

DIRECTIVE 2023- 39

December 22, 2023

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

Re: Examination and Verification of Petitions Filed with the Secretary of State's Office

SUMMARY

This Directive provides instructions on the examination and verification of signatures for candidate petitions filed with the Ohio Secretary of State for the 2024 Primary Election. In lieu of issuing a separate directive with each candidate's petition, this Directive applies to each petition filed with the Ohio Secretary of State's office and transmitted to county boards of elections for review.

The examination and verification of signatures must be complete and the certification forms returned to the Secretary of State's office by **12:00 p.m. on Tuesday, January 2, 2024.**¹ Please note that the Secretary of State's office is closed for New Year's Day on January 1, 2024. County boards of elections are encouraged to return certification forms as soon as possible.

The original part-petitions must be shipped via trackable delivery method no later than **Tuesday, January 2, 2024**. The part-petitions must be received by the Secretary of State's Office by **Friday, January 5, 2024**. Please note that the office has moved to 180 Civic Center Drive, Columbus, Ohio 43215-4138.

VERIFYING THE VALIDITY OF PART-PETITIONS AND SIGNATURES

Please carefully read this Directive and Chapter 13 ("Petitions," Directive 2023-38) of the Election Official Manual before the board examines the petitions sent to your county.

Before verifying the signatures on the part petitions, each board of elections must process all new, valid voter registrations as well as changes of names and addresses to

¹ 78 days before the primary election, as required by [R.C. 3513.05](#). As the statutory deadline falls January 1, 2024, a day when the offices of the Secretary of State and boards of elections are closed, the deadline is extended, pursuant to [R.C. 1.14](#), to the next succeeding day when the appropriate office is open for regular business hours. The January 2, 2024 date reflects that extended deadline.

existing registrations received by the board or the Secretary of State's office as of the date the petition was filed with the Secretary of State.²

The board must verify all petition signatures, electronically record decisions on the validity or invalidity of each signature on the voter registration record, track for duplicate signatures, and ensure that the voter registration record is updated accordingly.

The board must review each candidate's petitions (including those of each delegate at-large or district delegate) independently of other candidates' petitions. Prior to verifying the validity of individual signatures contained on a part-petition, the board of elections must verify the validity of that part-petition. To verify the part-petitions, the board must check each part-petition to determine whether the circulator's statement on the part-petition has been properly completed. The entire part-petition is invalid if the circulator's statement is not completed as required by law.³

PART-PETITION BELONGING TO ANOTHER COUNTY

If a board receives a part-petition with a majority of signatures from another county, that board of elections may not determine the validity of that part-petition or review the signatures contained on it. Instead, it must promptly follow the steps below, complete the following two spreadsheets, and return them in the envelopes provided when all part-petitions are returned to the Secretary of State's office:

1. Part-Petitions Sent Spreadsheet [Original Part-Petition(s)], and
2. Part-Petitions Received Spreadsheet [Emailed Part-Petition(s)].

If a board of elections receives a part-petition(s) that belongs to another county:

1. Contact the director or deputy director at the other county board by phone to notify them that your board will be forwarding a scanned copy of a part-petition(s).
2. Log the transfer of the part-petition(s) being sent on the "Part-Petitions Sent" spreadsheet.
3. Send the copy of the part-petition(s) via email to the director and deputy director.
4. Return the original part-petition(s) with the "Part-Petitions Sent" spreadsheet in the envelope provided and marked as such. When the board returns its checked part-petitions to the Secretary of State's office, place this envelope on top of the checked part-petitions so it can be easily located and retrieved from the box.

² [R.C. 3501.38\(A\)](#), *State ex rel. Oster vs. Lorain Cty. Bd. of Elections*, 93 Ohio St. 3d 480 (2001).

³ [R.C. 3501.38](#)

If a board of elections receives a copy of a part-petition from another county:

1. Log the part-petition(s) that the board received on the "Part-Petitions Received" spreadsheet.
2. Process the part-petition(s).
3. Return the emailed part-petition(s) with the "Part-Petitions Received" spreadsheet in the envelope provided and marked as such. When the board returns its checked part-petitions to the Secretary of State's office, place this envelope on top of the checked part-petitions so it can be easily located and retrieved from the box.

Note: Even if a board does not email a copy of a part-petition(s) to another county and/or does not receive a copy of a part-petition from another county, the board must enter the county name and mark the box (X) in the top righthand corner of the spreadsheet and place it in the correct envelope. When the board returns its checked part-petitions to the Secretary of State's office, place both envelopes on top of the checked part-petitions so they can be easily located and retrieved from the box.

SCANNING THE PART-PETITIONS

After the board of elections finishes checking the signatures on the part-petitions, the board must electronically scan each part-petition. A copy of the scanned images – one for each candidate, e.g. each delegate – must be uploaded to the Secretary of State's SharePoint site (using the instructions accompanying this Directive). Each board must retain an electronic copy of the images for the board's records.

FULFILLING PUBLIC RECORDS REQUESTS

Boards of elections may receive public records requests for copies of the part-petitions. Boards should consult with their statutory legal counsel, the county prosecuting attorney, before rejecting, fulfilling, or responding to any public records request.

CERTIFICATION & RETURN OF PETITIONS

As soon as the board of elections finishes verifying the signatures on the part-petitions, the board must return a completed certification form for each candidate's petition. The certification form for each candidate's petition must be completed and submitted electronically via Elect Collect by clicking the "Submit" button. Each certification form must also be saved and printed. The director and deputy director must sign the

certification forms and upload the signed certification form to the SharePoint site.⁴ **All certification forms and scanned images of petitions must be submitted by 12:00 p.m. on Tuesday, January 2, 2024.**

Once the certification forms have been submitted, county boards of elections must promptly return the original part-petitions to the Secretary of State's office, Elections Division, 180 Civic Center Drive, Columbus, Ohio 43215-4138 via trackable delivery method. **All original part-petitions must be received by the Secretary of State's office no later than Friday, January 5, 2024.**

Finally, I recognize that due to the requirements in state law and the timing set for next year's primary election, you will be working hard throughout the holiday season. I personally appreciate the dedication, patriotism and sacrifice that you exhibit every day as our state's elections officials.

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

⁴ If a board has not appointed a Deputy Director or Director, then the Board Chairperson or a board member of the opposite party, respectively, must sign the certification forms.