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**DIRECTIVE 2015-05**

February 19, 2015

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

Re: Ballot Proofing Requirements

**SUMMARY**

This Directive provides guidance to boards of elections on the requirements and procedures for proofing ballots, as well as establishing a process for counties within a multi-county district to proof candidate names and question/issue ballot language.

**INSTRUCTIONS**

**I. PROOFING DISTRICT RELATIONSHIPS**

Boards of elections must verify the accuracy of district relationships in the central tabulating system against the county's voter registration system. This is to ensure that each voter receives the correct ballot style (i.e., the correct combination of candidate offices, questions, and issues) based upon that voter's residential address.

**II. PROOFING BALLOTS**

Boards of elections must thoroughly and promptly check every detail of their ballots, including but not limited to spelling, grammar, and layout, upon receiving the ballot layouts or proofs from the vendor or printer. Either the director and deputy director, or board employees they designate, must proofread every candidate contest and ballot question or issue for every ballot style. You should also verify that candidate names are properly rotated (see Directive 2015-04).

After staff has proofed the ballots, the board members must also review and verify ballot layouts/proofs.

It is imperative that board personnel proof from original source material (e.g., the candidate's petition or a document signed by the candidate to confirm the spelling of the candidate's name, or the certification of an issue by the jurisdiction's governing body, etc.), or a proofing master document that has been verified for accuracy against original source material.

It is a best practice to have one person read aloud what should be printed based upon the original source material, while another person follows along on the proof provided by the printing vendor or generated by the central tabulating system to ensure that what is going to be printed is what should be printed. When proofing candidate names, speak the candidate's name and then spell it aloud, letter by letter. When proofing candidate headings and ballot language, speak any numbers or dates one numeral at a time (e.g., "\$1,000" would be read as "dollar-sign one comma zero zero zero") and speak all punctuation or other symbols (e.g., "period of time, commencing" would be read as "period of time comma commencing").

Each Board also must proof the candidate contests and ballot questions and issues for each precinct split against its voter registration system to ensure that each voter is receiving the correct combination of offices and districts based on the voter's residential address.

### III. POSTING PROOFS<sup>1</sup>

After a board of elections receives its ballot proofs, the Board must do all the following:

- A. Notify the following individuals that the ballot proofs are available for inspection and correction:
  - Chairperson of the local executive committee of each political party that is represented on the ballot by candidates; and
  - A designated representative for each group supporting and/or opposing the issues appearing on the ballot. If no such representative has been designated, the Board may contact the treasurer whose name appears on the designation of treasurer, if any, filed on behalf of the group or committee.

Although current law does not require boards of elections to notify political subdivisions that have certified questions or issues to the ballot that the ballot proofs are available for inspection and correction, a board of elections should give those political subdivisions at least as much notice as must be given to groups supporting or opposing ballot issues.

- B. Post the ballot proofs for at least 24 hours in a publicly accessible place in the board office and include instructions for notifying the Board of any needed or requested correction(s), after which board personnel must review and correct any error.

**NOTE:** If a local correction is required at any stage of the proofing process prior to finalization and printing, the Board must repeat the above notification and posting requirements and ensure that, in correcting the error, another part of the ballot was not inadvertently changed.

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<sup>1</sup> R.C. 3505.14.

#### IV. MULTI-COUNTY DISTRICT PROOFS

For a multi-county district election, the Board of the most populous county must notify all other Boards in that district of the candidates or the ballot questions and issues appearing on the ballot for that district.<sup>2</sup>

However, the Boards of the less populous counties have the responsibility to find out and know what overlaps onto its ballots and to seek out information.

Boards of elections in a multi-county district must follow the notification procedure detailed below:

- A. Not later than the 70<sup>th</sup> day before an election,<sup>3</sup> the Board of the most populous county must send a written notice of the appropriate candidate names and political parties or designations (if applicable) and ballot language for the district questions or issues to the Board of each less populous county within the multi-county district.
  1. If the Board of a less populous county has not received notice by the 68<sup>th</sup> day, the Board of the less populous county must contact the Board of the most populous county to inquire as to the status of the notification.
  2. The Board of the most populous county must provide to the Board of each less populous county in the district a receipt itemizing each candidate name and political party or designation and/or district ballot question and/or issue.
  3. Each Board of a less populous county in a district must return the receipts to the Board of the most populous county in the district, either confirming that the Board of the less populous county received every candidate name and political party or designation and/or district question and/or issue itemized on the receipt or identifying the itemized items it did not receive.
- B. Not later than the 60<sup>th</sup> day before the election, the Board of a less populous county must send a proof of its ballot containing the overlapping candidate contest or ballot question or issue to the Board of the most populous county in the district.

The Board of the most populous county must review the proofs submitted by the Board of the less populous county and verify that the candidate contests and ballot questions and issues as presented on the less populous county's proof match those of the most populous.

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<sup>2</sup> For purposes of this Directive, a "multi-county *district*" includes a "multi-county *political subdivision*" such as a municipal corporation, school district, etc.

<sup>3</sup> Please note that the board of elections of the most-populous county of a multi-county school district is required to notify the board(s) of the less populous county (or counties) within 10 days if a candidate's petition or resolution is filed. R.C.3505.071.

- C. No later than the 58<sup>th</sup> day before an election, the Board of the most populous county in the district must confirm, in writing, to the Board of each less populous county in the district whether the submitted proofs are acceptable or need revised.

Neither the Board of the most populous county nor the Board of a less populous county may print ballots or program voting machines until the Board of the most populous county has approved the proofs from the less populous county.

- D. The Board of the most populous county of a multi-county district must immediately provide each Board of a less populous county within the district a written notice, with receipt, of any candidate who dies or withdraws prior to Election Day, with instructions for the posting of a notice in the Election Day voting machines and to accompany all absentee ballots or the removal of that candidate's name from the ballot and, if appropriate, substitution of a replacement candidate's name.

Please note that a board of elections must remove the name of any candidate who withdraws on or before the 70<sup>th</sup> day before an election. A board of elections will not remove the name of any candidate who withdraws after the 70<sup>th</sup> day before an election.<sup>4</sup>

## V. ABSENTEE BALLOTS<sup>5</sup>

Each board of elections must have absentee ballots printed and ready for use 45 days before the primary election for Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters, and the day after the close of voter registration for non-UOCAVA voters. Even though the 45<sup>th</sup> day before the election falls on a Saturday, the Board must have ballots ready and must issue those ballots to any UOCAVA elector who, at that time, has submitted a valid application for absent voter's ballot under state law.<sup>6</sup>

A copy of each absentee ballot (including candidate contests and ballot questions and issues) must be sent to the Secretary of State's Office at least 46 days before the election. Send the ballots to Serena Henderson via email at [shenders@ohiosecretaryofstate.gov](mailto:shenders@ohiosecretaryofstate.gov).

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,



Jon Husted

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<sup>4</sup> R.C. 3513.30(E).

<sup>5</sup> R.C. 3509.01, R.C. 3511.04.

<sup>6</sup> 52 USC 20302, R.C. 3509.01(B)(1), R.C. 3511.04(B).