



DIRECTIVE 2018-29

September 14, 2018

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

Re: Ballot Quantities and Important Reminders for the November 6, 2018 General Election

SUMMARY

The purpose of this Directive is to remind each board of elections of its statutory duty to provide a sufficient number of general election ballots and supplies for the November 6, 2018 General Election and to establish a baseline for the quantity of ballots that a board must supply to each precinct. Providing ballots is one of the most essential duties of a board of elections, and **it is never acceptable for a board to run out of ballots or supplies for an election or to delegate to a vendor the responsibility for determining ballot quantities and machine allocation.**

INSTRUCTIONS

I. BALLOT QUANTITIES¹

A. Optical Scan Counties – Pre-Printed Stock

If a board of elections pre-prints the total stock of ballots to be used at a precinct on Election Day, the board must provide at least one percent (1%) more ballots than the total number of voters registered in the precinct² In determining the number of registered voters, a board does not have to include those electors who have failed to respond within 30 days to any confirmation notice.³

Each board of elections must provide to each precinct an additional stock of optical scan ballots so that the total number of ballots provided to each precinct is equal to or greater than 10% more than the number of ballots cast in the precinct in the 2006, 2010, or 2014 general election (whichever election had the greatest number). In calculating the number of ballots cast in a precinct in a past election, the board should be mindful of any changes made to the precinct's boundaries and/or the number of electors assigned to the precinct since the election and adjust the number of additional ballots accordingly.

B. Optical Scan Counties – On Demand Ballots

If a board has chosen to provide ballots on demand at a voting location on Election Day, the board must provide for each precinct at least five percent (5%) more ballots than the total

¹ These are minimum requirements for preparedness, not a prediction for voter turnout at this election.

² R.C. 3505.11(A).

³ R.C. 3505.11(A).

number of electors in that precinct who voted in the 2006, 2010, or 2014 general election (regular and provisional voters), whichever is higher.⁴ If precinct election officials request additional ballots, the board must provide those ballots in a timely manner so that all qualified electors who want to vote can do so.⁵

Each board of elections must provide to each precinct an additional stock of optical scan ballots so that the total number of ballots provided to each precinct is equal to or greater than 10% more than the number of ballots cast in the precinct in the 2006, 2010, or 2014 general election (whichever election had the greatest number). In calculating the number of ballots cast in a precinct in a past election, the board should be mindful of any changes made to the precinct's boundaries and/or the number of electors assigned to the precinct since the election and adjust the number of additional ballots accordingly.

Whenever a board plans to use ballot-on-demand printers for any voting-related purpose, it must ensure that it has on hand a sufficient inventory of printers, ballot stock, and printer consumables (e.g., toner, fusers, etc.).

C. DRE Counties

Boards of elections using direct recording electronic (DRE) voting machines as their primary voting system on Election Day must deploy at least one DRE voting machine for every 175 registered voters in a precinct or voting location. The DREs must be programmed to allow any voter assigned to the location to vote on any machine in the location. There must never be fewer than three DRE machines in any precinct or voting location.⁶ The three DRE machines is a minimum – boards must allocate additional DREs to a polling location beyond these minimums to accommodate the projected turnout, local contests of interest on each precinct's ballot, and recent voter registration activity.

These boards must provide sufficient supplies and equipment (e.g., paper for voter verified paper audit trail printers) so that voting may continue without undue delay resulting from missing or insufficient replacement supplies.

A board of elections using DREs as its primary voting system on Election Day must provide backup paper ballots for this general election. Boards must determine the minimum number of optical scan ballots to provide for each precinct by multiplying the number of ballots cast in the precinct (public count) from the 2006, 2010, or 2014 general election, whichever is higher, by 15 percent. This is the minimum number of optical scan ballots that must be provided for that precinct. Boards of elections may print ballots totaling more than the calculated minimum number so long as the increase is uniform across the county. Although the ballots are labeled and look the same, this 15 percent is in addition to the quantity the board of elections determines is necessary to accommodate all provisional ballot voters at each precinct.

⁴ R.C. 3505.11(B).

⁵ R.C. 3505.11(B)(3).

⁶ [Directive 2016-22, Chapter 4, of the Election Official Manual.](#)

D. All Counties

The ballot quantity and DRE allocation instructions are minimums – boards must pre-print additional optical scan ballots beyond these minimum quantities or allocate additional DREs to accommodate the projected turnout, local contests of interest on each precinct’s ballot, and recent voter registration activity. Additionally, a board must consider its local experience when deciding whether to exceed the baselines established above.

A board of elections of a county that contains a college or university should consider that attendees of the college or university might appear to vote at the precinct and polling location encompassing the college or university. The board should provide additional provisional ballots and supplies to these precincts and consider whether additional Precinct Election Officials (PEOs) are necessary to process these individuals and avoid unnecessary wait times.

Boards of elections should be mindful that voter registration activity – both new registrations and changes of address – often surges immediately preceding the close of registration before an election. Boards of elections should take into consideration any increase in registration after the close of registration when determining ballot and precinct supplies minimum quantities.

No board of elections can rely solely on a Ballot on Demand (BOD) printer to produce its stock of optical scan ballots on Election Day. A board of elections that utilizes a BOD printer must ensure that it has on-hand a sufficient supply of blank ballot stock, toner, and any other necessary supplies to print any additional ballots needed on Election Day beyond the requirements of state law and this Directive.

II. PROVISIONAL BALLOTS AND SUPPLIES

The board must provide ballots and envelopes in the quantity of at least 10 percent more than the number of provisional ballots cast in that precinct at the 2006, 2010, or 2014 general election, whichever is higher.⁷ Additionally, each board must provide to each precinct and/or polling location a stock of provisional ballot affirmation envelopes (containing Secretary of State [Form 12-B](#)) that is greater than the number of provisional ballots being provided for this election.

III. ELECTRONIC POLLBOOK REMINDERS

As a reminder, any board of elections that utilizes electronic pollbooks must provide at least one paper copy of the precinct poll list (i.e., a list of each elector assigned to vote in the precinct, the elector’s voter registration address, and a space for the elector’s signature) or signature pollbook to each precinct that uses e-pollbooks in an election. The paper copy of the poll list or signature pollbook ensures that voting can continue in the event that an e-pollbook fails to operate as intended.⁸

⁷ This is a minimum requirement for preparedness, not a prediction for the number of provisional ballots expected to be cast this election.

⁸ [Directive 2015-32, Chapter 10 of the Election Official Manual.](#)

Precinct Election Officials must be instructed to use the poll list to look up any voter who does not appear in the electronic pollbook or to process electors if wait times at a polling location exceed the board's established minimum wait time.

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

Sincerely,

A handwritten signature in black ink that reads "Jon Husted". The signature is written in a cursive style with a large, looped "J" and "H".

Jon Husted