

Advisory 2023-04

November 20, 2023

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

Re: Ballot Printer Rules 111:3-10-01- 111:3-10-11

BACKGROUND

This Advisory alerts boards of elections to the effective date of newly adopted rules by the Secretary of State regarding printing, mailing, and security standards for vendors that print ballots under contracts entered into under R.C. 3505.13. These rules were required by the General Assembly through H.B. 487 passed in the 134th General Assembly. The rules are available on the [Register of Ohio](#) website. [Advisory 2023-01](#), which my office sent to boards earlier this year, provides additional information on requirements regarding ballot print vendors laid out in H.B. 487.

SUMMARY

I. RULES OVERVIEW

The new rules will apply to any ballot print vendor that is awarded a contract in excess of twenty-five thousand dollars. These vendors will be required to complete a Secretary of State prescribed attestation form. The form will include contact information, emergency contact information, and documentation on vendor equipment as well as details on how the vendor intends to comply with requirements found in these rules. No board of elections will be able to enter a contract with a ballot print vendor that does not complete an attestation form. My office will keep a list of vendors that have submitted an attestation form that will be available online.

In addition to the vendor attestation form, these rules state that vendors must have quality control standards in place to ensure proper ballot style as well as industry standard equipment. Vendors will be required to provide boards with notice of any subcontracting of any work done under print contracts and provide ballot samples that boards must approve prior to printing. Finally, these rules establish cyber and physical security standards for printers as well as procedures governing absent voters' ballots.

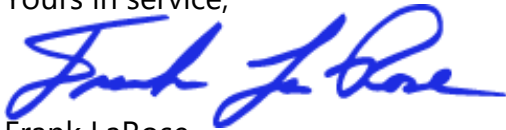
It is important to note that these rules are not meant to be a replacement for board contracts with print vendors. Nor are these rules meant to be a “one size fits all” solution for every county. These rules are guardrails and guidelines. Boards will still need to thoroughly review and vet contracts with ballot print vendors and ensure that the contracts entered into work for the needs of their individual county.

II. EFFECTIVE DATE AND TIMING

The effective date for these rules is November 13th, 2023. However, boards will need to be aware of these rules for the March 19th, 2024, primary election. If a board has already signed a print contract for the primary election, the print vendor will need to complete an attestation form and file it with the Secretary of State prior to the March elections.

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