

DIRECTIVE 2008-22

February 5, 2008

To: ALL COUNTY BOARDS OF ELECTIONS

Re: 17-year old Voters in the March 4 Primary Election

This Directive addresses the voting eligibility of 17-year old electors, and the ballot that 17-year old electors are to use, in the Tuesday, March 4, 2008 primary election.

I. Voting Eligibility

Ohio law allows 17-year old electors who will be 18 years of age on or before the date of the general election in 2008 to vote **solely** on the **nomination** of candidates. This is because they will be eligible to vote for the nominees for this office at the November general election. Seventeen-year-old voters are **not** permitted to vote on any question or issue on the March primary election ballot as these questions and issues are specific to the election held on the date of the of the primary election. (R.C. 3503.01, 3503.011, 3503.07)

In addition, the 17-year old electors must satisfy Ohio's voter identification requirements in accordance with R.C.3505.18.

Each board of elections must train its pollworkers on these points.

II. Form of the Ballot

This directive applies to both absentee and in-person voting. Please review the following options and select one that fits your county's voting system:

A. Optical Scan:

1. Provide an optical scan ballot that contains only the candidacies and no issues, or
2. Provide 17-year old electors with a regular optical scan ballot, along with the instructions provided as a separate attachment to this Directive. Under this option, the voter will place his or her voted ballot in a sealed envelope. When received, ballots from 17-year-old voters must be segregated. When voted in person at the polling place on Election Day, those sealed envelopes must be returned to the board of elections on election night. Before counting a ballot cast by a 17-year old, board officials must determine if the ballot was properly cast for only eligible offices. If the ballot contained marks for questions or issues, the team designated by the board must remake the ballot to reflect votes cast only for those eligible offices.

Election officials may **not** give to a 17-year old elector any ballot that has been previously voted, for example, a ballot that has been marked or overvoted on questions or issues only, even though the 17-year-old is ineligible to vote on such questions or issues.

B. DRE Voting Systems:

Boards that use DRE voting systems may allow 17-year old electors to vote on a DRE using one of the following options:

1. Provide a ballot that contains only the eligible offices, or
2. Provide an optical scan ballot and follow the instructions outlined above in one of Optical Scan options above.

If you have any questions or need additional information, please contact the assigned elections attorney staff assigned to your county at (614) 466-2585.

Sincerely,

Jennifer Brunner