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DIRECTIVE 2016-46

November 9, 2016

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

Re: Official Canvass for the November 8, 2016 Presidential General Election

SUMMARY

This Directive outlines the procedures that all county boards of elections must follow in conducting the official canvass of the November 8, 2016 Presidential General Election.

INSTRUCTIONS

I. TIMELINE FOR OFFICIAL CERTIFICATION

Boards of elections may begin the official canvass of the November 8, 2016 Presidential General Election no earlier than the 11th day after the election (Saturday, November 19, 2016) and must begin no later than the 15th day after the election (Wednesday, November 23, 2016). Each board of elections must complete its official canvass and certify no later than the 21st day after the election (Tuesday, November 29, 2016).¹

II. PERMISSIBLE PRE-CANVASS ACTIVITY

Each board of elections must follow the instructions for pre-canvass activity that are outlined in [Chapter 8, Section 1.03, of the Election Official Manual](#).

III. INSTRUCTIONS FOR OFFICIAL CANVASS

Each board of elections must follow the processes and procedures for conducting the official canvass and resolving tie votes (candidate contests only) that are contained in [Chapter 8, Section 1.04, of the Election Official Manual](#).

IV. FORMS FOR OFFICIAL CERTIFICATION

Templates for reporting results to the Secretary of State's Office and, in some instances, to other boards of elections or public agencies will be forwarded under separate cover.

¹ R.C. 3505.32.

All certifications and reports must be signed by the appropriate board personnel before being submitted to the Secretary of State's Office, to another board of elections, or to another public entity. The board may not authorize the use of digital or stamped signatures for these reports.

Each board of elections must submit the signature form, which will be provided under separate cover, for the purpose of certifying the Official Election Results including the Supplemental Reports for Absentee Ballots and Provisional Ballots to the Secretary of State's Office.

A. Certification of Official Results to the Secretary of State²

1. After a board has completed its official canvass, it must email the Secretary of State's Office and attach a copy of the official vote total summary report generated by the board's voting system. This report must be clearly labeled "<County>'s Official Canvass" and it must contain only vote totals for that county.
2. Each board must provide a separate write-in tally that records the official canvass of the number of valid votes cast for write-in candidates using a reporting form that will be provided under separate cover. Reporting to the Secretary of State the official canvass of valid votes for write-in candidates does not need to be detailed to the precinct-level.
3. The board of elections for the most populous county of any jurisdiction must generate a separate report from its voting system, create a report outside of its voting system, or use a reporting form that will be provided under separate cover for this purpose. This report must be clearly labeled "<County>'s Official Canvass – Most Populous County." The report must include the total number of votes recorded for the office, question, or issue from each county in the multi-county jurisdiction and the sum total for all counties. The contest(s) for which a board is the most populous county must be marked to clearly identify it as a contest containing vote totals from other counties.

B. Absentee and Provisional Ballot Supplemental Report

State law requires the Secretary of State to publish a report on the number of absentee and provisional ballots cast and counted.³ Each board of elections must provide this supplemental data for absentee and provisional ballots. The reporting forms will be sent under separate cover.

C. Electronic Precinct-Level Official Results File of Votes and Turnout By Precinct File

Each board of elections must upload an electronic precinct-level results file of votes that includes all candidates that appear on the county's ballot (except write-in candidates) to the Secretary of State on Wednesday, November 30, 2016 via the SOS

² R.C. 3505.30.

³ R.C. 3501.05(Y).

County Submission System. The upload tool within the SOS County Submission System will allow you to do this efficiently and without data entry errors. You must use the file format provided by Secretary of State's Office. Instructions regarding the upload process, as well as the time to complete the upload, will be sent under separate cover. If you have any questions regarding the electronic precinct-level results file containing votes, contact Laura Pietenpol via an email address to be provided under separate cover.

Additionally, boards of elections are required to provide a separate report from the county's central tabulating system detailing turnout by precinct. Boards must also submit a Statement of Votes Cast (SOVC) report with their turnout report. Details outlining the content, generation, and submission of these reports will be sent under separate cover.

V. TIMELINE FOR REPORTS

The Secretary of State's Office must receive each board of elections' properly completed certification report, signature form, report forms, electronic turnout detail by precinct (via email) and Statement of Votes Cast (SOVC) report not later than Tuesday, November 29, 2016. However, boards are encouraged to submit these reports via email as soon as the board has completed its official certification.

Submit completed reports and forms to Allison Scott via an email address to be provided under separate cover.

Every board of elections must maintain at its office a copy of each of its completed certification and report forms.

Each board of elections must upload an electronic precinct-level results file of votes that includes all candidates that appear on the county's ballot (except write-in candidates) to the Secretary of State on Wednesday, November 30, 2016 via the SOS County Submission System.

VI. CERTIFICATION OF OFFICIAL RESULTS TO OTHER PERSONS OR ENTITIES

Each board of elections must review [Chapter 8, Section 1.04, Division D, of the Election Official Manual](#) for instructions on submitting and certifying official results to following persons or entities when applicable:

- Senate President (statewide offices and U.S. Representative);
- Division of Liquor Control (local option questions);
- County auditor (certain questions or issues);
- Fiscal officer of a subdivision (certain questions or issues);
- Tax Commissioner of the State of Ohio (certain questions or issues and school district income tax); and
- Board of education (school district income tax).

Report forms, contact information, and additional information on certifying results to the persons or entities listed above also can be found in [Chapter 8, Section 1.04, Division D, of the Election Official Manual](#).

VII. CERTIFICATES OF ELECTION⁴

Each board of elections must follow the instructions for issuing certificates of election that are contained in [Chapter 8, Section 1.04, Division G, of the Election Official Manual](#).

VIII. RECOUNTS

Do not delay submitting the official certification forms due to a recount for any race or issue. Before scheduling and conducting a recount, please review the procedures set forth in state law⁵ and the instructions and procedures outlined in [Chapter 9, Section 1.02, of the Election Official Manual](#).

If a recount is to be conducted, please send notice of the recount to Melanie Poole via an email address to be provided under separate cover. If the recount to be conducted is of a multi-county jurisdiction, the Secretary of State's Office will issue the notice of recount upon notification by the most populous county. If a recount should result in vote totals changing, the board of elections must submit a properly completed and signed amended certification and abstract.

IX. POST-ELECTION AUDIT

No later than the time the board meets to certify the official results of the election, the board must determine whether it will: conduct its post-election audit by precinct, by polling place, or by individual voting machine; the date and location that the selection of units to be audited will take place; and the date and place that the audit will commence.

Each board of elections must conduct a post-election audit beginning no sooner than 6 business days after the board certifies the official election results, unless there is an automatic or requested recount. If a recount is conducted, the post-election audit shall begin immediately after the board certifies the results of the recount, and the audit must be completed no later than 14 days after the board certifies the results of the recount. If no recount is conducted, a board of elections may begin the audit after – but not before – the board's certification of its official canvass of the election and must complete it no later than 21 days after certifying the official results of the election.

Please review the procedures set forth in instructions and procedures outlined in [Chapter 9, Section 1.03, of the Election Official Manual](#).

⁴ R.C. 3505.38

⁵ R.C. 3515.01 - .072.

X. VOTER HISTORY

All boards must upload voter history for the November 8, 2016 Presidential General Election to the Statewide Voter Registration Database (SWVRD) no later than Friday, December 9, 2016. Counties with more than 100,000 registered voters must contact Robin Fields to schedule their upload.

For purposes of assigning voter history, each board of elections must follow the instructions outlined in [Chapter 8, Section 1.04, Division E, of the Election Official Manual](#).

If you have any questions regarding this Directive, please contact the Secretary of State's elections counsel assigned to your county.

Sincerely,


Jon Husted