

**Minutes**  
**Athens County Board of Elections**  
**Disputed & Regular Meeting**  
**March 27, 2024, 5:00 pm**

The Athens County Board of Elections met on March 27, 2024 at 5:00 pm at the board office. The meeting was called to order by Board Chair Pettey, Roll Call – Aundrea S. Carpenter-Colvin, Gary Van Meter, Sky Pettey and Kate McGuckin all present. Also present at the meeting: Director Debra Quivey, Deputy Director Tony Brooks and Helen King from the League of Women Voters.

Mr. Pettey led the pledge.

Motion 2024:03:07

Mr. Van Meter moved, seconded by Mrs. Carpenter-Colvin that the minutes for February 21, 2024 be approved by the Board as presented. Motion passed unanimously.

Motion 2024:03:08

Ms. McGuckin moved, seconded by Mr. Van Meter that the minutes for March 1, 2024 be approved by the Board as presented. Motion passed unanimously.

Motion 2024:03:09

Mr. Van Meter moved, seconded by Ms. McGuckin that the minutes for March 9, 2024 be approved by the Board as presented. Motion passed unanimously with Mrs. Carpenter-Colvin abstaining.

Motion 2024:03:10

Mrs. Carpenter-Colvin moved, seconded by Ms. McGuckin that the minutes for March 19, 2024 be approved by the Board as presented. Motion passed unanimously.

Deputy Director Brooks provided an update for the 2024 budget

Motion 2024:03:11 (Attachment 1)

Mr. Van Meter moved, seconded by Mrs. Carpenter-Colvin that bills from February 22 to March 27, 2024 be approved as presented by Deputy Director Brooks. Voting: Mrs. Carpenter-Colvin – Yes, Mr. Van Meter – Yes, Mr. Pettey – Yes and Ms. McGuckin – Yes

Deputy Director Brooks provided an update that 22 Absentee ballots were returned after Election Day within the 4-day period that are countable. Three 17-Year-Old ballots were also returned on Election Day and are countable. Total of 25 ballots will be added to the Official Count. There were no Disputed Absentee ballots in this election.

Deputy Director Brooks provided an update that 43 provisional ballots were received, reviewed and are acceptable to be counted for the Official Count.

Motion 2024:03:12 (Attachment 2)

Ms. McGuckin moved, seconded by Mr. Van Meter to accept and count the 1 Provisional ballot (App #: 7) that had an incorrect birth year, but was able to be identified as presented by Director Quivey. Motion passed unanimously.

Motion 2024:03:13 (Attachment 2)

Mrs. Carpenter-Colvin moved, seconded by Mr. Van Meter to reject and not count the 1 Provisional ballot (App #: 25) that was missing a date of birth as presented by Director Quivey. Motion passed unanimously.

Motion 2024:03:14 (Attachment 2)

Ms. McGuckin moved, seconded by Mrs. Carpenter-Colvin to reject and not count the 1 Provisional ballot (App #: 18) that failed to provide a current valid address as presented by Director Quivey. Motion passed unanimously.

Motion 2024:03:15 (Attachment 2)

Mr. Van Meter moved, seconded by Ms. McGuckin to reject and not count the 7 Provisional ballots (App #'s: 62,59,63,58,61,57,60) that failed to provide a valid photo ID by the 4<sup>th</sup> day after Election Day as presented by Director Quivey. Motion passed unanimously.

Motion 2024:03:16 (Attachment 2)

Ms. McGuckin moved, seconded by Mr. Van Meter to accept and remake the 2 Provisional ballots (App #'s: 29,33) that were cast in the wrong precinct but right polling location as presented by Director Quivey. Motion passed unanimously.

Motion 2024:03:17 (Attachment 2)

Mrs. Carpenter-Colvin moved, seconded by Mr. Van Meter to reject and not count the 5 Provisional ballots (App #'s: 35,49,45,53,52) that were not registered anywhere in the State of Ohio as presented by Director Quivey. Motion passed unanimously.

Motion 2024:03:18 (Attachment 2)

Mr. Van Meter moved, seconded by Ms. McGuckin to reject and not count 1 provisional ballot (App #20) and refer the voter to the Prosecutors Office for double voting. The voter requested and returned an absentee ballot from Clermont County. The absentee ballot was counted. Then the voter voted a provisional ballot at the polling location on Election Day in Athens County as presented by Director Quivey. Motion passed unanimously.

Motion 2024:03:19 (Attachment 2)

Mrs. Carpenter-Colvin moved, seconded by Ms. McGuckin to reject and not count 1 provisional ballot (App # 43) and refer to the voter to the Prosecutors Office for double voting. The voter requested and returned an absentee ballot in the office on 03/05/2024. The absentee ballot was counted. Then the voter voted a provisional ballot at the polling location on Election Day in Athens County as presented by Director Quivey. Motion passed unanimously.

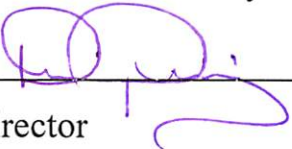
Motion 2024:03:20 (Attachment 2)

Mr. Van Meter moved, seconded by Mrs. Carpenter-Colvin to reject, not count 1 provisional ballot (App #64) and refer to the Prosecutors Office for double voting. The voter voted a provisional ballot in our office on 02/27/2024. The provisional ballot was counted. Then the voter voted a provisional ballot at the polling location on Election Day in Athens County as presented by Director Quivey. Motion passed unanimously.

The Board drew precincts for the Audit scheduled for April 5<sup>th</sup>, 2024. The precincts drawn were Athens 2-3, Athens 3-3, Athens 3-4, Nelsonville 1 and Nelsonville 3. These precincts will give 5.66% of the voter turnout which exceeds the 5% needed to meet the requirement for the audit.

Motion 2024:03:21

Ms. McGuckin moved, seconded by Mrs. Carpenter-Colvin to adjourn. Motion passed unanimously.

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Chair

Expenses Paid Between February 22, 2024 and March 27, 2024

|                                |   |             |
|--------------------------------|---|-------------|
| County Workers                 | Pollworker Pay                                    | \$25,301.45 |
| Poll Workers                   | Pollworker Pay                                    | \$42,208.71 |
| Shred-it                       | Records Purge                                     | \$1,300.66  |
| Charter Communications         | Monthly Cable                                     | \$99.25     |
| Triad Governmental Systems     | Remote Ballot Marking Conversion - 24 Primary     | \$1,274.00  |
| Election Systems & Software    | Re-Programming & L & A Testing                    | \$3,950.00  |
| Glacier Mountain Bottled Water | Monthly Water                                     | \$21.50     |
| Election Systems & Software    | Test Ballots                                      | \$361.12    |
| Election Systems & Software    | Test Ballots- Reprint                             | \$366.70    |
| Triad Governmental Systems     | Remote Ballot Marking Conversion - Reissued Check | \$1,057.00  |
| ADT Commercial                 | Monthly Access Control                            | \$153.74    |
| Triad Governmental Systems     | Drop Box Recording - 24 Primary                   | \$1,200.00  |
| HVB Cardmember Services        | Monthly Security                                  | \$64.47     |
| Athens County Sheriff          | Deputies for Election Security                    | \$600.00    |
| Ohio University                | Truck & Labor Rental                              | \$3,828.00  |
| The Dairy Barn                 | Location Rental                                   | \$300.00    |
| Charter Communications         | Monthly Cable                                     | \$108.50    |
| Lowe's                         | Supplies for Cabinets                             | \$35.63     |
| Amazon                         | Super Glue & Door Mat                             | \$70.84     |
| Amazon                         | Staples & Cable Ties                              | \$35.76     |
| Quill                          | Sticky Notes, Pens, Highlighters                  | \$165.89    |
| Debra Quivey                   | Parking Cards for Temp Workers                    | \$90.00     |
| Debra Quivey                   | Parking Cards for Temp Workers                    | \$90.00     |
| Debra Quivey                   | Parking Cards for Temp Workers                    | \$530.00    |
| Hocking Valley Bank            | Food for Extra Work Days                          | \$226.95    |
| APG Media                      | Voter Registration Ad - A Messenger               | \$1,618.75  |

|                             |  |             |
|-----------------------------|--|-------------|
| Election Systems & Software | Election Day and Provisional Ballots         | \$16,998.72 |
| Triad Governmental Systems  | Backup Signature Lists - Re-issued Check     | \$415.28    |
| Triad Governmental Systems  | Backup Signature Lists - 24 Primary          | \$421.48    |
| Carol A. Perry              | Travel to NH to Pickup Absentee Applications | \$46.90     |
| City Of Athens              | 2nd Quarter Parking                          | \$900.00    |

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**Total \$103,841.30**

**Attachment 2 - Motions 2024:03:12 through 2024:03:20**

**For ATHENS COUNTY OHIO  
Election: 03/19/24 - PRIMARY**

**For Status: Pending Review**

|   | <b>Application #</b> | <b>Voted Precinct</b> |          |
|---|----------------------|-----------------------|----------|
|   | 1 7                  | ATHENS 4-4            |          |
| <b>Total For Status: Pending Review</b> |                      |                       | <b>1</b> |

For ATHENS COUNTY OHIO  
Election: 03/19/24 - PRIMARY

For Status: Rejected - Missing Or Incorrect Date Of **BIRTH**

| Application # | Voted Precinct |
|---------------|----------------|
| 2 25          | NELSONVILLE 1  |

Total For Status: Rejected - Missing Or Incorrect Date Of 1



## Mandatory Step-by-Step Process for Examining Provisional Ballots

Due to recent changes in law governing provisional ballots, boards must follow the step-by-step instructions below for examining provisional ballots to determine the eligibility of a provisional ballot to be counted. These instructions are an addendum to Directive 2024-03 for the March 19, 2024 Primary Election Canvass. The process outlined below is also found in Chapter 8, Section 8.04 of the Election Official Manual.

### **Step 1: Determine whether the affirmation statement on the provisional ballot envelope contains each of the following five items:**

1. Voter's printed name;
  2. Voter's valid signature;
  3. **Voter's date of birth;\***
  4. Voter's current address; and
  5. Voter's statement that they have shown photo identification to the election official.\*
- If the affirmation statement contains all five of the required items, proceed to Step 2.
  - With two exceptions below, if the affirmation statement does not contain all five of the required items, the board must reject the provisional ballot.

**\*Exception 1:** If the affirmation statement contains the voter's date of birth but the month and day are different from the month and day in the Statewide Voter Registration Database, the board must reject the provisional ballot unless: 1) the voter's date of birth in the database is 1/1/8000 or 2) the board of elections finds by a vote of at least three of its members that the voter has met all of the other requirements of R.C. 3505.183(B)(3). If the ballot falls into this exception, proceed to Step 2.

**\*Exception 2:** If the voter did not provide photo identification as marked in Section 5 of the Provisional Ballot Affirmation but completed an affidavit of religious objection (Form 12-O), proceed to Step 3.

### **Step 2: Determine whether the provisional voter provided at least one of the following types of unexpired photo identification:**

1. Driver's license, state ID card, or interim ID form issued by the Ohio Bureau of Motor Vehicles (*Please note that the voter must also write in the full driver's license or state ID card number on the Provisional Ballot Affirmation, Section 5, in addition to showing the photo identification, if any of these identification types are used*);
2. Passport or passport card; or
3. U.S. military ID card; Ohio National Guard ID card; or U.S. Department of Veterans Affairs ID card.

### **Mandatory Step-by-Step Process for Examining Provisional Ballots**

- If the voter indicated on the affirmation statement that they showed the precinct election official one of the acceptable forms of photo identification, and documents that fact on the *Provisional Ballot Affirmation*, proceed to Step 4.
- If the voter provided a driver's license or state ID card number, and the combination of letters and numbers provided is identical to the number that is contained in the Statewide Voter Registration Database, proceed to Step 4.
- If the voter provided a driver's license or state ID card number, and the combination of letters and numbers) provided is different from what is contained in the Statewide Voter Registration Database, the board must reject the provisional ballot.
- If the voter did not provide photo identification per the *Provisional Ballot Affirmation, Section 5*, but completed the *Registration Update*, the board shall update the voter's registration, but shall reject the provisional ballot.

*\*Exception for Disabled/Confined Provisional Voter:* If a disabled/confined voter with an unreported change of address or name casts a provisional ballot pursuant to R.C. 3503.16(G), they are subject to the same ID requirements as a voter who casts an absentee ballot by mail. Therefore, if the voter provides a form of ID under either Section 5 or 6 of the Provisional Ballot Affirmation, the ballot may be eligible for counting. Proceed to Step 4.

- If the voter did not provide valid photo identification per the *Provisional Ballot Affirmation, Section 5*, but returned to the board of elections within four days after the election and provided valid photo identification, proceed to Step 4.
- If the voter did not provide photo identification per the *Provisional Ballot Affirmation, Section 5*, and did not return to the board within the four days after the election to remedy the missing item, the board must reject the provisional ballot.

### **Step 3: Religious Objection Exception to Photo Identification Requirement**

- If a voter does not have photo identification because of a religious objection to being photographed, the precinct election official or board staff must provide the voter an affidavit of religious objection (Form 12-Q). This can occur either when the voter casts the provisional ballot or at the office of the board, no later than the fourth day after Election Day (Saturday, March 23, 2024). Election officials must attach this affidavit to the provisional ballot affirmation.
- If the last four digits of the voter's social security number, as provided on the affidavit, do not match those digits in the Statewide Voter Registration Database, the affidavit of religious objection is invalid, and the board must reject the provisional ballot.
- If the voter has not been issued a social security number, the voter must indicate "none" on the line for last four digits of the social security number. If the voter does not have a social security number, none will appear in the statewide voter registration system, and the affidavit is still valid.

not have a social security number, none will appear in the statewide voter registration system, and the affidavit is still valid.

- The board must transmit information from the completed affidavit of religious objection to the Secretary's Office no later than the close of business on the fourth day after Election Day.
- The Secretary's Office reviews records from the Bureau of Motor Vehicles' ("BMV's") database to determine whether the BMV issued an unexpired photo ID to that voter.
- The Secretary of State will notify the board of the results no later than the seventh day after Election Day.
- If the Secretary of State determines that the BMV has issued an unexpired photo ID to the voter, the affidavit of religious objection is invalid, and the board must reject the provisional ballot.<sup>43</sup>
- If the Secretary of State determines that the BMV has not issued an unexpired photo ID, the affidavit of religious objection is valid and the board must proceed to Step 4.

**Step 4: Determine whether the board can verify the identity of the voter based on the information provided on the provisional ballot affirmation or provided by the voter within the four-day period.**

If the board can verify the identity of the voter based upon the information provided on the provisional ballot affirmation and/or provided by the voter within four days of the election, proceed to Step 5. Otherwise, the board must reject the provisional ballot.<sup>44</sup>

**Important:** To verify identity, the board must: 1) conduct at least one "wildcard" search of voter query, by placing the % sign after a partial name (i.e., "Jeff%" to return "Jeffrey"); 2) conduct a voter query of the Statewide Voter Registration Database using 'Search by Driver License Number'; and 3) conduct at least one voter query of the Statewide Voter Registration Database by entering as much or as little information as is available using 'Search by Name.' Once a board has successfully identified a voter with one search, it is not necessary to conduct additional queries.

<sup>43</sup> R.C. 3505.19(D)(2).

<sup>44</sup> *State ex rel. Skaggs v. Brunner*(2008), 120 Ohio St.3d 506.

For ATHENS COUNTY OHIO  
Election: 03/19/24 - PRIMARY

For Status: Rejected - Failed To Provide The Current **ADDRESS**

| Application # | Voted Precinct |
|---------------|----------------|
| 1 18          | ATHENS 1-4     |

MISC WORKER

Total For Status: Rejected - Failed To Provide The Current 1

## Mandatory Step-by-Step Process for Examining Provisional Ballots

*Due to recent changes in law governing provisional ballots, boards must follow the step-by-step instructions below for examining provisional ballots to determine the eligibility of a provisional ballot to be counted. These instructions are an addendum to Directive 2024-03 for the March 19, 2024 Primary Election Canvass. The process outlined below is also found in Chapter 8, Section 8.04 of the Election Official Manual.*

### **Step 1: Determine whether the affirmation statement on the provisional ballot envelope contains each of the following five items:**

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1. Voter's printed name;
  2. Voter's valid signature;
  3. Voter's date of birth;\*
  4. ~~Voter's current address~~ and
  5. Voter's statement that they have shown photo identification to the election official.\*
- If the affirmation statement contains all five of the required items, proceed to Step 2.
  - With two exceptions below, if the affirmation statement does not contain all five of the required items, the board must reject the provisional ballot.

**\*Exception 1:** If the affirmation statement contains the voter's date of birth but the month and day are different from the month and day in the Statewide Voter Registration Database, the board must reject the provisional ballot unless: 1) the voter's date of birth in the database is 1/1/1800; or 2) the board of elections finds by a vote of at least three of its members that the voter has met all of the other requirements of R.C. 3505.183(B)(3). If the ballot falls into this exception, proceed to Step 2.

**\*Exception 2:** If the voter did not provide photo identification as marked in Section 5 of the Provisional Ballot Affirmation but completed an affidavit of religious objection (Form 12-O), proceed to Step 3.

### **Step 2: Determine whether the provisional voter provided at least one of the following types of unexpired photo identification:**

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1. Driver's license, state ID card, or interim ID form issued by the Ohio Bureau of Motor Vehicles (*Please note that the voter must also write in the full driver's license or state ID card number on the Provisional Ballot Affirmation, Section 5, in addition to showing the photo identification, if any of these identification types are used*);
2. Passport or passport card; or
3. U.S. military ID card; Ohio National Guard ID card; or U.S. Department of Veterans Affairs ID card.

**For ATHENS COUNTY OHIO  
Election: 03/19/24 - PRIMARY**

**For Status: Rejected - Failed To Provide Id**

|   | Application # | Voted Precinct |
|---|---------------|----------------|
| 1 | 62            | ATHENS 1-1     |
| 2 | 59            | ATHENS 1-1     |
| 3 | 63            | ATHENS 2-5     |
| 4 | 58            | ALEXANDER EAST |
| 5 | 61            | PLAINS 2       |
| 6 | 57            | ALBANY VILLAGE |
| 7 | 60            | LEE TOWNSHIP   |

**Total For Status: Rejected - Failed To Provide Id 7**

- With two exceptions below, if the affirmation statement does not contain all five of the required items, the board must reject the provisional ballot.<sup>35</sup>

\* **Exception 1:** If the affirmation statement contains the voter's date of birth but the month and day are different from the month and day in the Statewide Voter Registration Database, the board must reject the provisional ballot unless: 1) the voter's date of birth in the database is 1/1/1800,<sup>36</sup> or 2) the board of elections finds by a vote of at least three of its members that the voter has met all of the other requirements of RC 3505.183(B)(3).<sup>37</sup> If the ballot falls into this exception, proceed to Step 2.

\* **Exception 2:** If the voter did not provide photo identification as marked in Section 5 of the Provisional Ballot Affirmation but completed an affidavit of religious objection (Form 12-O),<sup>38</sup> proceed to Step 3.

**~~Step 2: Determine whether the provisional voter provided at least one of the following types of unexpired photo identification:<sup>39</sup>~~**

1. Driver's license, state ID card, or interim ID form issued by the Ohio Bureau of Motor Vehicles. (Please note that the voter must also write in the full driver's license or state ID card number on the Provisional Ballot Affirmation, Section 5, in addition to showing the photo identification, if any of these identification types are used);
  2. Passport or passport card; or
  3. U.S. military ID card; Ohio National Guard ID card; or U.S. Department of Veterans Affairs ID card.
- If the voter indicated on the affirmation statement that they showed the precinct election official one of the acceptable forms of photo identification, and documents that fact on the *Provisional Ballot Affirmation*, proceed to Step 4.
  - If the voter provided a driver's license or state ID card number, and the combination of letters and numbers provided is identical to the number that is contained in the Statewide Voter Registration Database, proceed to Step 4.

<sup>35</sup> R.C. 3505.183(B)(4)(a)(ii).

<sup>36</sup> R.C. 3505.183(B)(3)(e)(ii).

<sup>37</sup> R.C. 3505.183(B)(3)(e)(ii).

<sup>38</sup> R.C. 3505.183(B)(3)(e)(ii) and 3505.19.

<sup>39</sup> R.C. 3505.183(B)(3)(e)(ii) and R.C. 3501.01(AA)(1).

- If the voter provided a driver's license or state ID card number, and the combination of letters and numbers provided is different from what is contained in the Statewide Voter Registration Database, the board must reject the provisional ballot.<sup>40</sup>

- ~~If the voter did not provide photo identification per the Provisional Ballot Affirmation, Section 5, but completed the Registration Update, the board shall update the voter's registration, but shall reject the provisional ballot.~~

**\*Exception for Disabled/Confined Provisional Voter:** If a disabled/confined voter with an unreported change of address or name casts a provisional ballot pursuant to R.C. 3503.16(G), they are subject to the same ID requirements as a voter who casts an absentee ballot by mail. Therefore, if the voter provides a form of ID under either Section 5 or 6 of the Provisional Ballot Affirmation, the ballot may be eligible for counting. Proceed to Step 4.

- If the voter did not provide valid photo identification per the *Provisional Ballot Affirmation, Section 5*, but returned to the board of elections within four days after the election and provided valid photo identification, proceed to Step 4.
- If the voter did not provide photo identification per the *Provisional Ballot Affirmation, Section 5*, and did not return to the board within the four days after the election to remedy the missing item, the board must reject the provisional ballot.<sup>41</sup>

### Step 3: Religious Objection Exception to Photo Identification Requirement

- If a voter does not have photo identification because of a religious objection to being photographed, the precinct election official or board staff must provide the voter an affidavit of religious objection (Form 12-Q). This can occur either when the voter casts the provisional ballot or at the office of the board, no later than the fourth day after Election Day. Election officials must attach this affidavit to the provisional ballot affirmation.
- If the last four digits of the voter's social security number, as provided on the affidavit, do not match those digits in the Statewide Voter Registration Database, the affidavit of religious objection is invalid, and the board must reject the provisional ballot.<sup>42</sup>
- If the voter has not been issued a social security number, the voter must indicate "none" on the line for last four digits of the social security number. If the voter does

<sup>40</sup> R.C. 3505.183(B)(4)(a)(viii).

<sup>41</sup> R.C. 3505.183(B)(4)(i).

<sup>42</sup> R.C. 3505.18(D)(1).



For ATHENS COUNTY OHIO  
Election: 03/19/24 - PRIMARY

For Status: Accept Partial Ballot - Correct Poll/wro **WRONG PRECINCT**

|   | Application # | Voted Precinct |                |
|---|---------------|----------------|----------------|
| 14  | 29            | NELSONVILLE 4  | NELSONVILLE 3  |
| 15  | 33            | ALEXANDER WEST | ALBANY VILLAGE |
| <b>Total For Status: Accept Partial Ballot - Correct Poll/wro</b> |               | <b>2</b>       |                |

**Step 5: Determine whether the voter is a registered voter anywhere in the State of Ohio at least 30 days before the election.**

If the voter was registered to vote anywhere in the State of Ohio at least 30 days before the election, proceed to Step 6. Otherwise, the board must reject the provisional ballot.

**Important:** As noted in Chapter 8, Section 8.06 of the Election Official Manual, the "APRI Exception" for unregistered voters was in effect only through December 31, 2022. The APRI Exception no longer applies to provisional voters whose registration was cancelled pursuant to the Supplemental Process.

**Step 6: Determine whether the voter is a resident of the county and precinct in which the voter offers to vote.<sup>45</sup>**

- If the voter is a resident of the county and precinct in which the provisional ballot was cast, proceed to Step 7.
- If the voter moved and provided a new address within the precinct on the affirmation statement, then the voter is considered a resident of the new precinct, and the board must proceed to Step 7.
- If the voter cast the provisional ballot in the wrong precinct, but in the correct polling location, including the board of elections office, and a precinct election official did not complete and attach Form 12-D to the provisional ballot envelope, the board must remake and count the provisional ballot for only those contests for which the voter was otherwise eligible to vote.<sup>46</sup>
- ~~If the voter cast the provisional ballot in the wrong precinct, but in the correct polling location, including the board of elections office, and a precinct election official did complete and attach Form 12-D, but the board verified that the precinct to which the precinct election official directed the voter was the incorrect precinct, the board must remake and count the provisional ballot for only those contests for which the voter was otherwise eligible to vote.~~
- If the voter cast the provisional ballot in the wrong precinct, but in the correct polling location, including the board of elections office, and 1) a precinct election official completed Form 12-D and 2) the board verified that the precinct to which the

<sup>45</sup> R.C. 3509.01(A).

<sup>46</sup> R.C. 3505.183(D)(1).

**For ATHENS COUNTY OHIO  
Election: 03/19/24 - PRIMARY**

**For Status: Rejected - Not Registered In State**

|   | Application # | Voted Precinct |                |
|---|---------------|----------------|----------------|
| 16  | 35            | ALBANY VILLAGE | ALEXANDER EAST |
| 17  | 49            | LODI TOWNSHIP  | ALEXANDER EAST |
| 18  | 45            | ROME TOWNSHIP  |                |
| 19  | 53            | TROY EAST      |                |
| 20  | 52            | TROY EAST      |                |
| <b>Total For Status: Rejected - Not Registered In State</b> |               |                | <b>5</b>       |

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**Step 5: Determine whether the voter is a registered voter anywhere in the State of Ohio at least 30 days before the election.**

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If the voter was registered to vote anywhere in the State of Ohio at least 30 days before the election, proceed to Step 6. Otherwise, the board must reject the provisional ballot.

**Important:** As noted in Chapter 8, Section 8.06 of the Election Official Manual, the "APRI Exception" for unregistered voters was in effect only through December 31, 2022. The APRI Exception no longer applies to provisional voters whose registration was cancelled pursuant to the Supplemental Process.

**Step 6: Determine whether the voter is a resident of the county and precinct in which the voter offers to vote.<sup>45</sup>**

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- If the voter is a resident of the county and precinct in which the provisional ballot was cast, proceed to Step 7.
- If the voter moved and provided a new address within the precinct on the affirmation statement, then the voter is considered a resident of the new precinct, and the board must proceed to Step 7.
- If the voter cast the provisional ballot in the wrong precinct, but in the correct polling location, including the board of elections office, and a precinct election official did not complete and attach Form 12-D to the provisional ballot envelope, the board must remake and count the provisional ballot for only those contests for which the voter was otherwise eligible to vote.<sup>46</sup>
- If the voter cast the provisional ballot in the wrong precinct, but in the correct polling location, including the board of elections office, and a precinct election official did complete and attach Form 12-D, but the board verified that the precinct to which the precinct election official directed the voter was the incorrect precinct, the board must remake and count the provisional ballot for only those contests for which the voter was otherwise eligible to vote.
- If the voter cast the provisional ballot in the wrong precinct, but in the correct polling location, including the board of elections office, and 1) a precinct election official completed Form 12-D and 2) the board verified that the precinct to which the

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<sup>45</sup> R.C. 3503.01(A).

<sup>46</sup> R.C. 3505.183(D)(1).

**For ATHENS COUNTY OHIO  
Election: 03/19/24 - PRIMARY**

**For Status: Rejected - Voter Already Voted**

|   | Application # | Voted Precinct    |
|---|---------------|-------------------|
| 3 | 20            | ATHENS 2-1        |
| 4 | 64            | PLAINS 1          |
| 5 | 43            | CARTHAGE TOWNSHIP |

**Total For Status: Rejected - Voter Already Voted**

precinct election official directed the voter was the correct precinct, the board must reject the provisional ballot.<sup>47</sup>

- If the voter cast the provisional ballot in the wrong precinct and wrong polling location, the board must reject the provisional ballot.<sup>48</sup>

**Step 7: Determine whether the voter already requested and cast a ballot in the election.**

- If the voter has not cast another ballot, count the provisional ballot
- If the voter has requested and cast an absentee ballot, and neither of the following exceptions apply, the board must reject the provisional ballot.

**Exception 1:** The board of elections shall count the provisional ballot instead of the absentee ballot if the board determines that the absentee ballot is invalid because the elector's signature on the absentee voter's identification envelope does not match the signature on file with the board of elections.<sup>49</sup>

**Exception 2:** The board of elections shall count the provisional ballot instead of the absentee ballot if the board does not receive the voter's absentee ballot by the fourth day following the election.<sup>50</sup>

## Section 8.05 Registering to Vote / Updating Address from Affirmation

A board cannot count a provisional ballot cast by an individual who is not registered to vote in Ohio by the voter registration deadline for that election. However, a completed Provisional Ballot Affirmation Statement (envelope) also serves as a voter registration form, change of address, and/or change of name form. Even if the provisional ballot envelope is not opened and the ballot counted, the board must use the information on the application to enter the person as a new registered voter or to update the voter's address and/or name.

If the board needs information in addition to that provided on the Provisional Ballot Affirmation Statement in order to register the individual to vote, the board must contact the individual and request the information needed.

<sup>47</sup> R.C. 3505.183(D)(1).

<sup>48</sup> R.C. 3505.183(D)(3).

<sup>49</sup> R.C. 3509.09(C)(2).

<sup>50</sup> R.C. 3509.09(C)(3).