



**DIRECTIVE 2018-27**

August 6, 2018

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

Re: Instructions Regarding the Review, Examination, and Verification of the Supplementary Part-Petitions Proposing a Constitutional Amendment

**SUMMARY**

Petitioners for a possible second constitutional amendment for this November filed their supplemental petition with the Secretary of State's office on Wednesday, August 1, 2018. Please note that R.C. 3519.16 requires county boards of elections to examine the supplemental petitions and report the results to the Secretary of State within 8 days of receipt of the petitions.

Therefore, each board of elections must complete its review, examination, and verification of the supplemental petitions consistent with the instructions contained in [Chapter 11 \("Petitions," Directive 2017-15\)](#) and [Chapter 14 \("Statewide Initiative and Referendum," Directive 2017-16\)](#) and return its certification to the Secretary of State's Office no later than 4:00 p.m. on Wednesday, August 15, 2018.

**CHECKING SIGNATURES ON THE PETITIONS**

Please carefully read this Directive and [Chapter 11 \("Petitions," Directive 2017-15\)](#) and [Chapter 14 \("Statewide Initiative and Referendum," Directive 2017-16\)](#) before you examine the supplemental part-petitions sent to your county.<sup>1</sup>

As the Instructions state, each county board of elections must process all new, valid voter registrations and changes of names and/or address to existing registrations received by the board or the Secretary of State's Office as of the date the petition was filed with the Secretary of State (i.e., Wednesday, August 1, 2018) before verifying the signatures on the part-petitions.<sup>2</sup> These registrations are effective as of the date filed with the Secretary of State.<sup>3</sup>

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<sup>1</sup> R.C. 3501.11(K).

<sup>2</sup> R.C. 3501.38(A); 3519.15.

<sup>3</sup> R.C. 3501.38; 3503.19.

Prior to verifying the validity of individual signatures contained on a part-petition, the board of elections must verify the validity of that part-petition. First, the board must visually inspect each part-petition to ensure that it is the unique petition provided to petitioners for the purpose of collecting supplemental signatures. First, the unique petition contains a starburst symbol in the top, right corner of every page of the petition—the summary pages, each page on which an elector may sign the petition, each page containing the full text of the proposed amendment, and the page bearing the circulator’s statement. Secondly, all headings throughout the original part-petition that appeared in all capital letters still appear in all capital letters but also have been italicized on the unique part-petition. Finally, on the signature pages of the unique part-petition, “Zip Code” in each signature line (and also in the circulator’s statement) has been changed to “ZIP Code” and “Month/Day/Year” has been changed to “MM/DD/YYYY.” If a part-petition is not the unique petition provided to petitioners, the entire part-petition is invalid.<sup>4</sup>

Second, the board must check each part-petition to determine whether the circulator’s statement on the last page of the part-petition has been properly completed. The entire part-petition is invalid if the circulator’s statement is not completed as required by law.

Third, only signatures that were signed and collected during the ten days beginning July 23, 2018 and ending August 2, 2018 may be submitted.<sup>5</sup>

**Finally, no elector may sign a statewide issue petition more than once. A board must determine whether any elector who signed the original petition also has signed the supplemental petition. A board must invalidate any signature on the supplemental petition if it is the same signature that appeared on the original petition.**<sup>6</sup>

### **PART-PETITION BELONGS TO ANOTHER COUNTY**

If you receive a part-petition that belongs to another county, please follow the process outlined below. **It is imperative that a copy of a part-petition belonging to another county is transmitted to the other county as quickly as possible for signature verification.**

In the event that a board receives a part-petition on which the majority of signatures on the part-petitions are in another county, that board of elections may not determine the validity of that part-petition or review the signatures contained on it. Instead, the board must follow the steps below to send a **copy** of the part-petition to the correct county:

1. Contact the Director or Deputy Director at the other county board by phone to notify him or her that your board will be forwarding a scanned copy of a part-petition(s) via email to the email address provided.
2. Complete Section A of the Part-Petition Transfer Form and select the Compose Email button.

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<sup>4</sup> R.C. 3519.16.

<sup>5</sup> R.C. 3519.16.

<sup>6</sup> R.C. 3519.16.

3. Attach to the email the scanned copy of the part-petition(s) to be transferred and send the email.
4. The email will be sent to the email address provided by the county which was contacted and will also be automatically cc'd to staff within the Elections Division. The email will contain two attachments: the Part-Petition Transfer Form and the scanned part-petition(s).
5. After emailing the form and the scanned petitions, print the completed Part-Petition Transfer Form, attach to the original part-petitions and place in the Part-Petition Transfer Envelope provided for the particular part-petition.

Once a board receives a part-petition from another county, it must:

1. Open the Part-Petition Transfer Form attached to the email and complete Section B.
2. Print the form.
3. Process the part-petition(s).
4. Attach the Part-Petition Transfer Form to the scanned part-petition(s) and place in the Part-Petition Transfer Envelope provided.

When the board returns its checked part-petition(s) to the Secretary of State's Office, place the Part-Petition Transfer Envelope on top of the container used for shipping.

### **SCANNING THE PETITIONS**

After you have completed checking the signatures on the part-petitions, **you must electronically scan the relevant pages of each part-petition** (including at least the cover page, the pages containing signatures, and the page containing the circulator statement). A copy of the scanned images should be saved onto one or as many CDs, DVDs, thumb-drives, or other similar electronic media as may be necessary and a copy sent to the Secretary of State's Office along with the part-petitions and certification form. You must keep an electronic copy of the images for your records.

### **FULFILLING PUBLIC RECORDS REQUESTS**

Your board of elections may receive one or more public records requests for copies of the part-petitions. Boards should consult with their statutory legal counsel, the prosecuting attorney, before rejecting, fulfilling, or responding to any public records request.

### **CERTIFICATION AND RETURN OF THE PETITIONS**

As soon as you finish verifying the signatures on your county's part-petitions, you must return a completed certification form. The board must indicate on the form if any part-petitions were received from or sent to another county.

The certification form must be completed and submitted electronically via Elect Collect by clicking the “Submit” button. The certification form also must be saved and printed. The Director must sign the certification form and return the signed certification form to Emily Bright via email to [ebright@ohiosecretaryofstate.gov](mailto:ebright@ohiosecretaryofstate.gov).

**All certification forms must be received by 4:00 p.m. on Wednesday, August 15, 2018.**

Additionally, once the certification form has been submitted and a signed copy sent to Emily Bright, county boards of elections must promptly return the original part-petitions to the Secretary of State’s Office, Elections Division, 180 East Broad Street, 15<sup>th</sup> Floor, Columbus, Ohio 43215, via trackable delivery method not later than Friday, August 17, 2018.

**All part-petitions must be received by the Secretary of State’s Office no later than Friday, August 17, 2018.**

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