



DIRECTIVE 2018-38

November 8, 2018

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

Re: Official Canvass of the November 6, 2018 General Election

SUMMARY

This Directive outlines the procedures that boards of elections must follow when conducting the Official Canvass of the November 6, 2018 General Election.

INSTRUCTIONS

I. TIMELINE FOR OFFICIAL CERTIFICATION

Boards of elections must begin the Official Canvass of the November 6, 2018 General Election no earlier than the 11th day after the election (Saturday, November 17, 2018) and must begin no later than the 15th day after the election (Wednesday, November 21, 2018). Each board must complete its official canvass and certify no later than the 21st day after the election (Tuesday, November 27, 2018).¹

II. PERMISSIBLE PRE-CANVASS ACTIVITY

Each board of elections must follow the instructions for pre-canvass activity that are outlined in [Chapter 8, Section 1.03, of the Election Official Manual](#).

III. INSTRUCTIONS FOR OFFICIAL CANVASS

Each board of elections must follow the processes and procedures for conducting the Official Canvass that are contained in [Chapter 8, Section 1.04, of the Election Official Manual](#).

¹ R.C. 3505.32(A).

IV. FORMS FOR OFFICIAL CERTIFICATION

Templates for reporting results to the Secretary of State's Office, and, in some instances, to other boards of elections or public agencies will be forwarded under separate cover.

All certifications and reports must be signed by the appropriate board personnel before being submitted to the Secretary of State's Office, to another board of elections or to another public entity. The board may not authorize the use of digital or stamped signatures for these reports.

Each board of elections must submit the signature form, which will be provided under separate cover, for the purpose of certifying the Official Election Results including, the Supplemental Reports for Absentee Ballots and Provisional Ballots to the Secretary of State's Office.

A. Certification of Official Results to the Secretary of State²

1. After a board has completed its official canvass, it must email the Secretary of State's Office and attach a copy of the official vote total summary report generated by the board's voting system. This report must be clearly labeled "<County>'s Official Canvass" and it must contain only vote totals for that county.
2. Each board must provide a separate write-in tally that records the official canvass of the number of valid votes cast for write-in candidates using a reporting form that will be provided under separate cover. Reporting to the Secretary of State the official canvass of valid votes for write-in candidates does not need to be detailed to the precinct-level.
3. The board of elections for the most populous county of any jurisdiction must generate a separate report from its voting system, create a report outside of its voting system, or use a reporting form that will be provided under separate cover for this purpose. This report must be clearly labeled "<County's> Official Canvass – Most Populous County." The report must include the total number of votes recorded for the office, question, or issues from each county in a multi-county jurisdiction and the sum total for all counties. The contest(s) for which a board is the most populous county must be marked to clearly identify it as a contest containing vote totals from other counties.

² R.C. 3505.30.

B. Absentee and Provisional Ballot Supplemental Report

State law requires the Secretary of State to publish a report on the number of absentee and provisional ballots cast and counted.³ Each board of elections must provide this supplemental data for absentee and provisional ballots. The reporting forms will be sent under separate cover.

C. Certificate of Results to Senate President

Each board of elections must send to the President of the Senate a copy of the board's official election results for: the joint offices of Governor and Lieutenant Governor; the offices of Attorney General, Auditor of State, Secretary of State, Treasurer of State, and Justices of the Ohio Supreme Court; and the statewide issue. Official results for the President of the Senate must be sent to:

President of the Ohio Senate
Ohio Statehouse 1 Capitol Square, 2nd Floor
Columbus, Ohio 43215

D. Certificate of Official Summary Results for Local Liquor Option Questions and Local Questions and Issues

Each board of elections must send a completed copy of [Form No. 126-B](#) to the Secretary of State's Office (via email to AScott@ohiosecretaryofstate.gov) and a copy of the completed form to the Ohio Division of Liquor Control via email: LiquorLicensingMailUnit@com.state.oh.us or by mailing to the following address:

Division of Liquor Control
6606 Tussing Road
Reynoldsburg, Ohio 43068-9005

The board of elections (most-populous county only if it is multi-county issue) must certify the results of an election on tax levies and bond issues to the following offices and agencies:

- The county auditor of each county in which the election was held;
- The fiscal officer of the subdivision in which the election was held;
- The Tax Commissioner of the State of Ohio via email at: DTE@tax.state.oh.us; and
- The Secretary of State.

³ R.C. 3501.05(Y).

The board of elections of the most-populous county must certify the results of an election on a school district income tax on [Form 125-A](#) to the following offices and agencies:

- The board of education that placed the issue on the ballot;
- The Tax Commissioner of the State of Ohio via email at DTE@tax.state.oh.us; and
- The Secretary of State.

E. Electronic Precinct-Level Official Results File of Votes

Each board of elections must upload an electronic precinct-level results file of votes that includes the statewide issue and all candidates for contests that appear on the county's ballot to the Secretary of State on Wednesday, November 28, 2018 via the CSS. The upload tool within the CSS will allow you to do this efficiently and without data entry errors. You must use the file format provided by Secretary of State's Office. Instructions regarding the upload process as well as the time to complete the upload will be sent under separate cover.

Boards must also submit a Statement of Votes Cast (SOVC) report. Details outlining the content and generation of these reports will be sent under separate cover.

V. TIMELINE FOR REPORTS

The Secretary of State's Office must receive each board of elections' properly completed certification report, signature form, report forms, electronic turnout detail by precinct (via email) and Statement of Votes Cast (SOVC) report upon completion of its official canvass and not later than Wednesday, November 28, 2018.

All completed reports should be submitted via email to AScott@ohiosecretaryofstate.gov

Every board of elections must maintain at its office a copy of each of its completed certification and report forms.

VI. CERTIFICATES OF ELECTION

Each board of elections must follow the instructions for issuing certificates of election and/or nomination that are contained in [Chapter 8, Section 1.04, Division G, of the Election Official Manual](#).

VII. RECOUNTS

Do not delay in submitting the official certification forms due to a recount for any race or issue. Before scheduling and conducting a recount, please review the procedures set forth in state law and the instructions and procedures outlined in [Chapter 9, Section 1.02, of the Election Official Manual](#).

To notify the Secretary of State of a recount, boards will be provided with a link to a survey that will need to be completed the day of the county's official canvass. If the recount to be conducted is of a multi-county jurisdiction, the Secretary of State's Office will issue the notice of recount upon notification by the most-populous county. If a recount should result in vote totals changing, the board of elections must submit a properly completed and signed amended certification and abstract.

VIII. POST-ELECTION AUDIT

No later than the time the board meets to certify the official results of the election, the board must determine whether it will: conduct its post-election audit by precinct, by polling place, or by individual voting machine; the date and location that the selection of units to be audited will take place; and the date and place that the audit will commence.

Each board of elections must conduct a post-election audit beginning no sooner than six business days after the board certifies the official election results, unless there is an automatic or requested recount. If a recount is conducted, the post-election audit shall begin immediately after the board certifies the results of the recount, and the audit must be completed no later than 14 days after the board certifies the results of the recount. If no recount is conducted, a board of elections may begin the audit after – but not before – the board's certification of its official canvass of the election and must complete it no later than 21 days after certifying the official results of the election.

Please review the procedures set forth in instructions and procedures outlined in [Chapter 9, Section 1.03, of the Election Official Manual](#).

IX. VOTER HISTORY

All boards must upload voter history for the November 6, 2018 General Election to the Statewide Voter Registration Database (SWVRD) no later than Friday, December 7, 2018. Counties with more than 100,000 registered voters must contact Robin Fields at rfields@ohiosecretaryofstate.gov to schedule their upload.

For purposes of assigning voter history, each board of elections must follow the instructions outlined in [Chapter 8, Section 1.04, Division E, of the Election Official Manual](#).

The election name to submit the history for the election is 2018_NOV_GEN.

IX. RETENTION OF BALLOTS

Boards are reminded that ballots for the November 6, 2018 General Election include candidates for election to federal offices, and each board of elections is required to retain all ballots prepared for the election – both used and unused – for 22 months following the election.⁴ If your board utilizes a voting system and software that captures images of ballots as they are scanned by a high-speed scanner, those images may be subject to disclosure pursuant to a public records' request and need to be retained by your board. Accordingly, your board should consult with its legal counsel, the county prosecuting attorney, regarding the retention of those images.

If you have any questions regarding this Directive, please contact the Secretary of State's elections counsel assigned to your county at (614) 466-2585.

Sincerely,



Jon Husted

⁴ R.C. 3505.31.