



DIRECTIVE 2020-06

March 16, 2020

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

Re: Order from Director of Health Dr. Amy Acton Closing Polls for the March 17, 2020
Presidential Primary Election

SUMMARY

I issue this Directive in response to Ohio Governor Mike DeWine's and Ohio Director of Health Dr. Amy Acton's order closing polling places on March 17, 2020. Their difficult but necessary decision will protect the health and well-being of Ohioans.

This Directive is issued to bring clarity to voters, Ohio's boards of elections, and poll workers in response to Dr. Acton's order.

The March 17, 2020 Presidential Primary Election is suspended until June 2, 2020. This Directive sets forth additional details.

INSTRUCTIONS

PART I – NOTICE

The boards of elections must post notice on their websites, social media, at the board of elections, and at polling places that in-person voting for the March 17, 2020 Presidential Primary Election is suspended.

PART II – VOTER REGISTRATION AND ABSENTEE VOTING

The boards of elections are prohibited from processing any new voter registrations for the June 2, 2020 presidential primary election. The February 18, 2020 voter registration deadline remains the voter registration deadline.

Boards of elections must remain open on March 17, 2020 to receive any absentee ballots at the boards of elections through 7:30 p.m. Boards of elections are required to process any UOCAVA ballots. Boards of elections are required to process any non-UOCAVA absentee ballot post-marked by Monday, March 16, 2020 and received by the boards of elections through March 27, 2020. Boards of elections are prohibited from tabulating and reporting any results until the close of polls on Tuesday, June 2, 2020.

The boards of elections are required to process absentee ballot applications received at the board of elections postmarked by Tuesday, May 26, 2020. Absentee ballots must be postmarked by June 1, 2020 and must be received by the boards of elections no later than Friday, June 12, 2020. UOCAVA absentee ballots must be submitted for mailing not later than 12:01 a.m. at the place where the voter completes the ballot, on Tuesday, June 2, 2020.

Voters with an unforeseeable hospitalization may submit applications beginning after Tuesday, May 26, 2020 and ending at 3:00 p.m. on Tuesday, June 2, 2020. An absentee voter with an unforeseeable hospitalization within the county may receive and return the absentee ballot through a family member,¹ or through two board of elections employees. If the hospitalization is out of county, the absentee voter may receive and return the absentee ballot through a family member or by mail. The absentee ballot must be postmarked no later than Monday, June 1, 2020 and received at the board of elections office no later than Friday, June 12, 2020. If the absentee ballot does not have a postmark, it must be received at the board of elections no later than 7:30 p.m. on Tuesday, June 2, 2020.

PART III – IN-PERSON VOTING ON JUNE 2, 2020

On Tuesday, June 2, 2020, boards of elections must conduct in-person voting at polling locations in their county. The polls will open at 6:30 a.m. and close at 7:30 p.m. on Tuesday, June 2, 2020. Boards of elections should work with their county prosecutors to review any contracts with polling locations to ensure that in-person voting can take place at those polling locations on Tuesday, June 2, 2020.

Boards of elections must update their voter registration systems and signature pollbooks after Friday, March 27, 2020 and continue to regularly update to ensure that the board maintains a complete and accurate list of voter history.

PART IV – CURE AND CANVASS TIMELINE

A. POST-ELECTION CURE PERIOD

Each board of elections must be open to the public on each of the seven calendar days immediately following Tuesday, June 2, 2020, and during the hours specified below, in order to allow voters to cure a deficiency on an absentee or provisional ballot, as provided for in state law:²

- Wednesday, June 3rd 8:00 a.m. – 5:00 p.m.
- Thursday, June 4th 8:00 a.m. – 5:00 p.m.

¹ R.C. 3509.05(A) defines “family member” as “spouse of the elector, the father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, or sister of the whole or half blood, or the son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece of the elector.”

²R.C. 3505.181(B)(7); R.C. 3509.06(D)(3). See also *Northeast Ohio Coalition for the Homeless v. Husted*, 837 F.3d 612 (6th Cir. 2016) (holding that the seven-day post-election cure period for absentee and provisional ballots established in state law is constitutional).

- Friday, June 5th 8:00 a.m. – 5:00 p.m.
- Saturday, June 6th 8:00 a.m. – 12:00 p.m.
- Sunday, June 7th 1:00 p.m. – 5:00 p.m.
- Monday, June 8th 8:00 a.m. – 5:00 p.m.
- Tuesday, June 9th 8:00 a.m. – 5:00 p.m.

B. TIMELINE FOR OFFICIAL CERTIFICATION

Consistent with current law, the boards of elections:

- (1) May begin the official canvass of the presidential primary election on Saturday, June 23, 2020;
- (2) Must begin the official canvass of the presidential primary election on Saturday, June 27, 2020;
- (3) Must complete the official canvass of the presidential primary election by Friday, July 3, 2020.

Additional instructions regarding the administration of in-person voting, Election Night Reporting on June 2, 2020, and official canvass is forthcoming.

PART V – CAMPAIGN FINANCE DEADLINES

The upcoming campaign finance deadline other-wise known as the post-primary³ deadline is adjusted according to the Tuesday, June 2, 2020 presidential primary election. Therefore, the post-primary campaign finance deadline is Friday, July 10, 2020.

If the board has any questions regarding this Directive, please contact the Secretary of State’s elections counsel at (614) 728-8789.

Yours in service,



Frank LaRose
Ohio Secretary of State

³ R.C. 3517.10(A)(2).