



DIRECTIVE 2018-08

March 13, 2018

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

Re: Ballot Quantities and Important Reminders for the May 8, 2018 Primary Election

SUMMARY

The nomination for governor and lieutenant governor is a contested race on the ballots of both major political parties in the upcoming May 8, 2018 Primary Election. The primary election ballot also contains a statewide issue. Consequently, this year's primary election might produce heavier voter turnout than the primary election of 2010 or 2014. County boards of elections need to be prepared for an increase in voter turnout and participation in partisan primaries and work to ensure that they are ready for whatever Election Day might bring.

The purpose of this Directive is to remind each board of elections of its statutory duty to provide a sufficient number of primary election ballots – for each political party and precinct – and supplies for the May 8, 2018 Primary Election and to establish a baseline for the quantity of ballots that a board must supply to each precinct. Providing ballots is one of the most essential duties of a board of elections, and it is never acceptable for a board to run out of ballots for an election or to delegate to a vendor the responsibility for determining ballot quantities and machine allocation.

INSTRUCTIONS

I. Ballot Quantities¹

A. Optical Scan Counties

In addition to the statutory minimum,² each board of elections must provide to each precinct a stock of optical scan ballots *at least* 10% more than the number of ballots cast in the precinct in the:

- 2006, 2010, or 2014 primary election (whichever election had the greatest number) for the Democratic and Republican Parties; and
- 2010 or 2014 primary election for the Green Party.³

¹ These are minimum requirements for preparedness, not a prediction for voter turnout at this election.

² R.C. 3505.11.

³ If no Green Party primary ballots were cast in a precinct in 2010 or 2014, the board must determine a sufficient number of Green Party primary ballots to provide to the precinct, which shall not be less than 10.

In calculating the number of ballots cast in a precinct in a past election, the board should be mindful of any changes made to the precinct's boundaries and/or the number of electors assigned to the precinct since the election and adjust the number of additional ballots accordingly.

The ballot quantity instructions are minimums – boards must pre-print additional optical scan ballots beyond these minimum quantities to accommodate the projected turnout, local contests of interest on each precinct's ballot, and recent voter registration activity.

B. DRE Counties

Boards of elections using direct recording electronic (DRE) voting machines as their primary voting system on Election Day must deploy at least one DRE voting machine for every 175 registered voters in a precinct or voting location. The DREs must be programmed to allow any voter assigned to the location to vote on any machine in the location. There must never be fewer than 3 DRE machines in any precinct or voting location.⁴ The 3 DRE machines is a minimum – boards must allocate additional DREs to a polling location beyond these minimums to accommodate the projected turnout, local contests of interest on each precinct's ballot, and recent voter registration activity.

These boards must provide sufficient supplies and equipment (e.g., paper for voter verified paper audit trail printers) so that voting may continue without undue delay resulting from missing or insufficient replacement supplies.

A board of elections using DREs as its primary voting system on Election Day must provide backup paper ballots for this primary election. Boards must determine the minimum number of optical scan ballots to provide for each precinct by multiplying the number of ballots cast by party in the precinct (public count) from the 2006, 2010, or 2014 gubernatorial primary election, whichever is higher, by 5 percent. This is the minimum number of optical scan ballots that must be provided for that precinct. Boards of elections may print ballots totaling more than the calculated minimum number so long as the increase is uniform across the county. Although the ballots are labeled and look the same, this 5 percent is in addition to the quantity the board of elections determines is necessary to accommodate all provisional ballot voters at each precinct.

C. All Counties

Boards of elections should keep in mind that electors who switched political parties or voted in a partisan primary for the first time during the 2016 Presidential Primary Election might request a different political party's ballot in the upcoming primary election.⁵ Boards should consider its local experience when deciding whether to exceed the baselines established above.

⁴ [Directive 2016-22, Chapter 4, of the Election Official Manual.](#)

⁵ Please see Section 1.10 of [Directive 2016-23, Chapter 7, of the Election Official Manual](#) for instructions on handling changes to political party affiliation at a primary election.

A board of elections of a county that contains a college or university should consider that attendees of the college or university might appear to vote at the precinct and polling location encompassing the college or university. The board should provide additional provisional ballots and supplies to these precincts and consider whether additional Precinct Election Officials (PEOs) are necessary to process these individuals and avoid unnecessary wait times.

Boards of elections should be mindful that voter registration activity – both new registrations and changes of address – often surges immediately preceding the close of registration before an election. Boards of elections should take into consideration any increase in registration after the close of registration when determining ballot and precinct supplies minimum quantities.

No board of elections can rely solely on a Ballot on Demand (BOD) printer to produce its stock of optical scan ballots on Election Day. A board of elections that utilizes a BOD printer must ensure that it has on-hand a sufficient supply of blank ballot stock, toner, and any other necessary supplies to print any additional ballots needed on Election Day beyond the requirements of state law and this Directive.

II. Provisional Ballots and Supplies

The board must provide ballots and envelopes in the quantity of at least 5 percent more than the number of provisional ballots cast by party in that precinct at the 2006, 2010, or 2014 primary election, whichever is higher.⁶ Additionally, each board must provide to each precinct and/or polling location a stock of provisional ballot affirmation envelopes (containing Secretary of State [Form 12-B](#)) that is greater than the number of provisional ballots being provided for this election.

III. Electronic Pollbook Reminders

As a reminder, any board of elections that utilizes electronic pollbooks must provide at least one paper copy of the precinct poll list (i.e., a list of each elector assigned to vote in the precinct, the elector's voter registration address, and a space for the elector's signature) or signature pollbook to each precinct that uses e-pollbooks in an election. The paper copy of the poll list or signature pollbook ensures that voting can continue in the event that an e-pollbook fails to operate as intended.⁷

Precinct Election Officials must be instructed to use the poll list to look up any voter who does not appear in the electronic pollbook or to process electors if wait times at a polling location exceed the board's established minimum wait time.

⁶ This is a minimum requirement for preparedness, not a prediction for the number of provisional ballots expected to be cast this election.

⁷ [Directive 2015-32, Chapter 10 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 at (614) 466-2585.

Sincerely,


Jon Husted