



DIRECTIVE 2019-01

February 20, 2019

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

Re: Instructions Regarding In-Person Absentee Voting

SUMMARY

This Directive provides instructions to county boards of elections on how to implement the changes to the in-person absentee voting process due to the enactment of Substitute House Bill 41 (132nd Ohio General Assembly). Starting March 20, 2019, the effective date of the legislation, a qualified elector who wants to receive and cast an absentee ballot in person is no longer required to complete an application for an absentee ballot if the voter provides one of the valid forms of identification that is acceptable for voting purposes on Election Day or complete an Identification Envelope – Statement of Voter ([Secretary of State Form 12-A](#)) with the absentee ballot in order for the ballot to be counted.

The new identification requirements and procedures for in-person absentee voting are set forth in this Directive. Instructions for issuing UOCAVA ballots beginning the 46th day prior to Election Day are forthcoming.

IN-PERSON ABSENTEE VOTING

I. Identification Requirements for an In-Person Absentee Ballot

A qualified elector who wants to receive and cast an absentee ballot in person at the board of elections office or other location designated for in-person absentee voting must announce their full name and current address to the election officials and either must provide one of the valid forms of identification that are acceptable for voting purposes on Election Day or submit a completed written application containing their driver's license number or the last four digits of their Social Security Number.¹ The following forms of identification are acceptable for voting purposes on Election Day and now are acceptable forms of identification for in-person absentee voting:

- An unexpired Ohio driver's license or state identification card with present or former address so long as the voter's present residential address is printed in the official list of registered voters for that precinct;

¹ R.C. 3509.051(A), effective March 20, 2019; R.C. 3505.18.

Note: An Ohio driver's license or state identification card with an old or former address IS ACCEPTABLE as a valid form of identification necessary to cast a regular ballot when the voter's current address is printed in the Signature Poll Book.

- A military identification;

Note: Military identification cards or copies of such cards must be accepted whether or not they contain the voter's name or address. However, it still must allow a precinct election official to determine that it is the military ID card of the person who is presenting it for the purpose of voting.

- A photo identification issued by the United States government or the State of Ohio, that contains the voter's name and current address and that has an expiration date that has not passed;
- An original or copy of a current utility bill with the voter's name and present address;

Note: A utility bill is a statement of fees owed and/or paid for services. It may be a printout of an electronically transmitted statement for services owed, paid, or a regular paper copy. A utility bill includes, but is not limited to, water, sewer, electric, heating, cable, Internet, telephone and cellular telephone services.

- An original or copy of a current bank statement with the voter's name and present address;
- An original or copy of a current government check with the voter's name and present address;
- An original or copy of a current paycheck with the voter's name and present address; or
- An original or copy of a current other government document (other than a notice of voter registration mailed by a board of elections) that shows the voter's name and present address.

For utility bills, bank statements, government checks, paychecks, and other government documents, "current" is defined as within the last 12 months. "Other government document" includes license renewal and other notices, fishing and marine equipment operator's license, court papers, or grade reports or transcripts. "Government office" includes any local (including county, city, township, school district and village), state or federal (United States) government office, branch, agency, commission, public college or university or public community college, whether or not in Ohio.²

² R.C. 3505.18; [Chapter 7, pp. 11-13, of the Ohio Election Official Manual](#); [Directive 2008-80](#).

Alternatively, if the voter does not have or does not want to provide one of the forms of identification listed above, the voter can submit a completed application for an absentee ballot that provides their driver's license number or the last four digits of their Social Security Number to receive and cast an absentee ballot in-person.³ The voter can use [Secretary of State Form 11-A](#), Absentee Ballot Application, or any other written application for this purpose.

If the voter completes an application and provides their driver's license number or last four digits of their Social Security Number for identification, the board must verify that it matches the information contained in the board's voter registration records. Please note that absentee voter is not required to provide the same form of identification he or she provided when registering to vote.

II. Receiving and Casting a Ballot⁴

The board must provide a signature book to be signed by the in-person absentee voter⁵ after the board has verified the eligibility of the voter. The board then must verify the voter's signature, identify the correct ballot style for the voter, and issue an absentee ballot to the voter.

It is important to note that only an election official is permitted to challenge the right to vote of an absentee voter who is requesting and casting an absentee ballot in person.⁶ An election official may challenge the right to vote in the same manner as a precinct election official may challenge the right to vote of an elector on Election Day. An explanation of the reasons and procedures for a challenge is contained in [Chapter 7, Sections 1.07 and 1.10, of the Ohio Election Official Manual](#).

An in-person absentee voter who is issued an optical scan ballot must mark the ballot at the board of elections office or other site designated for in-person absentee voting and insert the voted ballot into the scanner to cast it. An in-person absentee voter casting their ballot on a DRE or touchscreen interface must mark and cast the ballot using the voting machine. The board is not required to issue, and an in-person absentee voter is not required to complete, an Identification Envelope – Statement of Voter ([Secretary of State Form 12-A](#)), if the voter is casting their ballot at the board of elections office or other site designated for in-person absentee voting.⁷

³ R.C. 3509.051(A)(2), effective March 20, 2019.

⁴ Please note that a voter still may apply for and receive an absentee ballot to take home to complete at a later date. If an absentee voter chooses to take the ballot home, the board must provide the absentee voter a return mailing envelope and Identification Envelope – Statement of Voter ([Secretary of State Form 12-A](#)). See [Chapter 5, Section 1.04, of the Ohio Election Official Manual](#).

⁵ R.C. 3509.051(C), effective March 20, 2019.

⁶ R.C. 3509.051(D), effective March 20, 2019.

⁷ R.C. 3509.051(B), effective March 20, 2019.

An absentee voter cannot receive a replacement ballot after that voter's ballot has been cast. However, if an absentee voter tears, soils, defaces, or erroneously marks a paper ballot before the ballot is cast, the voter may return it and receive a replacement.⁸ A voter may receive a replacement ballot up to two times.⁹

III. Securing Voting Equipment, Voted Ballots, and Ballot Containers

At the close of in-person absentee voting each day, a bipartisan team of board of elections' employees must secure all voting equipment, voted ballots, and ballot boxes. The voting equipment, voted ballots, and ballot boxes must be stored in a manner that prevents unauthorized access. Prior to the start of in-person absentee voting each day, a bipartisan team of board of elections' employees must inspect all voting equipment and ballot boxes to ensure that all tamper-evident seals are intact. The board must program its voting equipment to utilize all available security features, such as the input of a password to open or close the equipment.

As a reminder, each board must ensure that when any voting machine is powered-down after the close of in-person absentee voting each day, the machine does not tabulate any votes cast on it.

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

Yours in service,



Frank LaRose

⁸ Replacement ballots are not necessary for an electronically-displayed ballot on a voting machine, because the voter has the ability to change his or her selections before casting the ballot.

⁹ R.C. 3505.23.