

## **DIRECTIVE 2024-19**

August 21, 2024

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

Re: 2024 General Voter Records Maintenance Program

### **SUMMARY**

Maintaining accurate voter registration rolls is critical to ensuring elections are secure. This directive provides instructions to boards of elections for the National Change of Address (NCOA) and Supplemental Process components of the 2024 General Voter Records Maintenance Program.

This uniform and nondiscriminatory program is designed to ensure that accurate and current voter registration rolls are maintained. Voters who likely moved are proactively contacted and given the opportunity to update their voter registration. The process also seeks to identify those who may no longer be qualified electors under the law and provide proper legal notice that their voter registration will be canceled if they do not engage in any voter-initiated activity.

### **BACKGROUND**

The general voter records maintenance program is a requirement of the National Voter Registration Act of 1993 (NVRA),<sup>1</sup> commonly referred to as the “motor voter law,” that was signed into law on May 20, 1993. The purposes of the NVRA are to increase the number of voter registrations for eligible citizens, to enhance the participation of eligible citizens in the voter process, to protect the integrity of the electoral process, and to ensure that accurate voter registration rolls are maintained.

Following passage of the NVRA, the Ohio General Assembly enacted Substitute Senate Bill 300 to incorporate the requirements of federal law into Ohio law. Thus, since 1995, state law has required local election officials to conduct the state’s general voter records

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<sup>1</sup> [52 U.S.C.A. §20507](#).

maintenance program every year.<sup>2</sup> There are two parts of Ohio's implementation of the general voter records maintenance program:

1. **The NCOA Process:** The NCOA process compares boards of elections' voter rolls with the United States Postal Service (USPS) NCOA database to identify electors who have moved since the records were last compared in 2023, and thus may need to update their voter registrations to their current voting residence address. Under state law, the Secretary of State matches voter records in the Statewide Voter Registration Database against the NCOA database to compile the data for the NCOA Process.<sup>3</sup>
2. **The Supplemental Process:** Not every Ohio elector who moves files a change of address with the U.S. Postal Service. Therefore, Ohio's general voter records maintenance program uses a second component to identify electors who may have moved and thus may need to reregister to vote where they are currently residing. This second component is known as the "Supplemental Process," because it seeks to identify electors whose lack of voter-initiated activity for two years indicates they may have moved, even though their names did not appear as a part of the NCOA Process. County boards of elections use voter initiated activity in their local voter registration system to compile the data for the supplemental process.

Voter registrations will not be canceled pursuant to the 2024 NCOA Process or Supplemental Process until four years, or two federal elections, after a confirmation notice is sent under this directive. A registration will be canceled only if the voter fails to respond to the notice or engage in any other voter-initiated activity during a period of four consecutive years, including two federal general elections.

## **INSTRUCTIONS**

The following sections outline steps each board of elections must take in preparation for the 2024 General Voter Records Maintenance Program. **Boards must complete the NCOA Process prior to identifying records that are a part of the Supplemental Process.**

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<sup>2</sup> [R.C. 3503.21\(D\).](#)

<sup>3</sup> [R.C. 3503.21.](#)

## I. PREPARATION STEPS FOR THE 2024 GENERAL VOTER RECORDS MAINTENANCE PROGRAM

Before beginning the NCOA or Supplemental Process, each board of elections must do the following:

1. Complete the local data entry of all voter registration applications, including any information from provisional ballot envelopes cast in the March 19, 2024, Presidential Primary Election and if applicable, the June 11, 2024, Special Election.
2. Update all voter registration records to account for voter-initiated activity, as necessary. Voter-initiated activity includes voting, submitting a valid absentee ballot application, registering to vote, updating or confirming an address with a board of elections or the Bureau of Motor Vehicles (BMV), or signing a candidate or issue petition that is verified by a board of elections.<sup>4</sup>
3. Retrieve and review the "Automatic Confirmation of Address Safeguard" file from the Board of Elections Portal (BOE Portal) and update any record in "active-confirmation" status to "active-active" status.<sup>5</sup>

## II. DATA COLLECTION AND REVIEW OF RECORDS - PRIOR TO MAILING THE CONFIRMATION NOTICES

### **Step 1: Accessing In-County and Out-of-County Data**

Boards of elections will access their 2024 In-County and Out-of-County NCOA data files through the BOE Portal. An email will be sent when files are available.

### **Step 2: In-County NCOA Voters**

For voters on the In-County NCOA list, update the voter's registration address to the address in the NCOA file and either place or keep the voters in "active-active" status. **Do not send confirmation notices to the impacted NCOA voters at this time.**

Boards of elections must ensure all the following steps are complete:

- Prior to sending the confirmation notice, the voter's address is changed to the address reported on the 2024 In-County NCOA list;

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<sup>4</sup> See [Chapter 4](#), Section 4.01 of the Election Official Manual.

<sup>5</sup> See [Chapter 4](#), Section 4.01 of the Election Official Manual.

- The [Secretary of State Form 10-S-In County NCOA](#) form contains the voting location assigned for that voter's new address and provides the identification requirements specified in state law;<sup>6</sup> and
- The elector is in "active-active" status.

If the address provided on the In-County NCOA list already matches the voter's address in the voter registration system and the voter is in "active-active" status, the board does not need to send a notice to the voter. If the address provided on the In-County NCOA list is not within the county, the board must follow the Out-of-County NCOA instructions, below, and send the voter a [Secretary of State Form 10-S-Out of County NCOA](#) form.

### **Step 3: Out-of-County NCOA Voters**

For voters on the Out-of-County NCOA list, place the voters in "active-confirmation" status. Perform the necessary updates to the records identified but **do not send confirmation notices to the impacted NCOA voters at this time.**

An elector who appears on the 2024 Out-of-County NCOA list may have appeared on previous NCOA lists. Under the 2024 Out-of-County NCOA Process, do not send a confirmation notice to an elector whom the board previously sent a notice unless the address on the 2024 Out-of-County NCOA list is new or different from the address that appeared on NCOA lists in previous years. If the board must send a new confirmation notice to a new/updated address, the four-year timeline will restart.<sup>7</sup>

Electors identified as part of the 2024 Out-of-County NCOA Process must be placed in or remain in "active-confirmation" status in the board's voter registration system. Each board must ensure that the status of the voter is properly updated in the Statewide Voter Registration Database.

Boards of elections must ensure these steps are complete:

- The board places the elector in "active-confirmation" status, and
- The board sends the confirmation notice by forwardable mail to the voter's address as it appears on the Out-of-County NCOA list.

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<sup>6</sup> [R.C. 3505.18](#).

<sup>7</sup> [52 U.S.C.A. §20507\(d\)](#) and [R.C. 3503.21\(B\)](#).

#### **Step 4: Supplemental Data File Creation**

Before sending any confirmation notices, each board of elections must compile a data file containing voters identified through the Supplemental Process and provide this list to the Secretary of State's office. **Do not place these voters into "active-confirmation" status in the county VR system prior to receiving emailed approval from the Secretary of State's office.**

Boards of elections must ensure voter records that will receive a confirmation notice under the Supplemental Process meet **all the following criteria:**

1. The voter record is in "active-active" status, or the record of the voter is in an "active-confirmation" status and had a Confirmation Notice Mailed date prior to September 2021.
2. The voter's registration date is before May 3, 2022.
3. The voter's record does not contain voter-initiated activity on or after May 3, 2022. Voter-initiated activity includes voting, submitting a valid absentee ballot application, registering to vote, updating or confirming an address with a board of elections or the BMV, or signing a candidate or issue petition that is verified by a board of elections.<sup>8</sup>
4. The voter does not appear on the "Automatic Confirmation of Address Safeguard" list on the Board of Elections Portal.

To submit the list of voters identified through the Supplemental Process, all boards must submit a spreadsheet in the same format containing the following information:

- County Number
- County Name
- State Voter ID
- Confirmation Reason (Supplemental)
- Registration Date
- Last Voted Date
- First Name
- Last Name
- Address
- Address 2

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<sup>8</sup> See [Chapter 4](#), Section 4.01 of the Election Official Manual.

- City
- State
- Zip Code
- Voter Status

Boards of elections may upload the spreadsheet starting August 26, 2024. The spreadsheet must be uploaded to the board's SharePoint folder in a .csv format by **noon on August 30, 2024.**

The Secretary of State's office will review the data. After the file has passed the necessary data checks, each board of elections will receive an email instructing them to proceed with the Supplemental Process and mail out the confirmation notices for voters identified in the NCOA or Supplemental Processes. **Boards must wait for the email from the Secretary of State's office before mailing any confirmation notices related to the NCOA or Supplemental Process.**

### **III. MAILING NOTICES UNDER THE 2024 GENERAL VOTER RECORDS MAINTENANCE PROGRAM**

Whether printing confirmation notices in-house or with a vendor, each board of elections must create a proofing process and carefully review the data (e.g., name, address, etc.) and its proper placement on the notice. Each board must review [Chapter 4, page 125 of the Election Official Manual](#) to ensure outside print and mail vendor compliance.

All boards of elections must mail confirmation notices to electors identified through Ohio's 2024 General Voter Records Maintenance Program. There are three types of confirmation notices used in the NCOA Process and Supplemental Process:

- [Secretary of State Form 10-S-Out of County NCOA](#) must be used for those records that are identified as part of the **Out-of-County NCOA Process.**
- [Secretary of State Form 10-S-In County NCOA](#) must be used for those records that are identified as part of the **In-County NCOA Process.**
- [Secretary of State Form 10-S-Supplemental](#) must be used for those records that are identified as part of the **Supplemental Process.**

Each board must mail all confirmation notices no later than **September 20, 2024**, using the prescribed forms and include a postage-paid return envelope with the notification

form.<sup>9</sup> Boards must use a business reply mail permit unless use of the permit is not cost effective. Boards must also record in their voter registration system the date the confirmation notice is mailed to an elector and, when applicable, the date the board receives a response to the confirmation mailing or the date the notice is returned undeliverable. **This record is critical to establishing the four-year anniversary date for each confirmation notice.**

### **A. Mailing In-County and Out-of-County NCOA Confirmation Notices**

Confirmation notices are always mailed to the address that appears on the 2024 NCOA list for the voter. However, to prevent confusion, regardless of the address to which the notice is mailed, the front, pre-printed side of [Secretary of State Form 10-S-Out of County NCOA](#) and [Secretary of State Form 10-S-In County NCOA](#) must include *only* the address at which the elector is registered to vote. That is the address the voter is being asked to confirm.

- For [Secretary of State Form 10-S-Out of County NCOA](#) (Out-of-County NCOA Process), print the address that appears in the board's voter registration system for the elector.
- For [Secretary of State Form 10-S-In County NCOA](#) (In-County NCOA Process), print the address that appears in the in-county NCOA file for that elector since the board has updated the voter's registration address to the new address in the same county.

Print the address to which the notice must be mailed as provided by the NCOA list on the letter-side of the confirmation notice. In addition, place the board's name and return address at the top left corner of the letter-side.

### **B. Mailing the Supplemental Confirmation Notices ([Secretary of State Form 10-S-Supplemental](#))**

After the board has received confirmation that it may proceed, the board must:

- Place the elector in "active-confirmation" status.
- Send the confirmation notice by forwardable mail to the voter's current address (as recorded on the board of elections voter registration record).

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<sup>9</sup> [R.C. 3503.21\(D\)](#).

- For [Secretary of State form 10-S-Supplemental](#) (Supplemental Process), print the address that appears in the board's voter registration system for the elector.

#### **IV. DATA COLLECTION AND REVIEW – AFTER MAILING THE CONFIRMATION NOTICES**

Each board of elections must submit a "confirmation notice file" to the Secretary of State's office. Boards must generate this file the day that confirmation notices are mailed. The board of elections must upload the spreadsheet containing registration records that received each type of confirmation notice by **Friday, September 27, 2024**. Note that every record on the spreadsheet must have received a confirmation notice.

All boards must utilize the same spreadsheet format provided above. The spreadsheet must be uploaded to the board's SharePoint folder in a .csv format. The Secretary of State's office will review the data for any issues that may exist and will perform outreach with a board of elections if such issue is detected. Each board will review any potential discrepancies and provide a summary of its findings.

#### **V. RESPONSES TO THE CONFIRMATION NOTICE MAILING**

An elector may respond to the confirmation notice online or by returning the notice to confirm or update their voter registration address. Note that if the elector does not respond to the in-county confirmation notice, their status will remain "active-active."

##### **A. Change of Address Within the County**

If the elector provides a new residential address within the county, the board of elections must update the elector's registration record with the new address as of the date provided by the online voter registration system or the date of receipt of the mailed-in notice from the elector. The board must send the elector an acknowledgement notice ([Secretary of State Form 10-J](#)) informing the elector of the registration update and the location of their new polling place. The board must place or keep this elector as "active-active" in its voter registration database.

##### **B. Change of Address to Another Ohio County**

If the elector provides a new residential address in another Ohio county using the online voter registration system, the board of elections in the elector's new county must accept the elector into its voter registration system using the date provided by the online voter registration system as the elector's registration date in that county.

The board of the new county must send the elector an acknowledgement notice ([Secretary of State Form 10-J](#)) informing them of the registration update and location of their new polling place. Update this elector as “active-active” in the board’s voter registration database.

A duplicate record will be created in the statewide voter registration database between the elector’s new and former counties that must be promptly resolved following the normal business procedures established by the Secretary of State and the county boards of elections.

If the elector returns the confirmation return notice by mail and provides a new residential address in another Ohio county, the board of elections that originally mailed the confirmation notice must keep a copy of the completed confirmation return notice and mail the original to the board of elections for the elector’s new county, so that the new board can enter the elector into its voter registration database as an active voter. Completed confirmation notices returned under this section must be forwarded to the appropriate board of elections at least every week.

After the board of elections for the new county has entered the record into its county voter registration database, a duplicate record will be created in the statewide voter registration database that must be promptly resolved following the normal business procedures established by the Secretary of State and the county boards of elections.

### **C. Change of Address to Another State**

If an elector completes and returns the confirmation notice and provides a new residential address in a different state, the board of elections that mailed the confirmation notice must cancel the elector’s registration in that county and make a notation on the elector’s registration record of the date the confirmation return notice was received and the date of cancelation.<sup>10</sup> The online voter registration system does not permit the user to provide a new permanent residential address outside the state of Ohio.

### **D. Confirmation of Current Address**

If the elector uses the online voter registration system or returns the confirmation return notice by mail confirming that the elector resides at the same address on file with the board of elections, the board must indicate on the elector’s registration record the date

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<sup>10</sup> [R.C. 3503.02](#) and [3503.21](#).

that confirmation was received by the board and note that the address on file with the board of elections is correct. The board must place or keep this elector as “active-active” in its voter registration database.

## **E. Confirmation Notice NOT Returned**

### **1. In-County NCOA Process**

Under the NVRA<sup>11</sup> an in-county change of address may not be placed in confirmation status, even if the elector fails to return the confirmation notice and otherwise fails to engage in any voter-initiated activity. The NVRA requires that the elector must continue to be listed as “active-active” in the county’s voter registration database.

However, a board is also required to send an acknowledgement notice ([Form10-J](#)) to an elector whose address is updated. Consistent with [Section 4.01](#) of the Election Official Manual when an acknowledgement notice is returned as undeliverable, and after investigation the board is unable to verify the elector’s correct address, the board must change the assigned elector’s status from “active” to “active-confirmation.”

### **2. Out-of-County NCOA and Supplemental Processes**

If the elector fails to return the confirmation notice and otherwise fails to engage in any voter-initiated activity, the elector must continue to be listed as “active-confirmation” in the county’s voter registration database.

***Unless and until the elector’s registration is canceled as described below, or as otherwise permitted by law, the elector maintains all the rights of an otherwise qualified elector, subject to Ohio’s laws governing provisional voting.***

## **F. Handling “No Forwarding Address” Returns**

### **1. In-County NCOA Process**

In-county confirmation notices must be sent by forwardable mail. If the USPS returns a [Secretary of State Form 10-S-In County NCOA](#) confirmation notice that is undeliverable, the board of elections must issue a [Secretary of State Form 10-S-1](#) confirmation notice to the voter by forwardable mail.

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<sup>11</sup> [52 U.S.C.A. §20507](#).

## 2. *Out-of-County NCOA and Supplemental Processes*

Confirmation notices must be sent by forwardable mail. However, the USPS sometimes will return to the board of elections a confirmation notice that is undeliverable because the USPS does not have a forwarding address for the elector. The board must record that fact in the comments section of that elector's record and keep the undeliverable confirmation notice for four years.

## VI. **PROSPECTIVE NATURE OF THE 2024 GENERAL VOTER RECORDS MAINTENANCE PROGRAM**

The elector's voter status must be changed from "active-confirmation" to "active-active," and the elector must not be canceled pursuant to the 2024 NCOA and Supplemental Process if any of the following apply:

- The elector responds to the 2024 confirmation notice (either via mail or online);
- The elector updates their voter registration or engages in voter-initiated activity. Voter-initiated activity includes voting, submitting a valid absentee ballot application, registering to vote, updating or confirming an address with a board of elections or the BMV, or signing a candidate or issue petition that is verified by a board of elections; or
- The elector appears on the county's "Automatic Confirmation of Address Safeguard" list.

All other electors contacted pursuant to the 2024 NCOA and Supplemental Process must be canceled by one of the following dates, whichever is later:

- Not later than 120 days after the date of the second federal general election (**November 7, 2028**) in which the elector fails to vote; or
- Not later than 120 days after the expiration of the four-year period that begins on the date the confirmation notice is mailed pursuant to this directive; but
- **No voter registration may be canceled as a result of the general voter records maintenance program during the 90 days immediately preceding any federal primary or general election.<sup>12</sup>**

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<sup>12</sup> 52 U.S.C.A. §20507(c)(2)(A).

## **VII. MAINTAINING RECORDS FOR PUBLIC INSPECTION AND COPYING**

The board of elections must maintain and make available for public inspection and copying at a reasonable cost all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of voter registration lists, including the names and addresses of all registered electors sent confirmation notices and whether or not the elector responded to the confirmation notice. The board must maintain all records described in this paragraph for a period of five years.<sup>13</sup> Boards of elections must make the list (in electronic form) available to individuals requesting the data under Ohio's public records laws.<sup>14</sup>

## **VIII. "ACTIVE-CONFIRMATION" STATUS AND VOTING**

As a reminder, a voter placed in "active-confirmation" status under the general voter records maintenance program must appear in the poll list at the polling place where the voter is registered to vote and should not be flagged to cast a provisional ballot (unless flagged for some other reason). Like a voter with an "active" status code, a voter whose registration is placed in "inactive" or "active-confirmation" status is a fully qualified elector and eligible to engage in the activities of a lawfully registered voter (i.e., cast a regular ballot, sign a petition, request an absentee ballot, etc.), except as described in R.C. 3503.19 (C)(2). The voter is not required by law to vote a provisional ballot, except as described in R.C. 3503.19 (C)(2). Rather, the status designates that a board of elections has issued a confirmation card to that voter, and the voter has not responded to the board of elections either to confirm the information on file with the board or to provide the board of elections with updated information.

If a voter placed in "active-confirmation" status appears at the voter's assigned polling place to vote, states to the precinct election officials that the voter resides at the same address printed in the poll list, provides valid identification for voting purposes, and is not required to cast a provisional ballot for any other reason, the voter must be permitted to cast a regular ballot.<sup>15</sup> If a voter placed in "active-confirmation" status submits an application for an absentee ballot, provides the same address on the application at which the voter is registered to vote, and the application is in all other

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<sup>13</sup> 52 U.S.C.A. §20507(i); [R.C. 3503.26\(B\)](#); CBE-45A & CBE-46, [Secretary of State Retention Schedule](#).

<sup>14</sup> CBE-46, [Secretary of State Retention Schedule](#).

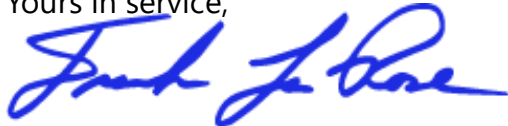
<sup>15</sup> [R.C. 3505.18\(B\)](#) and [R.C. 3505.181](#).

respects complete and valid, the board must issue the absentee ballot to the voter (whether by mail or in person).<sup>16</sup>

## **IX. POSTAL INFORMATION**

To reduce mailing costs and save taxpayer funds, boards of elections must consult with their local postmaster or regional business mail analyst regarding the use of nonprofit permit postage rates for the mailing of outbound confirmation notices and business reply mail permits for the return of completed confirmation notices from electors. Both permitting methods have an application process, so boards should evaluate these options as quickly as possible. Boards must use a business reply mail permit unless the use of the permit is not cost effective. If a board requires assistance in applying for and setting up a mail permit, please contact your election mail coordinator.

Yours in service,



Frank LaRose  
Ohio Secretary of State

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<sup>16</sup> [R.C. 3509.03](#).