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DIRECTIVE 2008-66

August 15, 2008

TO: ALL COUNTY BOARDS OF ELECTIONS
MEMBERS, DIRECTORS, AND DEPUTY DIRECTORS

RE: Instructions to Voters for Absent Voter Ballots

All county boards of election must provide instructions to voters who request an absent voter's ballot. As required under R.C. 3509.01, the instructions on how to vote a particular ballot are required to be printed on the ballot itself or on the ballot stub. However, additional instructions must be provided to the voter for the proper return of the voted ballot.

The instructions to the voter must include the following:

- Do not remove the stub from the ballot.
- How to obtain another ballot if there are marks on the ballot when received or if the voter makes an error in marking the ballot.
- How to properly fold the ballot.
- To seal the voted ballot in the identification envelope.
- To complete and sign the identification envelope.
- To place sufficient postage on the return envelope to provide for the timely return of the voted ballot. Boards should inform the voter of the correct amount that should be affixed.
- The deadline for return of the voted ballot. To reflect changes to the law effective September 12, 2008, as found in Am. Sub. H.B. 350, the instructions must include the following statement for a regular absentee ballot: "the ballot must be postmarked with a date not later than November 3, 2008, or delivered in person to the board of elections no later than the close of polls on Election Day to be counted."
- Notice that a voter who changes his or her mind and appears to vote at the polling place on Election Day must vote a provisional ballot.

Although the use of the revised Secretary of State Form #12 is not required, it does provide boards with suggested language for the absent voter instructions that must be included with each ballot mailed to an absentee voter.

A copy of Secretary of State Form #12 is included with this directive and can be found on the BOE Extranet at:

<http://server6.sos.state.oh.us/boe/electionsinfo/forms/forms.htm>

If you have any questions concerning this directive, please contact an Elections Administrator in the Elections Division at (614) 466-2585.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Brunner".

Jennifer Brunner

INSTRUCTION TO VOTERS OF ABSENT VOTER'S BALLOTS

R.C. 3509.04, 3509.05, 3509.08, 3505.181

1. **REVIEW YOUR BALLOT:** Before voting your ballot, **check to be sure there are no marks on your ballot.** If there are any marks on the ballot, return it immediately to your county board of elections and ask for a new ballot.
2. **MARKING YOUR BALLOT:** Mark the ballot or ballots according to the specific instructions provided on the ballot.
3. **IF YOU MAKE AN ERROR:** If you make an error in marking your ballot, please contact your county board of elections for a new ballot. You may request a new ballot only two times.
4. **PREPARING YOUR BALLOT FOR MAILING:**
 - **Do not detach the numbered stub on your ballot.** Your ballot cannot be counted if the stub is removed.
 - **Place the ballot into the Identification Envelope.** If necessary, fold your ballot (if the ballot is larger than the Identification Envelope). Your ballot **must be placed** in the Identification Envelope **so that the stub on it and the facsimile signatures of the members of the board of elections on the back of it are visible when the Identification Envelope is opened.** This will ensure the secrecy of your voted ballot. (See "How Your Ballot is Processed" below.)
 - **Seal the Identification Envelope.**
 - **Complete and sign the Statement of Voter** on the outside of the Identification Envelope. By law, failure to complete and sign the Statement of Voter will result in your ballot not being counted.
 - **Place the sealed Identification Envelope into the Return Envelope.**
 - **If you did not write your driver's license number or the last 4 digits of your social security number on the Identification Envelope, include a copy of an ID document (such as a copy of a military ID, utility bill or government document).** Be sure **not** to put a copy of an ID document in the Identification Envelope. It should be placed separately in the return envelope, or election officials won't know you have provided ID and will not count your ballot.
 - **Seal the Return Envelope.** If you are outside the United States, be sure to check the box on the Return Envelope.
5. **RETURNING YOUR BALLOT:**
 - You or a near relative may **personally deliver** your ballot to the board of elections until the close of the polls on Election Day (7:30 p.m.).
 - If you **return your ballot by mail**, it must be postmarked (postmarked does not include a date marked by a postage evidence system such as a postage meter) no later than the **day before Election Day** and received by your county board of elections no later than 10 days after the election. Please be sure to **affix sufficient postage** for the prompt delivery of your ballot.
 - If you are a **voter outside of the United States** on Election Day, the ballot envelope must be signed or postmarked before the close of polls and received by the board no later than 10 days after Election Day or 20 days after a presidential primary election.
 - **You may NOT return your absent voter ballot to your polling place.**
 - **BALLOTS RECEIVED LATE CANNOT BE COUNTED**
6. **HOW YOUR BALLOT IS PROCESSED:** When the board of elections receives your ballot, it will remove the Identification Envelope from the outside envelope. (This is why the ballot must be the sealed identification envelope, so that your vote is secret). Election officials will compare the information you provided on your Identification Envelope and any copies of ID documents with board records to verify your voting eligibility. Once your voting eligibility is verified, the envelope will be placed with your signed voter statement facing down, the envelope will be opened, the stub removed and the ballot removed from the envelope. This ensures the secrecy of your vote, as the stub, ballot and Identification Envelope are no longer associated with each other. If your ballot is received by the close of polls on election night, your ballot will be counted on election night after the polls close and included with all other votes in the election. Ballots received within 10 days after the election and postmarked no later than the day before Election Day will be counted in the official count made approximately 2 weeks after the election.

NOTICE: If you change your mind about voting absentee and decide to vote at the polling place on Election Day, you must vote a provisional ballot.