



## **DIRECTIVE 2022-27**

March 2, 2022

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

Re: U.S. House of Representatives (“U.S. House”) District Maps and House Bill (“H.B.” 93)

### **SUMMARY**

On March 2, 2022, the Ohio Redistricting Commission passed (5-2) a second congressional district map following the Ohio Supreme Court’s decision declaring the S.B. 258 congressional map unconstitutional.<sup>1</sup> Attached to this Directive are the following:

- Congressional District Shapefile;
- Equivalency Files (otherwise known as BAFs or block assignment files);
- Notification to Election Officials of District Sought – [Form 2-Y](#);
- Congressional District – County Population and Filing Location – March 2, 2022; and
- Congressional District – County Population and Filing Location – S.B. 258 of the 134th General Assembly.

### **INSTRUCTIONS**

#### **I. MARCH 2, 2022 CONGRESSIONAL DISTRICT MAP AND LEGAL DESCRIPTIONS**

On March 2, 2022, the Ohio Redistricting Commission passed a district plan for the office of Representative to Congress (“U.S. House”). As with [Directive 2022-26](#), given the unfortunate time constraints, all boards must immediately begin the process of reprogramming their voter registration systems based on the March 2, 2022 congressional district maps.

The congressional district shapefiles and equivalency files accompany this Directive. My Office is waiting for the legal descriptions from the General Assembly. We will forward those to you as soon as we receive them.

Boards cannot verify or certify candidate petitions until the reprogramming of the voter registration system is complete. Whenever an area included in a district is less than a county, the legal description is a political subdivision, such as city, village, township, municipal ward, or precinct and portions thereof. The descriptions are based on boundaries as they existed when the data was collected by Ohio University. If the board of elections changed precinct boundaries or if there were municipal ward boundary changes or annexations in the past year, the board needs to consider that the new assignments were made based on previous data. For example, if the board combined Precinct A and

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<sup>1</sup> *Adams v. DeWine*, Slip Opinion No. 2022-Ohio-89.

C into a new Precinct A, and Precinct A is listed in the legal description, then it is referring to the old Precinct A portion of the new Precinct A.

## **II. 2022 PRIMARY ELECTION DEADLINES**

Pursuant to H.B. 93, the U.S. House filing deadline for the May 3, 2022 Primary Election is **4:00 p.m. on March 4, 2022**. This deadline applies for both (1) candidates who will file an applicable declaration of candidacy to appear on the ballot; and (2) individuals who will file a declaration of intent to be a write-in candidate.<sup>2</sup>

Using the authority to adjust deadlines granted by H.B. 93,<sup>3</sup> I direct that the certification and protest deadline for U.S. House candidates shall be as follows:

- **Monday, March 14, 2022** – Most populous county board of elections or board of elections must certify the validity and sufficiency of partisan candidate petitions and provide the names of the certified candidates to the less populous county board(s) of elections in the district. Boards cannot verify or certify candidate petitions until the reprogramming of the voter registration system is complete.
- **Thursday, March 17, 2022** – Protests against partisan candidates for U.S. House (including write-in candidates) must be filed with the most populous county board of elections by 4:00 p.m.

## **III. U.S. HOUSE CANDIDATE PETITIONS**

### **A. DISTRICT VALIDITY**

For candidates for U.S. House, boards are prohibited from invalidating a declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate on the basis that it does not include the number of the congressional district the filer seeks to represent or includes an incorrect district number.<sup>4</sup> According to H.B. 93, the filer must notify the election officials in writing of the district the filer seeks to represent.<sup>5</sup> Our Office prescribed [Form 2-Y](#) for this purpose. Boards must continue to provide and accept this form for U.S. House candidates.

### **B. SIGNATURE VALIDITY**

Boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for U.S. House on the ground that the signer does not reside in the *new* congressional district the filer seeks to represent (i.e., per the plan the Ohio Redistricting Commission adopted on March 2, 2022) so long as:

- (1) The congressional district in which the filer resided under the district plan described in S.B. 258 of the 134th General Assembly had territory in the county in which the signer resides; **and**

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<sup>2</sup> Section 4(A) of H.B. 93.

<sup>3</sup> Section 4(C) of H.B. 93.

<sup>4</sup> Section 4(B) of H.B. 93.

<sup>5</sup> Section 4(B) of H.B. 93.

- (2) The *new* congressional district the filer seeks to represent has territory in the county in which the signer resides.<sup>6</sup>

Attached with this Directive is a list of counties within each district under the district plan described in S.B. 258 of the 134th General Assembly and a list of counties within each district under the district plan adopted by the Ohio Redistricting Commission on March 2, 2022.

Moreover, boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for U.S. House on the ground that the signature was signed before the district plan for was adopted or enacted or took effect, provided that a signature on a nominating petition is not valid if it is dated more than one year before the date the nominating petition is filed.<sup>7</sup>

#### **IV. FILING LOCATIONS**

[Directive 2022-26](#) directed candidates for U.S. House to file in the most populous board of elections *pursuant to the district maps set forth in S.B. 258* in the event that the Ohio Redistricting Commission did not adopt a new congressional map by the filing deadline of March 4, 2022. The Ohio Redistricting Commission since adopted new maps.

Therefore, and as set forth in [Directive 2022-26](#), any U.S. House candidate who has not yet filed their petition with the most populous county board of elections, must file their petition with the most populous county board of elections pursuant to the March 2, 2022 congressional map by March 4, 2022 because the Ohio Redistricting Commission passed a new congressional map *prior* to March 4, 2022.

However, if a candidate already properly filed their petition with the most populous county board of elections pursuant to the district maps set forth in S.B. 258, prior to the issuance of this Directive, and the most populous county board of elections has changed pursuant to the March 2, 2022 congressional map, then the board of elections that originally received the filing must transfer that filing to the new most populous county board of elections pursuant to the March 2, 2022 congressional map.

If the General Assembly makes any changes to the election administrative procedures in temporary law, my Office will issue guidance as soon as possible.

Each board of elections director must share this Directive with its legal counsel, the county prosecuting attorney, and voter registration system and voting system vendors as soon as possible. If you have any questions regarding this Directive, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,



Frank LaRose  
Ohio Secretary of State

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<sup>6</sup> Section 4(D)(1) of H.B. 93.

<sup>7</sup> Section 4(F) of H.B. 93.