



# Jon Husted

## Ohio Secretary of State

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### **ADVISORY 2016-03**

August 5, 2016

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

Re: Updated Ohio Election Official Manual

### **BACKGROUND**

Recently, the Secretary of State's Office posted six directives, revised chapters of the Ohio [Election Official Manual](#), for public comment. On August 5, 2016, Directive 2016-21 issued those six revised chapters of the Ohio [Election Official Manual](#) as permanent directives.<sup>1</sup> Each permanent Directive replaces the chapter of the same title in the Ohio [Election Official Manual](#).

### **EXPLANATION**

Below is a summary of the updated instructions included in the permanent directive chapters.

#### ***Assistive Technology***

- Generally, signing or affixing a signature to an election-related document requires a person's written, cursive-style legal mark written in that person's own hand.<sup>2</sup> However, a voter with a disability may personally affix his or her signature through the use of a reasonable accommodation, including the use of assistive technology or an augmentative device such as a signature stamp. In counties with electronic poll books, if a voter is physically unable to sign and cannot be accommodated on the electronic poll book, the voter may affix his or her signature in the backup paper poll book. In the alternative, the voter may have a properly appointed attorney-in-fact sign on the voter's behalf.<sup>3</sup>

[Updated in **Directive 2016-22** (Chapter 7 Election Day Voting), **Directive 2016-25** (Chapter 11 Petitions), and **Directive 2016-27** (Chapter 14 Statewide Initiative and Referendum).]

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<sup>1</sup> R.C. 3501.053.

<sup>2</sup> R.C. 3501.011.

<sup>3</sup> R.C. 3501.011, 3501.382(F) and related OAG 2015-012.

### ***Election Observers***

- The new, permanent Directives reorganize existing text related to election observers and reflect newly prescribed observer forms that are specific to each type of observer. (SOS Prescribed Forms 214 through 220.)

[Updated in **Directive 2016-22** (Chapter 7 Election Day Voting) and **Directive 2016-24** (Chapter 9 Post-Election Activities).]

### ***Post-Election Audits***

- It is appropriate to conduct a post-election audit by polling place only if:
  1. In a DRE county, the voting machines in a multiple-precinct polling place were not precinct-specific on Election Day (i.e., the machines were programmed to display a ballot from any precinct or split in the multiple-precinct polling place so that a voter could cast his or her ballot on any voting machine without regard to the precinct in which the voter was registered to vote), *or*
  2. In a paper ballot county, the scanners were not precinct-specific on Election Day (i.e., the scanners were programmed to read a ballot from any precinct or split in the multiple-precinct polling place and the voter could scan his or her ballot in any scanner without regard to the precinct in which the voter was registered to vote).

[Updated in **Directive 2016-24** (Chapter 9 Post-Election Activities).]

### ***17-year-old Voters***

- 17-year-old voters who will be 18 years of age on or before the date of the next general election may vote in the primary election solely on the nomination of candidates seeking election and, in a presidential primary election, on presidential convention delegates.<sup>4</sup> 17-year-old voters may not vote on the election of state or county party central committee candidates or on questions and issues.

[Updated in **Directive 2016-22** (Chapter 4 Ballots), **Directive 2016-22** (Chapter 7 Election Day Voting), and **Directive 2016-26** (Chapter 13 Political Parties).]

If you have questions regarding this Advisory or the Ohio [Election Official Manual](#), please contact the Secretary of State's elections counsel assigned to your county at (614) 466-2585.

Sincerely,



Jon Husted

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<sup>4</sup> *Schwerdtfeger v. Husted*, Franklin C.P. No. 16 CV 002346 (March 11, 2016); R.C. 3503.01; R.C. 3503.011; R.C. 3503.07; *State ex rel. Webber v. Felton*, 77 Ohio St. 554 (1908).