



JENNIFER BRUNNER
OHIO SECRETARY OF STATE

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DIRECTIVE 2007-08

May 16, 2007

To: ALL COUNTY BOARDS OF ELECTIONS

Re: Official Canvass and Report Forms

Timeline for Official Certification

In accordance with R.C. 3513.22(A) and 3505.32(A), the official canvass of the May 8 election may begin no earlier than 11 days after the election (Saturday, May 19, 2007) and must begin no later than 15 days after the election (Wednesday, May 23, 2007). All boards of elections must complete the canvass of votes cast no later than 21 days after the election (Tuesday, May 29, 2007).

Prior to Saturday, May 19, boards may examine pollbooks, poll lists, signature pollbooks and tally sheets and compare them to the summary statements. Any errors, defects or omissions shall be noted and reconciled. Boards may verify the eligibility of persons casting provisional ballots and the validity of the required provisional voter statements. (*See Dir. 2007-06*)

Instructions for Official Certification

All Voting Systems: In order for a board to declare and certify official results, all valid ballots cast in the May 8 election—including eligible ballots cast at the polls, provisional ballots and absentee ballots—must be included in the official canvass.

• **Optical Scan Voting Machines**

1. **Central Count:** In accordance with R.C. 3505.32(C), each board first must scan and tally all eligible ballots that were not included in the unofficial canvass. Teams of equal numbers of persons from each party must be present at this scanning and tallying operation. In preparation for this process, boards must set the central scanners to reject blank ballots *and* overvoted ballots.

The board must designate inspection teams comprised of an equal number of board employees from each major political party to inspect the rejected ballots and, if possible, determine voter intent. Ideally, the inspection team or teams who determine voter intent should be all board members, or two board members, one from each political party.

As stated in R.C. 3506.21(B), voter intent is determined by examining the ballot for a consistently made mark that is contrary to voting instructions.

Examples: Rather than filling in the oval or box, the voter underlined or circled his or her choice (i.e., circled the box or oval); made an "X", checkmark or other recognizable mark beside the choice (i.e. made an "X" or checkmark through the box or oval); or marked the ballot with a writing instrument not recognized by tabulator.

2. **Precinct Count:** Each board, using teams of equal numbers of persons from each party then must rerun the precinct/polling place memory card and verify that the count matches the unofficial count. If it does not, the board must run all ballots through the tabulator and set it to reject blank ballots and overvoted ballots. The board must designate inspection teams consisting of an equal number of employees from each major political party to efficiently inspect the rejected ballots to determine voter intent. Ideally, the inspection team or teams who determine voter intent should be all board members, or two board members, one from each political party.

- **DRE (Direct Recording Electronic) Voting Machines**

1. In accordance with R.C. 3505.32(C), each board first must tally all eligible ballots that were not included in the unofficial canvass. Teams of equal numbers of persons from each party must be present at this tallying operation. In doing so, the board must run the cartridges, PCMCIA cards and other removable memory devices on which the uncounted ballots are stored.
2. The board then must rerun the precinct cartridges, PCMCIA cards and other removable memory devices and verify the count matches the unofficial count. Teams of equal numbers of persons from each party must be present at this operation. If the count does not match the official count, the board must compare the audit trail or the internal program on the voting machine to the cartridge results and document in writing, signed by the director and deputy director, the cause of the difference.

NOTE: The seal on the canister or the tape on the verified voter paper audit trail (VVPAT) is not permitted to be broken to determine official results. If the seal must be broken for any auditing reason other than for recount purposes, the board must notify the Secretary of State's office immediately and *before* opening the canister.

Forms for Official Certification

As indicated below, a copy of some certification forms must be returned to other officials in addition to the Secretary of State. The following forms are included with this Directive:

1. Certification of Absentee and Provisional Ballots Cast and Counted.
2. Certification of Results for Offices of a City or Village.
3. Certification of Results for Municipal Judge and Clerk.
4. Certificate of Results for Local Questions and Issues (Form No. 5)
In reporting local questions and issues on Certificate of Results for Local Questions and Issues (Form No. 5), please indicate by an asterisk () any subdivisions, which overlap into another county. **If your county contains the most populous portion of the district, send the total vote to this office in a separate letter, showing the vote for each county.***
5. Certificate of Results for Local Liquor Option Questions (Form 126-B)
*When submitting a Certificate of Results for Local Liquor Option Questions (Form 126) the form should be sent to the Secretary of State's office **and** to the Division of Liquor Control. The address for Liquor Control is: Division of Liquor Control, PO Box 4005, Reynoldsburg, OH 43068-9005.*

This office must receive each board's properly completed certification forms **no later than the close of business on Friday, June 8, 2007**. Completed forms may be submitted as follows:

- Electronically to Kathy Malott at kmalott@sos.state.oh.us
- In person at the Elections Division, 180 East Broad Street, 15th Floor, Columbus.
- Via U.S. mail to: Secretary of State's Office, Elections Division, PO Box 2828, Columbus, OH 43216. If you choose to mail your completed forms, please remember that **our office must receive them by June 8**.

Recounts

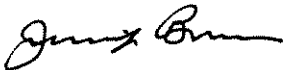
If, after canvassing all votes, more than the number of candidates eligible to be nominated to an office received the largest and equal number of votes, the board must break that tie as provided in R.C. 3505.33 and declare the winner before the board may officially certify the results of the election for that office. (Please note: A board does not break a tie in the case of a ballot issue that received an equal number for and against the issue; in such case, that issue fails by operation of law, because it did not receive a majority of affirmative votes.)

Because certification must occur before any recount, please do not wait to submit the official certification forms in order to complete any recount procedures provided for in R.C. 3515.01 through 3515.071. If the recount results in a change in any vote total, the board must submit an amended certification after the recount, following the procedures above for submitting the certification forms.

If a recount is to be conducted, please send prior notice of the recount to the attention of Robin Fields via fax at 614-752-4360 or email rfields@sos.state.oh.us

If you have any questions regarding this directive, call our office's Election Division at (614) 466-2585. Thank you for your cooperation.

Sincerely,



Jennifer Brunner
Ohio Secretary of State

Certification of Absentee and Provisional Ballots
Cast and Counted for May 8, 2007 Election

Absentee ballots

Domestic	Civilian	Armed Forces
Number of absentee voters to whom ballots were supplied in-country.		
Number of in-country absentee ballots that were returned and counted .		
Number of in-country absentee ballots that were returned after May 8, 2007 (and not counted).		
Overseas	Civilian	Armed Forces
Number of absentee ballots that were sent out of the country.		
Number of out-of-country absentee ballots counted that were returned prior to close of polls.		
Number of out-of-country absentee ballots counted that were returned after May 8, 2007 , but on or before May 18, 2007.		
Number of out-of-country absentee ballots that were returned after May 18, 2007 (and not counted).		
Total number of all absentee ballots (civilian and armed service) counted.		0

Provisional Ballots

Number of provisional ballots issued:		
prior to election day		
on election day		
Total number of provisional ballots issued		0
Total number of provisional ballots counted .		

Date Signed:	
	Chair
	Member
	Member
	Member
Attest:	Director

Official Vote for Municipal Office

(PLEASE MAKE COPIES AND USE A NEW FORM FOR EACH CITY OR VILLAGE)

It is hereby certified by the County Board of Elections that the following is the result of the official count of ballots at the Primary Election held Tuesday, May 8, 2007.

City

OR

Village

Democrat Primary

Candidate	Votes
Office →	
Office →	
Office →	
Office →	

Republican Primary

Candidate	Votes
Office →	
Office →	
Office →	
Office →	

UNEXPIRED TERM

Candidate	Votes
Office →	

Candidate	Votes
Office →	

Date Signed:

	Chair
	Member
	Member
	Member
Attest:	Director

Official Vote for Municipal Judge and Municipal Clerk

(PLEASE MAKE COPIES AND USE A NEW FORM FOR EACH RACE)

It is hereby certified by the County Board of Elections that the following is the result of the official count of ballots at the Primary Election held Tuesday, May 8, 2007.

Name of Court:
(please specify exact name of court)

Democrat Primary

Candidate	Votes
MUNICIPAL JUDGE	
Full Term Commencing →	

Republican Primary

Candidate	Votes
MUNICIPAL JUDGE	
Full Term Commencing →	

MUNICIPAL CLERK	
Full Term Commencing →	

MUNICIPAL CLERK	
Full Term Commencing →	

UNEXPIRED TERM

Candidate	Votes
MUNICIPAL JUDGE	
Unexpired Term Ending →	

Candidate	Votes
MUNICIPAL JUDGE	
Unexpired Term Ending →	

MUNICIPAL CLERK	
Unexpired Term Ending →	

MUNICIPAL CLERK	
Unexpired Term Ending →	

Date Signed:

	Chair
	Member
	Member
	Member
Attest:	Director

FORM NO. 5

Certificate of Result of Official Count of Votes Cast Upon Local Questions or Issues in the County of

for the Election held on , 2007.

BOND OR TAXATION ISSUES, OTHER QUESTIONS AND ISSUES

Please state Ballot Title of Proposed Issue and a brief statement of the purpose. For bond or taxation issues, state millage and number of years in effect. Income and sales tax issues must list percent of tax. State the definite political subdivision affected by each issue.

If the subdivision lies in more than one county, indicate by using an asterisk(*), but certify only the vote from your county. If you are the most populous county, certify the vote for the entire subdivision, broken down by counties, in a separate letter and attach to this form. NOTE: All Local Option results should be reported on Form 126-B, not on this form.

ISSUE:		Tax Levy		Bond Issue		Miscellaneous (includes income tax, aggregation, charters, etc.)	VOTES	
(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		

ISSUE:		Tax Levy		Bond Issue		Miscellaneous (includes income tax, aggregation, charters, etc.)	VOTES	
(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		

ISSUE:		Tax Levy		Bond Issue		Miscellaneous (includes income tax, aggregation, charters, etc.)	VOTES	
(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		

ISSUE:		Tax Levy		Bond Issue		Miscellaneous (includes income tax, aggregation, charters, etc.)	VOTES	
(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		

ISSUE:		Tax Levy		Bond Issue		Miscellaneous (includes income tax, aggregation, charters, etc.)	VOTES	
(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		

ISSUE:		Tax Levy		Bond Issue		Miscellaneous (includes income tax, aggregation, charters, etc.)	VOTES	
(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		

ISSUE:		Tax Levy		Bond Issue		Miscellaneous (includes income tax, aggregation, charters, etc.)	VOTES	
(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		
ISSUE:		Tax Levy		Bond Issue		Miscellaneous (includes income tax, aggregation, charters, etc.)	VOTES	
(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		
ISSUE:		Tax Levy		Bond Issue		Miscellaneous (includes income tax, aggregation, charters, etc.)	VOTES	
(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		
ISSUE:		Tax Levy		Bond Issue		Miscellaneous (includes income tax, aggregation, charters, etc.)	VOTES	
(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		
ISSUE:		Tax Levy		Bond Issue		Miscellaneous (includes income tax, aggregation, charters, etc.)	VOTES	
(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
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Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		
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(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		
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(check one)								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		

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ISSUE:		Tax Levy		Bond Issue		Miscellaneous <i>(includes income tax, aggregation, charters, etc.)</i>	VOTES	
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Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		
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Political Subdivision:								YES
Millage/Percent/Years :								NO
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Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		
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<i>(check one)</i>								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		
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<i>(check one)</i>								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		
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<i>(check one)</i>								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		
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<i>(check one)</i>								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :						Most Populous County:		

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ISSUE:		Tax Levy		Bond Issue		Miscellaneous <i>(includes income tax, aggregation, charters, etc.)</i>	VOTES	
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Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :							Most Populous County:	
ISSUE:		Tax Levy		Bond Issue		Miscellaneous <i>(includes income tax, aggregation, charters, etc.)</i>	VOTES	
<i>(check one)</i>								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :							Most Populous County:	
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<i>(check one)</i>								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :							Most Populous County:	
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<i>(check one)</i>								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :							Most Populous County:	
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Millage/Percent/Years :								NO
Purpose :							Most Populous County:	
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<i>(check one)</i>								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :							Most Populous County:	
ISSUE:		Tax Levy		Bond Issue		Miscellaneous <i>(includes income tax, aggregation, charters, etc.)</i>	VOTES	
<i>(check one)</i>								
Political Subdivision:								YES
Millage/Percent/Years :								NO
Purpose :							Most Populous County:	

The State of Ohio, County Board of Elections

Dated at: , Ohio, the day of , 2007.

By: Chairperson

Attest: Director

Note-Important-Certificate of Result of Count to be forwarded immediately upon completion of the official count.
Result of count must be re-certified to the Secretary of State immediately upon completion of a recount.

