



DIRECTIVE 2021-19

September 1, 2021

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

Re: 2021 General Voter Records Maintenance Program

SUMMARY

Ohio has earned a reputation as a state that conducts elections that are both secure and accessible. In 2020, Ohio election officials helped ensure the integrity of the state's electoral system, while administering an election with all-time record-breaking voter turnout. Removing abandoned voter registrations, as required by state and federal law, is a critical component to maintaining the integrity and accuracy of the 88 boards of elections' voter registration databases, which helps to give Ohio voters the confidence they deserve in the democratic process.

Early in my Administration, my Office found innovative ways to modernize the state's general voter records maintenance program, working within the long-held legal framework, to provide unprecedented transparency. My Office also incorporated greater cooperation with outside interest groups in a coordinated effort to strengthen the accuracy of Ohio's voter rolls. This new approach created a general voter records maintenance process and engagement strategy worth emulating elsewhere. As such, other states replicated Ohio's innovative and transparent way of conducting general voter records maintenance after learning the changes made to the process in Ohio.

Additionally, my Office is working with the Ohio General Assembly to modernize Ohio's voter registration system to more efficiently maintain accurate voter rolls, identify voter fraud, and strengthen the electorate's confidence in our electoral process, while simultaneously working to make it even easier for eligible Ohioans to register and update their voter registration. The passage and implementation of a modernized system, like the one proposed in H.B. 294 (134th General Assembly), will make the process more efficient on the front-end of the voter registration process.

This Directive provides instructions to boards of elections on how to conduct the National Change of Address ("NCOA") and Supplemental Process components of the 2021 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 cancelled 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”),¹ commonly referred to as the “motor voter law.” 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 and current voter registration rolls are maintained.²

Additionally, state law requires local election officials to conduct the state’s general voter records maintenance program every year.³ There are two parts of Ohio’s implementation of the general voter records maintenance program:

1. **The NCOA Process**, which is triggered when a voter record appears in the United States Postal Service (“USPS”) NCOA database, indicating that the voter associated with that record likely moved since the records were last compared, and may need to update their voter registration with the 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.⁴
2. **The Supplemental Process**, which is triggered by a voter’s inactivity during a fixed period of time, generally two years. This process seeks to identify electors whose lack of voter-initiated activity 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 activity in their local voter registration system to compile the data for the supplemental process.

Voter registrations will not be cancelled pursuant to the 2021 NCOA or Supplemental Process until four years after a confirmation notice is sent. A registration will be cancelled 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 general federal elections.

INSTRUCTIONS

The following sections outline the steps each board must take in preparation of the 2021 General Voter Records Maintenance Program. **The board must complete the NCOA Process prior to identifying records that are a part of the Supplemental Process.**

I. PREPARATION STEPS FOR THE 2021 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 August 3, 2021 Special Election.
2. Update all voter registration records to account for voter-initiated activity as necessary. Voter-initiated activity includes voting, submitting an absentee ballot application,

¹ 52 U.S.C.A. §20507

² 52 U.S.C.A. §20507(b).

³ [R.C. 3503.21\(D\)](#).

⁴ [R.C. 3503.21](#).

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.

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.⁵

II. MAILING NOTICES UNDER THE 2021 GENERAL VOTER RECORDS MAINTENANCE PROGRAM

All boards of elections must mail confirmation notices to electors identified through Ohio’s 2021 General Voter Records Maintenance Program. There are two types of confirmation notices used in the NCOA and Supplemental Processes:

- [Secretary of State Form 10-S-1](#) must be used for those records that are identified as part of the Out-of-County NCOA Process and Supplemental Process.
- [Secretary of State Form 10-S-2](#) must be used for those records that are identified as part of the In-County NCOA Process.

Boards of elections must complete the following tasks:

- Mail all confirmation notices no later than **September 20, 2021**;
- Use the prescribed forms and include a postage-paid return envelope with the notification form;⁶ and
- 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 establish the four-year anniversary date for each confirmation notice.

III. 2021 IN-COUNTY AND OUT-OF COUNTY NCOA PROCESS

Boards of elections will access their 2021 In-County and Out-of-County NCOA data file through the BOE Portal using the steps provided by the Secretary of State’s Office and sent separately via email. If you have any questions, contact the Secretary of State’s IT Helpdesk at (614) 466-2585.

A. 2021 In-County NCOA Process ([Secretary of State Form 10-S-2](#))

Each board must review the following instructions to ensure it properly processes the In-County NCOA list and accurately completes the mailing.

Boards must ensure all of the following:

- Prior to sending the confirmation notice, the voter’s address is changed to the address reported on the 2021 In-County NCOA list;⁹

⁵ See [Chapter 3](#), Section 1.10 of the Election Official Manual.

⁶ [R.C. 3503.21\(D\)](#).

- The [Secretary of State Form 10-S-2](#) contains the voting location assigned for that voter's new address and provides the identification requirements specified in state law;⁷ and
- The elector is in “active-active” status.

If the address provided in 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 in the In-County NCOA list is not within the county, the board must notify the voter as if the record exists on the Out-of-County NCOA list and send the voter a [Secretary of State Form 10-S-1](#) to the address provided on the list.

B. 2021 Out-of-County NCOA Process ([Secretary of State Form 10-S-1](#))

An elector who appears on the 2021 Out-of-County NCOA list may have also appeared on previous NCOA lists. Under the 2021 Out-of-County NCOA Process, do not send a confirmation notice to an elector to whom the board already has sent such a notice, *unless* the 2021 Out-of-County NCOA list provides a new address. If the address on the 2021 NCOA list is new or different from the address that appeared on NCOA lists in previous years, the board must send a new confirmation notice and the four-year timeline for list maintenance will restart.⁸

The electors identified as part of the 2021 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.

Each board must ensure it properly processes the Out-of-County NCOA data and accurately completes the mailing by doing the following:

- Placing the elector in “active-confirmation” status.⁹
- Sending the confirmation notice by forwardable mail to the voter’s address as it appears on the Out-of-County NCOA list.

⁷ [R.C. 3505.18](#).

⁸ 52 U.S.C.A. §20507(d) and [R.C. 3503.21\(B\)](#).

⁹ 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 is not flagged to cast a provisional ballot (unless flagged for some other reason). If a voter placed in “active-confirmation” status under the general voter records maintenance program 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. R.C. 3505.18(B); R.C. 3505.181. A military identification or Ohio driver’s license or state identification card does not need to include the voter’s current address to be valid for voting purposes, and a military identification does not need to include any address. Likewise, if a voter placed in “active-confirmation” status under the general voter records maintenance program submits an application for absent voters ballot, provides the same address on the application at which the voter is registered to vote, and the application is in all other respects complete and valid, the board shall issue the absentee ballot to the voter (whether by mail or in person). R.C. 3509.03.

C. Data Collection and Review - Prior to Mailing the Confirmation Notices

Boards of elections will complete the 2021 General Voter Records Maintenance Program in a sequential manner:

1. For voters in the In-County NCOA File, change the voter's registration address to the address in the NCOA file and either place or keep the voters in "active-active" status. For voters in the Out-of-County NCOA file, place the voters in "active-confirmation" status. Perform the necessary updates to the records identified but **do not send the confirmation notices to the impacted NCOA voters.**
2. Before sending any confirmation notices, each board of elections must compile a data file containing the list of voters to be 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 until the Secretary of State's Office has reviewed the file and provided the board with written approval.**

All boards must utilize the same spreadsheet format for the list of voters set to be identified through the Supplemental Process, 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
- City
- State
- Zip Code
- Voter Status

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. Once the file has passed the necessary data checks, each board will receive an email instructing the board to proceed with the Supplemental Process and mail out the confirmation notices for voters identified in either the NCOA or Supplemental Process.

Boards must wait for the email from the Secretary of State's Office before completing the Supplemental Process and before mailing any confirmation notices pursuant to the NCOA or Supplemental Process.

D. Mailing In-County and Out-of-County NCOA Confirmation Notices

Confirmation notices are always mailed to the address that appears on the 2021 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-1](#) and [Secretary of State Form 10-S-2](#) 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-1](#) (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-2](#) (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. Whether printing confirmation notices in-house or with a vendor, each board of elections must create a proofing process and carefully review the underlying data (e.g., name, address, etc.) and its proper placement on the notice.

IV. 2021 SUPPLEMENTAL PROCESS

A. Compiling the Data for the 2021 Supplemental Process

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

1. The record of the voter is in an "active-active" status.
2. The voter's registration date is before August 6, 2019.
3. The voter's record does not contain voter-initiated activity on or after August 6, 2019. Voter-initiated activity includes voting, submitting an 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.
4. The voter does not appear on the "Automatic Confirmation of Address Safeguard" list on the Board of Elections Portal.

B. Mailing the Confirmation Notice ([Secretary of State Form 10-S-1](#))

All electors identified as a part of the 2021 Supplemental Process must be sent a confirmation notice no later than **September 20, 2021**. Each board must:

- Place the elector in “active-confirmation” status.¹⁰
- Send the confirmation notice by forwardable mail to the voter’s current address (as recorded on the board of elections voter registration record).

V. 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. On the days shown below, boards of elections must upload the spreadsheet containing the registration records that received each type of confirmation notice:

- **September 21, 2021:** Adams through Guernsey
- **September 22, 2021:** Hamilton through Muskingum
- **September 23, 2021:** Noble through Wyandot

Note that every record on the spreadsheet must have received a confirmation notice.

All boards must utilize the same spreadsheet format, containing the following information:

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

¹⁰ 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 is not flagged to cast a provisional ballot (unless flagged for some other reason). If a voter placed in “active-confirmation” status under the general voter records maintenance program 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. R.C. 3505.18(B); R.C. 3505.181. A military identification or Ohio driver’s license or state identification card does not need to include the voter’s current address to be valid for voting purposes, and a military identification does not need to include any address. Likewise, if a voter placed in “active-confirmation” status under the general voter records maintenance program submits an application for absent voters ballot, provides the same address on the application at which the voter is registered to vote, and the application is in all other respects complete and valid, the board shall issue the absentee ballot to the voter (whether by mail or in person). R.C. 3509.03.

- State
- Zip Code
- Voter Status
- Date the Confirmation Notice Mailed

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.

VI. 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 the elector of the registration update and the location of their new polling place and list this elector as “active-active” in its 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 local 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 mailed the confirmation notice to the elector must keep a copy of the completed confirmation return notice from the elector 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 local 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 cancellation.¹¹ 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 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

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-active" in the county's voter registration database.

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 cancelled 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 ([Secretary of State Form 10-S-2](#))

In-County confirmation notices must be sent by forwardable mail. If the USPS returns a [Secretary of State Form 10-S-2](#) confirmation notice that is undeliverable, the board must issue a [Secretary of State Form 10-S-1](#) confirmation notice to the voter by forwardable mail.

2. Out-of-County NCOA and Supplemental Process ([Secretary of State Form 10-S-1](#))

Confirmation notices must be sent by forwardable mail. However, the USPS sometimes will return to the board a confirmation notice that is undeliverable, because the USPS does not have a forwarding address for the elector. The board must record that fact

¹¹ [R.C. 3503.02](#) and [3503.21](#).

in the comments section of that elector’s record and keep the undeliverable confirmation notice for four years.

VII. PROSPECTIVE NATURE OF THE 2021 GENERAL VOTER RECORDS MAINTENANCE PROGRAM

The elector’s voter status shall be changed from “active-confirmation” to “active-active,” and the elector shall not be cancelled pursuant to the 2021 NCOA and Supplemental Process if any of the following apply:

- Responds to the 2021 confirmation notice (either via mail or online);
- Updates their voter registration or engages in voter-initiated activity. Voter-initiated activity includes voting, submitting an 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
- Appears on the county’s “Automatic Confirmation of Address Safeguard” list.

All other electors contacted pursuant to the 2021 NCOA and Supplemental Process shall be cancelled by one of the following dates, whichever is later:

- Not later than 120 days after the date of the second federal general election 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 shall be cancelled as a result of the general voter records maintenance program during the 90 days immediately preceding any federal primary or general election.**¹²

VIII. 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.¹³ Boards of elections must make the list (in electronic form) available to individuals requesting the data under Ohio’s public records laws through the end of 2026.¹⁴

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

¹² 52 U.S.C.A. §20507(c)(2)(A).

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

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

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.

For more information on qualifying for nonprofit mail rates, go to <https://about.usps.com/what/government-services/election-mail/> and <http://pe.usps.com/text/dmm300/703.htm#1114977>.

As a reminder, on August 29, 2021, the postage rates for certain types of mail will increase. The United States Postal Service released a booklet with all prices [here](#) and a chart [here](#). Boards not using a business reply mail account must ensure sufficient postage is applied to each return envelope.

Yours in service,



Frank LaRose
Ohio Secretary of State