



DIRECTIVE 2022-28

March 9, 2022

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

Re: Ballots and Candidates for May 3, 2022 Primary Election for All Offices

SUMMARY

On February 22, 2022, the Secretary of State's Office issued [Directive 2022-25](#) to provide the form of the official ballot for the May 3, 2022; however, the offices of U.S. Representative to Congress ("U.S. House"), Ohio House, Ohio Senate, and State Central Committee were not included due to delays in redistricting. Since then, the Ohio Redistricting Commission adopted district maps for the Ohio House, Ohio Senate, and U.S. House.¹ This Directive provides the forms of the official ballots to be used in the May 3, 2022 Primary Election, together with the names of all statewide candidates to be printed on those ballots.² This Directive supersedes [Directive 2022-25](#) and the forms of the ballot that accompanied [Directive 2022-25](#). This Directive also clarifies the requirements regarding candidate withdrawals.

INSTRUCTIONS

Boards of elections must not print ballots until after the March 17, 2022 protest deadline for the offices of U.S. House, Ohio House, Ohio Senate, and State Central Committee. However, boards may begin to program and proof ballots as soon as candidates are certified to appear on the ballot. The most populous board of a district must immediately notify less populous counties if a protest is resolved against a candidate.

Please note that, in lieu of issuing a separate Directive with specific details covering ballot layout and proofing the Secretary of State's Office is issuing this Directive, which must be used in conjunction with [Chapter 5 of the Election Official Manual](#) when preparing ballots for this election. [Chapter 5 of the Election Official Manual](#) provides specific instructions on the following subjects:

- Ballot format;
- Voter instructions;
- Ballot stubs;
- Partisan primary elections;
- Candidate ballots (names, restrictions, political party, rotation, etc.);
- Questions and issues ballot;
- Ballot proofs;

¹ See Directives [2022-26](#) and [2022-27](#).

² [R.C. 3505.01](#).

- Bid requirements;
- Ballot quantities;
- Logic and accuracy testing; and
- Public test.

I. VERIFYING DISTRICT RELATIONSHIPS

Before programming any aspect of the central tabulating system for the May 3, 2022 Primary Election, boards of elections must verify the accuracy of district relationships in the central tabulating system against the county's voter registration system.³ This is to ensure that each voter receives the correct ballot style (i.e., the correct combination of candidate offices and issues) based upon that voter's residential address.

II. OFFICIAL BALLOT FORMS

Each board of elections is to provide a separate ballot for each political party listing candidates for nomination or election in a primary election.⁴ Accordingly, accompanying this Directive are the following ballot forms:

- Official Democratic Primary Ballot;
- Official Republican Primary Ballot; and
- Official Questions and Issues Ballot.

The names of all candidates, who have not withdrawn pursuant to [R.C. 3513.30](#) (*see* Section VI of this Directive), must be arranged, rotated, and printed upon the ballot in accordance with the provisions of Ohio Revised Code Chapters [3505](#), [3506](#), and [3513](#) and [Chapter 5 of the Election Official Manual](#).

III. ORDER OF OFFICES FOR PRIMARY BALLOTS⁵

A. The order of offices for **Democratic Party** ballots shall be as follows:

- Governor and Lieutenant Governor
- Attorney General
- Auditor of State
- Secretary of State
- Treasurer of State
- Chief Justice of the Supreme Court (Full term commencing 1-1-2023)
- Justice of the Supreme Court (Full term commencing 1-1-2023)
- Justice of the Supreme Court (Full term commencing 1-2-2023)
- United States Senator
- Representative to Congress
- Member of State Central Committee, Man

³ Boards must proof and verify the accuracy of all districts including but not limited to Congressional, Ohio House, Ohio Senate, and State Central Committee districts.

⁴ [R.C. 3513.13](#).

⁵ [R.C. 3513.13](#).

- Member of State Central Committee, Woman
- State Senator
- State Representative
- Judge of the Court of Appeals
- Judge of the Court of Common Pleas
- County Commissioner
- County Auditor
- Member of County Central Committee, if applicable

B. The order of offices for **Republican Party ballots shall be as follows:**

- Governor and Lieutenant Governor
- Attorney General
- Auditor of State
- Secretary of State
- Treasurer of State
- Chief Justice of the Supreme Court (Full term commencing 1-1-2023)
- Justice of the Supreme Court (Full term commencing 1-1-2023)
- Justice of the Supreme Court (Full term commencing 1-2-2023)
- United States Senator
- Representative to Congress
- Member of State Central Committee, Man
- Member of State Central Committee, Woman
- State Senator
- State Representative
- Judge of the Court of Appeals
- Judge of the Court of Common Pleas
- County Commissioner
- County Auditor
- Member of County Central Committee, if applicable

Candidates for statewide office appear on the sample ballot layouts provided with this Directive.

C. Blank Spaces for Write-In Votes⁶

A write-in space must be provided on the ballot for every office for which the board of elections received a valid declaration of intent to be a write-in candidate.⁷

- **Write-In Candidates for Statewide Office:**

No write-in candidates for statewide office filed for the May 3, 2022 Primary Election.

⁶ [R.C. 3513.041](#); [3513.14](#).

⁷ [R.C. 3513.14](#).

- **For State Central Committee:** The board may not accept declarations of intent to be a write-in candidate for state central committee.⁸ If no valid declarations of candidacy were filed for the positions, the office does not appear on the ballot.⁹
- **For County Central Committee:** The board may accept valid declarations of intent to be a write-in candidate and provide a write-in space on the ballot for county central committee, even if no declarations of candidacy were filed for the positions.

D. Full or Unexpired Term

For judicial offices, the designation of “Full Term Commencing,” followed by the appropriate date, must appear on the ballot. If for an unexpired term, the designation “Unexpired Term Ending,” followed by the term ending date of the office, must appear on the ballot.

The judicial offices for that court should appear in chronological order by the date the terms commence, followed by unexpired terms in descending order based on the ending date of the term.

For all other offices, the designation of term is necessary only when there is an unexpired term to elect (e.g., if a candidate is running for an unexpired term for mayor) and where two or more full terms for the office are to appear on the ballot (e.g., municipal court judge), in which case the offices should appear in chronological order by the date the terms commence. If there is both full and unexpired term for the same office, place the full term first followed by the unexpired term.

A 2-point rule must separate the title of the office from the names of the candidates for that office.¹⁰

IV. CERTIFICATION OF CANDIDATE PETITIONS FOR U.S. HOUSE, OHIO SENATE, OHIO HOUSE, AND STATE CENTRAL COMMITTEE

Candidates for U.S. House, Ohio House, Ohio Senate, and State Central Committee must be certified to the appropriate board(s) of elections by the most-populous county board of elections of the district **no later than March 14, 2022**.¹¹ Boards cannot verify or certify candidate petitions until the reprogramming of the voter registration system based on Directives [2022-26](#) and [2022-27](#) is complete. If a less-populous county board of elections of a district has not received a list of candidates from the most-populous county board of elections, the less-populous county board of elections must contact the most-populous county before programming ballots.

V. OFFICIAL QUESTIONS AND ISSUES BALLOT¹²

Offices for which candidates may be nominated or elected are presented on the ballot first, followed by the questions and issues. The Official Questions and Issues Ballot must be used for all voting systems. The ballot form also contains examples of some of the local questions and issues that may appear on the ballot in your county. Not every category or type of question/issue will appear on every ballot in every county, so please apply as much of the form as is appropriate to the ballots in your county.

⁸ See [1970 Ohio Atty.Gen.Ops. No. 70-011](#).

⁹ [R.C. 3513.14](#).

¹⁰ [R.C. 3505.08\(A\)](#).

¹¹ See [Directives 2022-26](#) and [2022-27](#).

¹² [R.C. 3505.06](#).

Additional instructions on headings, ballot language, and percentage of votes can be found in [Chapter 5 of the Election Official Manual](#).

Questions and issues must be grouped together in the following political subdivision order for elections held in 2022:

- School and Other Districts
- County
- Municipal
- Township

Each board of elections may determine the specific order in which the questions/issues within each group are placed on the ballot in that county, however, a board should adopt a method for doing so (i.e., ordered alphabetically or by date filed, etc.). Absentee ballots must contain identical ordering of issues within groups to regular ballots.

Please review the appropriate sections of the Ohio Revised Code, local charter (if applicable), and the [Questions and Issues Handbook](#) for ballot language and formats that are not on the attached Official Questions and Issues Ballot.

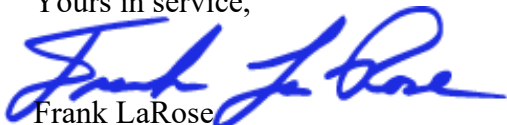
VI. CANDIDATE WITHDRAWALS

Pursuant to Ohio law, when a person withdraws their candidacy after the seventieth day before Election Day, a board of elections must not remove the name of the withdrawn candidate from the ballots.¹³ However, H.B. 93 authorizes the Secretary of State to adjust certain deadlines pertaining to the May 3, 2022 primary election.¹⁴ Directives [2022-26](#) and [2022-27](#) adjusted the certification and protest deadlines for U.S. House, Ohio House, Ohio Senate, and State Central Committee. This Directive adjusts the withdrawal deadline for those offices. If a candidate for any of those offices withdraws prior to the certification deadline of **March 14, 2022**, the candidate's name **must not** appear on the ballot.

If a candidate for U.S. House, Ohio House, Ohio Senate, or State Central Committee withdraws on or after **March 14, 2022**, the board of elections must post a notice at each polling place on Election Day, and enclose a notice with each absentee ballot that states that votes for the withdrawn candidate will be void and will not be counted. If the name is not removed from all ballots before Election Day, the votes for the withdrawn candidate are void and must not be counted.¹⁵

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
Ohio Secretary of State

¹³ [R.C. 3513.30\(E\)](#).

¹⁴ Section 4(G) of [H.B. 93](#).

¹⁵ [R.C. 3513.30\(E\)](#).