



DIRECTIVE 2023-17

August 29, 2023

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

Re: Ballots, Voting Schedule, and Deadlines for November 7, 2023 General Election

SUMMARY

This Directive provides the certified form of the official ballots to be used in the November 7, 2023 General Election, including the language for two statewide issues to be printed on those ballots. The Directive also provides the schedule for early in-person voting, absentee ballot deadlines, and a schedule for the post-election cure period. Please note that this Directive must be used alongside [Chapter 5 of the Election Official Manual](#) when preparing ballots for this election. [Chapter 5](#) provides specific instructions on the following subjects:

- Ballot format;
- Voter instructions;
- Ballot stubs;
- Candidate ballots (names, restrictions, political party, rotation, etc.);
- Questions and issues ballot;
- Ballot proofs;
- Overlaps;
- Bid requirements;
- Ballot quantities;
- Logic and accuracy testing; and
- Public test.

INSTRUCTIONS

I. VERIFYING DISTRICT RELATIONSHIPS

Before programming any aspect of the central tabulating system for the November 7, 2023 General Election, boards of elections must verify the accuracy of district relationships in the central tabulating system against the county's voter registration system. The purpose of this requirement 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

The certified form of the official ballot accompanying this Directive is for offices to be elected at the November 7, 2023 General Election. The names of all candidates who have not withdrawn pursuant to [R.C. 3513.30](#) must be arranged, rotated, and printed upon the ballot in accordance with the provisions of Ohio Revised Code Chapters [3505](#),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.

If your county has partisan and nonpartisan city and village offices, please pay particular attention to the order of offices for each precinct. The ballot order must have the partisan offices listed first, followed by Judge of the Municipal Court and Clerk of Municipal Court, which are followed by the other nonpartisan offices.

A. STATUTORY MUNICIPALITIES V. HOME RULE MUNICIPALITIES

A statutory municipal corporation is a city or village that is governed by the general laws of Ohio. In comparison, a municipal corporation that has adopted a form of limited home rule may have adopted provisions governing elections for municipal offices or issues that differ from general statutory provisions. If specific home rule provisions relating to elections cannot be harmonized with the statutory provisions, the home rule provisions will control the elections of the home rule municipality. Questions about the applicability or implementation of home rule provisions should be directed to the municipal corporation's legal counsel.¹

B. ORDER OF OFFICES FOR ALL CANDIDATE BALLOTS²

1. Partisan City Offices

City offices must be listed in the following order:

1. Mayor
2. President of Council
3. Auditor
4. Treasurer
5. Director of Law
6. Member of Council at Large
7. Member of Council – Ward

2. Partisan Village Offices

Village offices must be listed in the following order:

1. Mayor
2. Clerk-Treasurer
3. Clerk

¹ See [Chapter 1](#), Section 1.02 and [Chapter 2](#), Section 2.03 of the Election Official Manual for additional guidance on Municipal & County Charters and corresponding legal counsel.

² [R.C. 3505.04](#): If a city or village has adopted a charter or one of the three alternate forms of home rule government set forth in Revised Code Chapter 705 (i.e., commission plan, city manager plan, or federal plan), you must refer to the charter or appropriate provisions of R.C. Chapter 705 to determine the following: what officers are to be elected; the term of each office to be elected; the method of nomination (e.g., partisan primary election, nonpartisan primary election, or nominating petition) for each office; and the form of the ballot, if such ballot is prescribed by charter.

4. Treasurer
5. Member of Council
6. Member of Board of Trustees of Public Affairs

3. Nonpartisan Offices

1. Judge of the Municipal Court
2. Clerk of the Municipal Court
3. City Offices (order of offices same as above)
4. Village Offices (order of offices same as above)
5. Township Trustees
6. Township Fiscal Officer
7. Member of Governing Board of Educational Service Center
8. Member of Board of Education (City, Local and Exempted Village)

4. Write-In Vote Blank Spaces

A write-in space must be provided on the ballot for every office for which the board of elections has received a valid declaration of intent to be a write-in candidate.³ If there is both a full and an unexpired term for the same office, place the full term first followed by the unexpired term.

C. FULL OR UNEXPIRED TERMS OF OFFICE

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.⁴ 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 township trustee) 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 two-point rule must separate the title of the office from the names of the candidates for that office.⁵

D. OFFICIAL QUESTIONS AND ISSUES BALLOT

Offices for which candidates may be 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 contains the exact ballot language that must be used for the two statewide issues on the ballot. Please note that the ballot language for State Issue 1 is currently subject to litigation. Should the ballot language for State Issue 1 change, a new certified form of ballot would be issued as soon as possible.

The attached 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

³ [R.C. 3513.041](#); [R.C. 3513.14](#).

⁴ [R.C. 3505.03\(D\)](#)

⁵ [R.C. 3505.08\(A\)](#).

every ballot in every county, so please apply as much of the form as is appropriate to the ballots in your county.

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

Two statewide issues, State Issue 1 and State Issue 2, will appear on the November 7, 2023 ballot. Questions and issues must be grouped together in the following political subdivision order for elections held in 2023:

1. State
2. Township
3. School and Other Districts
4. County
5. Municipal

Each board of elections may determine the specific order in which the local questions/issues within groups 2 through 5 listed above 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.

III. ABSENTEE BALLOT PREPARATION⁶

As a reminder, boards must follow the instructions for proofing the ballot as outlined in [Chapter 5](#) of the Election Official Manual. All board members and staff, but especially those who are new to the ballot-proofing process, should read over these provisions to ensure they are familiar with the process.

Each board of elections must have absentee ballots printed and ready for use by Friday, **September 22, 2023** (46 days before the November 7, 2023 General Election) for Uniformed and Overseas Citizens Absentee Voting Act (“UOCAVA”) voters, and by Wednesday, **October 11, 2023** for regular, non-UOCAVA absentee voters. Boards must review Section 5.07 of [Chapter 5](#) of the Election Official Manual regarding ballot quantities and ensure ballot quantities are adequate for a higher turnout election, similar to the last general election with multiple state issues on the ballot.

As provided in [Chapter 7](#) of the Election Official Manual, boards may not outsource the printing and mailing of absentee ballots to vendors or any other third party without prior written authorization from the Director of Elections. The deadline to request outsourcing of absentee ballots is Friday, **September 8, 2023** (60 days before the election).

Additionally, each board must ensure that:

- The ballot file is provided to the ballot printing vendor, if applicable, to produce absentee and Election Day ballots and that all such ballot files are reviewed and approved before production;
- Any absentee ballot that is printed and mailed by a vendor is properly proofed and tested according to the instructions in [Chapter 7](#) of the Election Official Manual;
- The sample ballot on the board’s website is updated by Friday, **September 22, 2023** (at least 46

⁶ [R.C. 3509.01](#) and [R.C. 3511.04](#).

days before the November 7, 2023 General Election);⁷

- The absentee ballots are provided to the Secretary of State's Office at least 47 days before the election (Thursday, **September 21, 2023**) using SharePoint; and
- The remote ballot marking system is updated to include all eligible candidates.

IV. EARLY VOTING SCHEDULE

Boards must be open for early in-person voting in the November 7, 2023 General Election for the following days and hours:

Weeks One, Two, and Three of Voting (October 11 – October 27, 2023)

- 8:00 a.m. to 5:00 p.m. on each weekday (Monday through Friday)

Week Four of Voting (October 30 – November 5, 2023)

- 7:30 a.m. to 7:30 p.m. (Monday)
- 7:30 a.m. to 8:30 p.m. (Tuesday)
- 7:30 a.m. to 7:30 p.m. (Wednesday through Friday)
- 8:00 a.m. to 4:00 p.m. (Saturday)
- 1:00 p.m. to 5:00 p.m. (Sunday)

Absentee ballot applications are due by close of business on the seventh day before Election Day (i.e., 8:30 p.m. on Tuesday, **October 31, 2023**).

V. DEADLINE TO RETURN ABSENTEE BALLOTS

The deadline for absentee ballots to arrive at a board of elections office is the fourth day after Election Day, and non-UOCAVA absentee ballots must be postmarked by the day before Election Day.⁸ However, the fourth day after the November 7, 2023 General Election is Veterans Day, a federally recognized holiday. According to the United States Postal Service, mail will not be delivered on November 11 in recognition of Veterans Day. Therefore, the deadline to return an absentee ballot is Monday, **November 13, 2023**. This is authorized by [R.C. 1.14](#).

VI. POST-ELECTION CURE PERIOD

In recognition of the federal holiday on Saturday, November 11, 2023, the period to cure a deficiency on an absentee or provisional ballot after Election Day is as follows:⁹

- | | |
|-------------------------------|-----------------------|
| • Wednesday, November 8, 2023 | 8:00 a.m. – 5:00 p.m. |
| • Thursday, November 9, 2023 | 8:00 a.m. – 5:00 p.m. |
| • Friday, November 10, 2023 | 8:00 a.m. – 5:00 p.m. |
| • Monday, November 13, 2023 | 8:00 a.m. – 5:00 p.m. |

Boards must post a sign at their office entrance for November 11, 2023 to inform voters that the board is closed on Veterans Day and will be open for curing absentee or provisional ballot defects the following Monday. The Secretary of State's Office will provide a template for this notice. Boards must also include the post-election cure period schedule on their website and social media.

⁷ [R.C. 3511.04\(B\)](#).

⁸ [R.C. 3509.05](#).

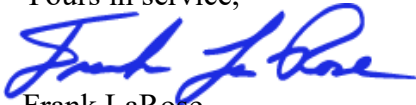
⁹ [R.C. 1.14](#); [R.C. 3505.181\(B\)\(7\)](#); [R.C. 3509.06](#).

Boards may accept any completed ([Secretary of State Form No. 11-S](#)) received by Monday, **November 13, 2023**. If a board of elections has no voters with a deficiency on their absentee or provisional ballot after Election Day (i.e., there is nothing *possible* to cure for any voter that cast a ballot in the election) or all deficiencies have been cured, the board may return to its normal operating hours for the remainder of the cure period.

Beginning with the November 7, 2023 General Election, boards may begin the official canvass as early as the fifth day after Election Day. This is a change in law from House Bill 33 of the 135th General Assembly.¹⁰ However, the board must not examine the provisional ballot affirmation of any provisional ballot cast by an individual who must provide photo ID, complete an affidavit of religious objection, or provide additional information to determine the individual's eligibility until the individual does so or until the eighth day after Election Day, whichever is earlier.¹¹ The earliest results can be certified is after the final delivery of absentee ballots and the end of the post-election cure period, which ends at 5:00 p.m. on Monday, **November 13, 2023**.

If you have any questions regarding this Directive or [Chapter 5](#) of the Election Official Manual, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,



Frank LaRose
Ohio Secretary of State

¹⁰ R.C. 3505.32 (version effective October 3, 2023).

¹¹ [R.C. 3505.183\(G\)](#).