



**ADVISORY 2017-02**

February 23, 2017

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

Re: Biennial Adjustment of Recount Charges

**SUMMARY**

The minimum security deposit for a requested (non-automatic) recount is \$60.00 per precinct. The minimum charge for a requested recount is \$5.00 per precinct and the maximum charge for a requested recount is \$60.00 per precinct.

**DETAILS**

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

Based on the Secretary of State's calculations in January 2017, boards of elections are hereby advised that there will be no change to the recount charges for the period beginning February 25, 2017 through February 24, 2019. The recount charges remain as follows:

- The minimum recount security deposit required by R.C. 3515.03 shall remain at \$60.00 per precinct;
- The maximum recount charge required by R.C. 3515.07 shall remain at \$60.00 per precinct; and
- The minimum recount charge required by R.C. 3515.07 shall remain at \$5.00 per precinct.

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<sup>1</sup> R.C. 3515.03

<sup>2</sup> R.C. 3515.07

<sup>3</sup> R.C. 3515.072(A)

Pursuant to R.C. 3515.072(B), on or before February 25<sup>th</sup> of each odd-numbered year, the Secretary of State shall create a report setting forth the recount charges and summary of how the recount charges were calculated. This report, entitled *2017 Procedure and Findings for Recount Charges*, is attached to this Advisory.

If you have any questions regarding this Advisory, please contact the Secretary of State's elections counsel assigned to your county at (614) 466-2585.

Sincerely,



Jon Husted



**2017**

**Procedure and Findings  
For  
Recount Charges**

***Effective***

**February 25, 2017 – February 24, 2019**

**Jon Husted  
Ohio Secretary of State  
180 E. Broad Street, 15<sup>th</sup> Floor  
Columbus, Ohio 43215  
(614) 466-2585**

## **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, 2017, through February 24, 2019.

In January of each odd-numbered year, the secretary of state, in accordance with section 3515.072 of the Revised Code, adjusts the minimum security 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 2014 to 2016 is one and four-tenths percent (1.4%).

The one and four-tenths percent (1.4%) increase is then multiplied by the actual dollar figure for the minimum security 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, then the secretary of state shall retain a record of the resulting amount and the manner in which it was calculated, but shall 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 security deposit amount and the minimum and maximum per precinct recount charges were calculated for the period February 25, 2017, through February 24, 2019. In summary, because the resulting calculation to the minimum security deposit amount and the per precinct maximum charge does not equal five dollars, the charge remains at sixty dollars under sections 3515.03 and 3515.07. The minimum amount an applicant for a requested

recount shall 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 shall remain at be sixty dollars. Similarly, the per precinct charge for a recount under section 3515.07 of the Revised Code shall not be more than sixty dollars or less than five dollars for each precinct the votes of which were recounted.

This report and all related documents are available for inspection and copying at the office of the secretary of state.

## **Appendix A**

### **2017 Recount Charges**

The calculations to determine whether the recount charges in sections 3515.03 and 3515.07 of the Revised Code shall be adjusted were performed pursuant to division (A) of section 3515.072 of the Revised Code.

#### **R.C. 3515.03**

The current minimum amount to be deposited with a board of elections at the time a recount application is filed for each precinct is sixty dollars. An adjustment was made in 2015 to the minimum amount, however, there is a carryover of \$0.46 from the 2015 calculations. The current calculation is multiplied by the CPI increase to equal \$ ( $\$60.46 \times 0.014 = \$0.85$ ).

The 2017 amount was added to the resulting amount calculated in 2015, the prior odd-numbered year.

Because the resulting amount does not exceed five dollars, no adjustment will be made to the minimum security 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 a recount application is filed for each precinct to be recounted under R.C. 3515.03 is sixty dollars.

#### **R.C. 3515.07**

Currently the minimum and maximum per precinct charges for a recount are five dollars and sixty dollars. These minimum and maximum amounts with prior year CPI increases were multiplied by the CPI increase of 1.4% to equal \$0.08 cents ( $\$6.04 \times 0.014 = \$0.08$ ) and \$0.85 ( $\$60.46 \times 0.014 = \$0.85$ ). In accordance with R.C. 3515.072(A), the 2017 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
  - Total increase - \$1.12

- Maximum recount charge: As an adjustment was made to the maximum recount charge in 2015, however, there is a carryover from the prior year calculations.
  - 2015 carryover - \$0.46
  - 2017 increase - \$0.85
  - Total increase - \$1.31

Because the resulting amount for the maximum recount charge does not exceed five dollars, no adjustment 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 shall not be more than sixty dollars or less than five dollars for each precinct the votes of which are recounted. The secretary of state will retain a record of the 2017 resulting amount for the minimum recount charge and the manner in which it was calculated for future biennial adjustments.