartisan
Berea Council Ward 05	Rick	Skoczen	Nonpartisan

3.6.23 Board Meeting

Agenda Item

#11

Agenda Item #11:

Authorizing the adjustment of Recount Charges to the maximum amount of \$70.00 per precinct for requested (non-automatic) recounts pursuant to Ohio Secretary of State Advisory 2023-02