



DIRECTIVE 2019-05

April 23, 2019

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

Re: Unofficial and Official Canvasses of the May 7, 2019 Primary/Special Election

SUMMARY

This Directive outlines the procedures that boards of elections must follow when conducting both the Unofficial and the Official Canvasses of the May 7, 2019 Primary/Special Election.

To assist boards of elections with any problems, questions, or concerns that may arise on Election Day, the Secretary of State's Office will be staffed on Election Day from 6:30 a.m. until all boards have reported their unofficial results to our office. As in the past, boards can contact the Secretary of State's Office using a dedicated telephone number that will be emailed prior to May 7, 2019 or the main telephone number for the Elections Division of (614) 466-2585.

All Directors, Deputy Directors, and Board Members must ensure that they are able to receive emails and other communications sent from the Secretary of State's Office on Election Day (including after the polls close).

PART ONE – UNOFFICIAL CANVASS

The Unofficial Canvass of the May 7, 2019 Primary/Special Election must be conducted on election night in accordance with state law¹ and the processes and procedures outlined in [Directive 2017-13, Chapter 8, Section 1.02](#) of the Election Official Manual.

The Unofficial Canvass must be conducted in full view of the members of the board of elections and any observer appointed in accordance with R.C. 3505.21.² The board must continuously count the ballots during the Unofficial Canvass.³

¹ R.C. 3505.27 (counting regular ballots that were cast at precinct polling locations); R.C. 3505.28 (ballots not counted); R.C. 3509.06 (counting absentee ballots); R.C. 3509.07 (absentee ballots not counted); R.C. 3511.11-3511.13 (uniformed service and overseas voter absentee ballots).

² R.C. 3505.27.

³ R.C. 3505.27; R.C. 3505.29; R.C. 3505.30.

I. SUMMARY AND FINAL REPORTS

Generally, boards of elections must follow the processes and procedures outlined in [Directive 2017-13, Chapter 8, Section 1.02](#) of the Election Official Manual for reporting summary results and submitting final summary reports in odd-numbered year elections.

Additionally, the following reporting requirements must be followed by each board of elections conducting an election on May 7, 2019:

- On Election Night, after a board has completed its Unofficial Canvass, it must email the Secretary of State’s Office and attach a copy of the unofficial vote total report generated by the board’s voting system. This report must be clearly labeled “[County]’s Unofficial Canvass,” and it must contain only vote totals for that county. The Unofficial Certification of Results Signature Form must also be submitted on Election Night—and is attached to the email containing this Directive.
- By 10:00 a.m. on May 8, 2019 (the day after the election), each board must provide a report showing the number of ballots cast and counted by absentee voters and the number of regular ballots cast and counted on Election Day. This report should be generated from the board’s election management system and may provide summary or precinct-level detail.

In addition, each board must complete and submit an Unofficial Certification of Results Supplemental Data Form to provide the following statistics:

Counted Ballots:

- Total number of Election Day Ballots (regular ballots cast at polling locations on Election Day);
- Total number of Non-UOCAVA Absentee Ballots Counted (as reported in the board’s voter registration (“VR”) system); and
- Total number of UOCAVA Absentee Ballots Counted (as reported in the board’s VR system).

Outstanding Ballots (ballots issued but not yet counted):

- Total number of Outstanding Non-UOCAVA Absentee Ballots (as reported in the board’s VR system as having been issued by the board but not returned or returned but not counted (for which [Secretary of State Form 11-S](#) is provided to the voter));
- Total number of outstanding UOCAVA absentee ballots issued by the board (as reported in the board’s VR system as having been issued by the board but not returned or returned but not counted (for which [Secretary of State Form 11-S](#) is provided to the voter));
- Total number of provisional ballots cast on Election Day; and
- Total number of provisional ballots cast before Election Day.

- By 10:00 a.m. on May 8, 2019 (the day after the election), the board of the most populous county of any multi-county district must generate a separate summary report showing the combined vote totals for its county and the overlapping county that report to the most populous county for that contest, question, or issue. This report must be clearly labeled “[County]’s Unofficial Canvass – Most Populous County.” The board may use its voting system, the relevant Secretary of State Form, or some other form to provide this information.

All final summary reports must be transmitted to the Elections Division via email to results@ohiosecretaryofstate.gov. A signature form, which must be signed by the Director, Deputy Director, and each Board Member present for the Unofficial Canvass, will be provided to the board from this office. The board may not authorize the use of digital or stamped signatures for these reports.

PART TWO – OFFICIAL CANVASS

I. TIMELINE FOR OFFICIAL CERTIFICATION

Boards of elections may begin the Official Canvass of the May 7, 2019 Primary/Special Election **no earlier than** the 11th day after the election (Saturday, May 18, 2019) **and** must begin **no later than** the 15th day after the election (Wednesday, May 22, 2019). **Each board must complete its Official Canvass and certify no later than the 21st day after the election (Tuesday, May 28, 2019).**⁴

II. PRE-CANVASS ACTIVITY

Each board of elections must follow the instructions for pre-canvass activity that are outlined in [Directive 2017-13, Chapter 8, Section 1.03](#) of the Election Official Manual.

III. INSTRUCTIONS FOR OFFICIAL CANVASS

Each board of elections must follow the processes and procedures for conducting the Official Canvass that are contained in [Directive 2017-13, Chapter 8, Section 1.04](#) of the Election Official Manual.

IV. FORMS FOR OFFICIAL CERTIFICATION

Forms used to report results to the Secretary of State’s Office, and, in some instances, to other boards of elections or public agencies, will be provided after the Unofficial Canvass.

All certifications and reports must be signed by the appropriate board personnel before being submitted to the Secretary of State’s Office, to another board of elections or to another public entity. The board may not authorize the use of digital or stamped signatures for these reports.

⁴ R.C. 3513.22(A).

Each board of elections must submit the signature form (which will be provided after the Unofficial Canvass) for the purpose of certifying the Official Election Results, including the Supplemental Reports for both Absentee Ballots and Provisional Ballots to the Secretary of State's Office.

A. Certification of Official Results to the Secretary of State⁵

1. After a board has completed its official canvass, it must email the Secretary of State's Office and attach a copy of the official vote total summary report generated by the board's voting system. This report must be clearly labeled "[County]'s Official Canvass" and it must contain only vote totals for that county.
2. The board of elections for the most populous county of any jurisdiction must generate a separate report from its voting system, create a report outside of its voting system, or use a reporting form which will be provided after the Unofficial Canvass. This report must be clearly labeled "[County's] Official Canvass – Most Populous County." The report must include the total number of votes recorded for the office, question, or issue from each county in a multi-county jurisdiction and the sum total for all counties. The contest(s) for which a board is the most populous county must be marked to clearly identify it as a contest containing vote totals from other counties.

B. Absentee and Provisional Ballot Supplemental Report

State law requires the Secretary of State to publish a report on the number of absentee and provisional ballots cast and counted for the election in each county.⁶ Each board of elections must provide this supplemental data for absentee and provisional ballots. The reporting forms will be provided after the Unofficial Canvass.

C. Certificate of Official Summary Results for Local Liquor Option Questions and Local Questions and Issues

Each board of elections must send a completed copy of [Secretary of State Form No. 126-B](#) to the Secretary of State's Office (via email to results@ohiosecretaryofstate.gov) and a copy of the completed form to the Ohio Division of Liquor Control via email: LiquorLicensingMailUnit@com.state.oh.us or by mailing to the following address:

Division of Liquor Control
6606 Tussing Road
Reynoldsburg, Ohio 43068-9005

⁵ R.C. 3505.30.

⁶ R.C. 3501.05(Y).

The board of elections (most populous county only if it is multi-county issue) must certify the results of an election on tax levies and bond issues to the following offices and agencies:

- The county auditor of each county in which the election was held.
- The fiscal officer of the subdivision in which the election was held.
- The Tax Commissioner of the State of Ohio via email at: DTE@tax.state.oh.us.
- The Secretary of State.

The board of elections of the most populous county must certify the results of an election on a school district income tax on [Secretary of State Form 125-A](#) to the following offices and agencies:

- The board of education that placed the issue on the ballot.
- The Tax Commissioner of the State of Ohio via email at DTE@tax.state.oh.us.
- The Secretary of State.

V. TIMELINE FOR REPORTS

The Secretary of State's Office must receive each board of elections' properly completed certification report, signature form, and report forms, not later than Tuesday, May 28, 2019. However, boards are encouraged to submit these reports via email to results@ohiosecretaryofstate.gov as soon as the board has completed its official certification. Do not delay in submitting the official certification forms due to a recount for any race or issue.

Every board of elections must maintain at its office a copy of each of its completed certification and report forms.

VI. CERTIFICATES OF NOMINATION

Each board of elections must follow the instructions for issuing certificates of nomination that are contained in [Directive 2017-13, Chapter 8, Section 1.04, Division G](#) of the Election Official Manual.

VII. RECOUNTS

Before scheduling and conducting a recount, please review the procedures set forth in state law and the instructions and procedures outlined in [Directive 2017-14, Chapter 9, Section 1.02](#) of the Election Official Manual.

Boards will be provided with a link to a survey to notify the Secretary of State of a recount. If the recount to be conducted is of a multi-county jurisdiction, the Secretary of State's Office will issue the notice of recount upon notification by the most populous county. If a recount changes vote totals, the board of elections must submit a properly completed and signed amended certification and abstract.

VIII. VOTER HISTORY

All boards must upload voter history for the May 7, 2019 Primary/Special Election to the Statewide Voter Registration Database on the day of the board's official certification. Counties with more than 100,000 registered voters must contact Robin Fields at rfields@ohiosecretaryofstate.gov to schedule their upload in advance. Once voter history is transmitted, Secretary of State Staff will compare the total ballots cast to the total number of voters participating in the election. Please note that this is a change from prior practice to allow our office to more promptly review this important data.

For purposes of assigning voter history, each board of elections must follow the instructions outlined in Chapter 8, Section 1.04, Division E, of the Election Official Manual.

For purposes of assigning party affiliation, each board of elections must follow the instructions outlined in [Directive 2017-12, Chapter 3, Section 1.13 Division C](#), of the Election Official Manual.

The election name to submit the history for the election is **2019_MAY_PRIM**.

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