



Jon Husted

Ohio Secretary of State

180 East Broad Street, 16th Floor
Columbus, Ohio 43215
Tel: (877) 767-6446 Fax: (614) 644-0649
www.OhioSecretaryofState.gov

DIRECTIVE 2013-04

February 25, 2013

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

Re: Primary and Special Election Ballot Layout Instructions

SUMMARY

This Directive provides instructions to boards of elections for the layout of ballots for the primary and/or special elections held on May 7, 2013.

Accompanying this Directive are the certified forms of the three types of official ballots to be used at elections held on May 7, 2013:

- Primary Ballot – Statutory City;
- Primary Ballot – Statutory Village; and
- Questions and Issues Ballot (tax levy, bond issue, income tax, local liquor option).

These forms are templates for ballot design, format, and order of statutorily-prescribed offices and issues. The forms are for all voting systems.

Prior to starting any programming, all boards of elections should review the AIGA/Election Assistance Commission's report entitled [Effective Designs for the Administration of Federal Elections](#), specifically chapters [2](#), [3](#), and [5](#), and the National Institute of Standards' [Use of Language in Ballot Instructions](#).

INSTRUCTIONS

I. GENERAL GUIDELINES

A. Format

1. Headings must be printed in display Arial or Roman font.¹ The font used for headings is the font that you will use for all copy throughout the ballot. Fonts *sans serif* are easier to read; therefore Arial or a similar font is preferred.
2. A 2-point rule must separate columns from each other.²

¹ R.C. 3501.05(I)

² R.C. 3505.08(A)

- B. The date of the election and the facsimile signatures of the members of the county board of elections must be placed on the back or at the end of the ballot.³
- C. All ballots must be printed with black ink.⁴
- D. The names of all candidates for a single office must be in the same column of a paper ballot or on the same screen of a DRE so that the voter does not have to go to the next column or advance to the next screen to view all of the eligible candidates for that contest.

Because language for a ballot question or issue may be longer than is available in a single column, it may be necessary to wrap the language from one column to the next. The “Yes/No” ovals/buttons should never stand alone in a column without any portion of the text preceding it in that column. If your voting system is capable of combining more than one column to create a wider column to avoid wrapping text, you may do so. As a general rule, you should do your best to avoid wrapping text for a ballot question or issue.

In counties where a language in addition to English is required to appear on the ballot, the presentation of the additional language version should follow, and wrap as necessary, immediately after the presentation of the English version followed by the space for the voter to mark his or her vote. The additional language translation should not be presented in a separate column by itself.

- E. Voter Instructions⁵
 - 1. Each ballot must contain instructions advising the voter of the manner in which to mark the ballot. The instructions should be in upper and lower case of a minimum of 12-point type. Each Board must provide clear instructions appropriate for its voting system(s) as follows:
 - a. **To vote:** completely darken the oval (●) to the left of your choice.
 - b. Note the permitted number of choices directly below the title of each candidate office. Do not mark the ballot for more choices than allowed.
 - c. If you mark the ballot for more choices than permitted, that contest or question will not be counted.
 - d. **To vote for a write-in candidate:** completely darken the oval (●) to the left of the blank line and write in the candidate’s name. Only votes cast for candidates who filed as write-in candidates can be counted.
 - e. Do not write in a candidate’s name if that person’s name already is printed on the ballot for that same contest.

³ R.C. 3505.08(A)

⁴ R.C. 3505.08(A)

⁵ R.C. 3505.12, 3506.08, 3506.09

Each stub must also have printed on its face "Consecutive Number ____." Each ballot provided for use in each precinct must be numbered consecutively, beginning with the number 1, and by printing the same ballot number upon both of the stubs attached to the ballot.

G. Ballot Types

The following headings shall not be used:⁷

- Official Office Type Ballot
- Official Nonpartisan Ballot
- Official Questions and Issues Ballot

H. Page Numbers

Each side of a sheet of paper is considered a page. Every page should be labeled "Page X of Y" so the voter knows both the "order" of the ballot and how many pages remain.

Example: Page 2 of 2 indicates the "back" of a single sheet ballot

Example: Page 3 of 4 indicates the "front" of a two sheet ballot

For DREs, label each screen "Screen X of Y" for the same reason.

II. CANDIDATE GUIDELINES

The certified primary ballot forms for municipal offices accompanying this directive are for offices to be elected in statutory cities and villages. These ballot forms contain the correct title of each office as that title should appear on your local ballot and the order in which offices must appear on the ballot for all voting systems.

See [Directive 2013-03](#) for the ballot order of offices and positions for primary and/or special elections held on May 7, 2013.

A. Office Headings⁸

1. Each office title must be printed in 12-point boldface upper and lower case type, and a screened (lightly shaded) heading should be used. The office title must be flush left.
2. Number to be Elected
 - a. For all offices for which only one person may be nominated or elected, immediately below the office title, print "Vote for not more than 1" in a minimum size of 10-point boldface upper and lower case type. The "vote for" wording should be flush left within the shaded title area directly beneath the

⁷ R.C. 3505.08(B)

⁸ R.C. 3505.08(A)

title of the office or, if applicable, the term commencing date or the unexpired term ending date.

- b.** For offices for which more than one person may be nominated or elected, immediately below the office title, print "Vote for not more than ____" in a minimum size of 10-point boldface upper and lower case type, the blank space to be filled with the number of persons who may be lawfully elected to the office. For example: "Vote for not more than 3." The "vote for" wording should be flush left within the shaded title area directly beneath the title of the office or, if applicable, the term commencing date or the unexpired term ending date.

3. Full or Unexpired Term⁹

- a.** For judicial offices, the designation of "Full term commencing" or "Unexpired term ending," followed by the appropriate date, must appear where more than one full term for the office of judge appears on the ballot. The judicial offices for that court should appear in chronological order by the date the terms commence.
- b.** For all other offices, the designation of term is necessary only when there is an unexpired term to elect (e.g., if a mayor is running for an unexpired term) and where two or more full terms for the office are to appear on the ballot (e.g., municipal court judge), in which case the offices should appear in chronological order by the date the terms commence.

B. A 2-point rule must separate the title of the office from the names of the candidates for that office.¹⁰

C. Candidate Names¹¹

- 1.** Names of candidates must be printed in a minimum of 12-point boldface upper and lower case type. The name of each candidate must be flush left, but the name should not extend into the voting channel or column.

In the event that no valid declaration of candidacy was filed (including a declaration of intent to be a write-in candidate), the Board shall print "No Candidate" in the space where a candidate's name or a space for write-in would otherwise appear.

- 2.** A 4-point rule must separate the name of a candidate or a group of candidates for the same office from the title of the office next appearing on the ballot.
- 3.** A 1-point rule must separate names of candidates.

⁹ R.C. 3505.04

¹⁰ R.C. 3505.08(A)

¹¹ R.C. 3505.08(A)

4. A write-in space must be provided on the ballot for every office for which the board of elections has received a valid declaration of intent to be a write-in candidate.¹²
5. Restrictions
 - a. Nicknames: A candidate's nickname may be printed on the ballot if the nickname is a natural derivative of the candidate's legal name. However, quotation marks or parentheses cannot be printed on the ballot. For example, a candidate named William Smith may request that his name appear on the ballot as William Smith, Will Smith, Bill Smith, Billy Smith, but not William "Bill" Smith.
 - b. Former names: Any former names that have been declared or submitted by a candidate must be printed on the ballot in parenthesis directly below the candidate's current name.¹³ This requirement does not apply to a name change resulting from a marriage or divorce.
 - c. Titles: Printing words, designations, or emblems descriptive of a candidate or the candidate's political affiliation on the ballot, including titles such as "Dr.," "Judge," "Rev.," etc., is prohibited.¹⁴
 - d. When two or more candidates for the same office have the same first and last names,¹⁵ contact the Secretary of State's elections counsel assigned to your county for assistance.

D. Rotation of Candidates' Names

The names of all candidates for an office must be arranged in alphabetical order in a group under the title of that office and must be rotated from one precinct to another, with the following exceptions:

- Absentee ballots, which may bear a different rotation (discussed below), or
- When the number of candidates for a particular office is the same as the number of candidates to be elected to that office (uncontested races).

The least common multiple of the number of names in each of the several groups of candidates determines the number of series to be printed.

For example: Four of the seven offices on the ballot have uncontested races. The remaining three offices (only one candidate to be elected to each particular office) have the following number of candidates printed on the ballot:

¹² R.C. 3505.23

¹³ R.C. 3505.02

¹⁴ R.C. 3505.03

¹⁵ R.C. 3505.021

Office One – two candidates
Office Two – three candidates
Office Three – four candidates

The least common multiple of this series of candidates is 12 (the smallest number possible that 2, 3 and 4 divide into evenly). Therefore, this series of candidates must rotate 12 times.

The board of elections must number all precincts in regular, serial sequence. In the first precinct, the names of the candidates in each group must be listed in alphabetical order based on the candidates' last names. In each succeeding precinct, the name in each group which is listed first in the preceding precinct must be listed last, and the name of each candidate must be moved up one place.

E. Rotation on Absentee Ballots¹⁶

On absentee ballots, the names of all candidates for an office must be:

- Arranged in alphabetical order (by last name) in a group under the title of that office, and
- Alternated so that each name appears on each succeeding ballot, in so far as is reasonably possible, substantially an equal number of times at the beginning, at the end, and in each intermediate place (if any) of the group of candidates for that office.

In those counties using voting systems in which absentee ballots are combined with ballots voted at the precinct prior to tabulation (i.e., tabulated in the voter's home precinct), or counties that do not report absentee ballots as a single precinct (i.e., counties that combine the absentee ballot totals and the election day ballot totals into the totals of the voter's home precinct), the ballot name order for candidates on absentee ballots must be the same as the precinct ballot name order for candidates on regular ballots.

It is preferred that counties not use the “absentee as a single precinct” method, in which case, the special absentee rotation scheme described above would not apply, and the rotation on an absentee ballot would match the rotation on an Election Day ballot for the same precinct/style.

III. QUESTION AND ISSUE GUIDELINES

Offices for which candidates may be nominated or elected are presented on the ballot first, followed by the questions and issues.

The certified form of the Official Questions and Issues ballot must be used for all voting systems. This form contains examples of some of the questions and issues that *might* appear on the ballot in your county. Not every category or type of question/issue will

¹⁶ R.C. 3505.03, 3509.01

appear on every ballot in every county, so please apply as much of the form as is appropriate to the ballots in your county.

See [Directive 2013-03](#) for the ballot order of ballot questions and issues for special elections held on May 7, 2013.

A. Headings¹⁷

Immediately below the heading of each question or issue must be printed a brief title descriptive of each question or issue appearing on the ballot, such as "Proposed Bond Issue" or "Proposed Tax Levy." Each local question or issue appearing on the ballot *may*, but need not, be numbered.

B. Ballot Language¹⁸

A minimum type size of 10-point must be used for all questions and issues. The ballot language need not contain the full text of the proposal to be voted upon. The board of elections may prepare a condensed text that properly describes each local question or issue appearing on the ballot. It is preferable for the purpose language to be presented in upper and lower case type rather than as all caps.

In any case where condensed text is used, the full text of the proposed question or issue, together with the percentage of the affirmative votes necessary for passage as required by law, must be posted in each polling place in a visible location that is easily accessible to the voters.

Please review the appropriate sections of the Ohio Revised Code, local charter (if applicable), and the [Ohio Ballot Questions and Issues Handbook](#) provided by my office for ballot language and formats that may not appear on the enclosed certified ballot format.

C. Percentage of Votes¹⁹

A brief statement of the percentage of affirmative votes necessary for passage must be on the ballot for each question and issue. The statement should be inserted in the space immediately below the title and name of entity requesting the submission of the question or issue. The percentage should be stated as follows: "A majority affirmative vote is necessary for passage" or such other brief statement as will be descriptive of the percentage of affirmative votes required for passage (e.g., "A fifty-five percent affirmative vote is necessary for passage"). Do not use the percent symbol (%).

My office is grateful to Dana Chisnell of civicdesigning.org for her invaluable assistance with the design usability and plain language requirements contained in this Directive.

¹⁷ R.C. 3505.06(D), 3505.08

¹⁸ R.C. 3505.06(E)

¹⁹ R.C. 3505.06(D)

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

Sincerely,

A handwritten signature in black ink that reads "Jon Husted". The signature is written in a cursive, flowing style. The first letter "J" is large and loops around the "o". The "H" is tall and has a long horizontal stroke that extends to the right. The "u" is connected to the "d", which has a vertical stem and a small loop at the top.

Jon Husted