

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DISTRICT**

MICHAEL GONIDAKIS, ET AL.,

PLAINTIFFS,

AND

THE HONORABLE REVEREND  
KENNETH L. SIMON, ET AL.,

INTERVENOR-PLAINTIFFS,

VS.

GOVERNOR MIKE DEWINE,  
GOVERNOR AND MEMBER OF THE  
OHIO REDISTRICTING COMMISSION,  
ET AL.,

DEFENDANTS.

**CASE NO. 2:22-CV-00773**

CHIEF JUDGE ALGENON L. MARBLEY

JUDGE AMUL R. THAPAR

JUDGE BENJAMIN J. BEATON

**INTERVENOR-DEFENDANTS HUFFMAN AND CUPP'S MEMORANDUM IN  
OPPOSITION TO SIMON INTERVENOR-PLAINTIFFS' MOTION TO STAY  
PENDING APPEAL**

Intervenor-Defendants Senate President Matt Huffman and Speaker Robert R. Cupp ("Legislative Defendants") file this Memorandum in Opposition to Intervenor-Plaintiffs' Kenneth L. Simon, Lewis Macklin, and Helen Youngblood's (collectively, "Simon Intervenors") Motion to Stay Pending Appeal the Court's orders at D.E. 201 and 205 and for Shortened Response Time (D.E. 207 ("Motion to Stay" or "Motion")). For the reasons stated below, the Simon Intervenors' Motion should be denied.

### **PROCEDURAL BACKGROUND**

On February 18, 2022, Plaintiffs initiated this action seeking relief under the Fourteenth Amendment of the United States Constitution and requesting that the Court adopt an interim general assembly redistricting plan for the State of Ohio to be used solely for elections in 2022. Plaintiffs filed this action because the Ohio Redistricting Commission (“Commission”) was unable to adopt a general assembly plan that would receive the approval of a majority of the members of the Ohio Supreme Court.

On March 29, 2022, the Simon Intervenors filed their Motions for Temporary Restraining Order, Preliminary Injunction, Partial Summary Judgment and for Immediate Appointment of Special Master (D.E. 141).<sup>1</sup> Subsequently, on April 1, 2022, the Simon Intervenors filed a Second Motion for Temporary Restraining Order, Preliminary Injunction, and Partial Summary Judgment (D.E. 147).

On April 12, 2022, the Court entered an Order (D.E. 185) denying the Simon Intervenors’ Second Motion for a Temporary Restraining order (D.E. 147).

On April 20, 2022, the Court entered an Order (D.E. 196), granting Plaintiffs’ Second Motion for Preliminary Injunction and Declaratory Relief. In its Order of April 20, 2022, the Court held that it would order Ohio’s primary election for general assembly districts be moved to August 2 under a plan that had been previously adopted by the Commission (“Plan 3”), only for the 2022 election cycle. The Court conditioned its Order by holding that Plan 3 would only be used if the Commission was unable to pass a new general assembly plan on or before May 28, 2022.

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<sup>1</sup> In a hearing the next day on March 30, 2022, counsel for Simon Intervenors effectively admitted that this motion was mooted by the Court that day when he stated that the “emergency and the immediacy and imminence of any harm doesn’t exist” (D.E.150; 241:13-21).

On April 25, 2022, the Simon Intervenors filed their Motion to Alter Judgment or Motion to Amend/Correct the Court's Order of April 20, 2022. (D.E. 197).

On May 12, 2022, the Court entered an Order (D.E. 201) denying the Simon Intervenors' Motion for Temporary Restraining Order, Preliminary Injunction and Summary Judgment (141) as well as the Simon Intervenors' Motion to Alter or Amend the Court's Order of April 20, 2022 (D.E. 197).

On May 24, 2022, the Simon Intervenors filed a pending Motion to Alter the Court's Order of May 12, 2022 (D.E. 201 and 202). The Simon Intervenors contended that their Motion to Alter has been filed pursuant to Rule 59(e), Fed. R. Civ. P. (D.E. 202). Legislative Defendants filed a response opposing this motion on June 14, 2022 (D.E. 210).

On May 27, 2022, the Court entered an Order (D.E. 205), directing the Secretary of State to conduct the 2022 primary elections for the Ohio general assembly pursuant to Plan 3, as had been previously directed by the Court's Order of April 20, 2022 (D.E. 196), assuming that no new general assembly plan was adopted by the Commission on or before midnight on Saturday, May 28, 2022.

Subsequently, no new general assembly plan was adopted by the Commission and the State of Ohio, through the direction of the Secretary of State, is now conducting general assembly primary elections under Plan 3 as ordered by this Court on both April 20, 2022, and May 27, 2022. On June 6, 2022, Simon Intervenors filed a Notice of Appeal, appealing from the Court's May 12, 2022 Order (D.E. 201) denying their Motion for Preliminary Injunction, and to alter or amend the Court's April 20, 2022 Order. (D.E. 206). Later that same day, Simon Intervenors filed the instant Motion to Stay Pending Appeal. (D.E. 207). The Motion and accompanying Memorandum seeks a stay pending appeal of both the court's May 12, and May 27, 2022 Orders (D.E. 201 and D.E.

205). At the outset, Simon Intervenors Notice of Appeal did not appeal the Court's May 27, 2022 Order, and as such there is no "pending appeal" of that order. Because there is no pending appeal of that order, the motion to stay that order is not properly before the Court.

### **STANDARD OF REVIEW**

Under the "traditional" standard for a stay pending appeal, a court considers four factors: "(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies." *Nken v. Holder*, 556 U.S. 418, 426 (2009).

However, in instances such as these where the *Purcell* doctrine is at play, Justice Kavanaugh opined in his concurrence in *Merrill v. Milligan* that the *Purcell* doctrine "might" be overcome if the Plaintiff establishes "at least" that:

(i) the underlying merits are entirely clear-cut in favor of the plaintiff; (ii) the plaintiff would suffer irreparable harm absent the injunction; (iii) the plaintiff has not unduly delayed bringing the complaint to court; and (iv) the changes in question are at least feasible before the election without significant cost, confusion, or hardship. *Merrill*, 142 S.Ct. at 881.

Under either standard of review, Simon Intervenor's fail to meet their burden.

### **ARGUMENT**

#### **1. Simon Intervenors are Unlikely to Succeed.**

Far from being able to show that the underlying merits are "entirely clear-cut" in their favor, Simon Intervenors fail to even meet the lessor burden articulated in *Nken* of making a "strong showing" that they are likely to succeed on the merits. In fact, it is doubtful that Simon Intervenors even have a *viable* claim, much less a successful one. Simon Intervenors first argue that binding Supreme Court precedent in *Thornburg v. Gingles* does not apply to their claim, but

then argue that if *Gingles* does apply that they “can” satisfy *Gingles*, not that they *do* satisfy *Gingles*, 106 S. Ct. 2752 (1986). This entirely ignores that, by Simon Intervenors own admission, the burden of proof of “apportionment invalidity” rests on their shoulders. Motion at p. 6 *quoting* *Quilter v. Voinovich*, 507 US. 146 (1993). In fact, Simon Intervenors cite to only one case in support of the idea that they are bringing a nomination claim, and that their underlying claim is successful: *Armour v. Ohio*, 775 F. Supp. 1044 (N.D. Ohio 1991). But, it is exceedingly unlikely that the majority opinion in *Armour* is even good law.

In *Armour* the Plaintiffs brought claims under the VRA and the Fifteenth Amendment challenging two Ohio house districts drawn after the 1980 census. *Id.* at 1047-48. The *Armour* defendants urged the court to apply the *Gingles* pre-conditions to the challenge to these single member districts. But, in relevant part, the *Armour* court declined to apply the *Gingles* pre-conditions because they could “not conclude that the [Supreme] Court intended the *Gingles* pre-conditions for challenges to multi-member districting schemes to apply to all Section 2 challenges.” *Id.* at 1052. The *Armour* majority also held that plaintiffs did not need to constitute a majority of a reconfigured district thereby effectively holding “that there is a cause of action under Section 2 when political boundaries are drawn so that they fail to maximize a minority group’s ability to influence the outcome of elections” *Id.* at 1079 (Batchelder, J. dissenting.)

Therefore it is clear that *Armour* does not accurately reflect today’s law on either dispositive point. In the 30 years since the *Armour* majority issued its opinion, the Supreme Court has definitively held that (1) the *Gingles* pre-conditions apply to single member districts; and (2) failure to maximize is not a viable claim, nor are citizens entitled to crossover districts. *See Growe v. Emison*, 113 S. Ct. 1075 (recognizing that the *Gingles* preconditions apply to single member districts); *LULAC v. Perry*, 126 S. Ct. 2594 (2006) (applying *Gingles* preconditions to single

member district challenge); *Abbott v. Perez*, 138 S. Ct. 2305 (2018) (same); *Brnovich v. Democratic National Committee*, 141 S. Ct. 2321 n. 5 (collecting cases). *See also Shaw v. Hunt*, 116 S. Ct. 1894 1898 (1996) (rejecting the maximization theory); *Wis. Legis. v. Wis. Elections Comm’n*, 142 S. Ct. 1245, 1249 (2022) (noting that the Supreme Court has “expressly rejected” the majority-minority district maximization theory); *Johnson v. De Grandy*, 114 S. Ct. 2647, 2660 (1994) (“failure to maximize cannot be the measure of § 2”); *Bartlett v. Strickland*, 556 U.S. 2, 14-18 (2009).

Therefore, in order to show that they are likely to succeed Simon Intervenors must meet the three threshold *Gingles* conditions that:

(1) A minority group must be sufficiently large and geographically compact to constitute a majority in some reasonably configured legislative district, (2) the minority group must be politically cohesive and (3) a district's white majority must vote[ ] sufficiently as a bloc to usually defeat the minority's preferred candidate.

*Cooper v. Harris*, 137 S. Ct. 1455, 1460 (2017) citing *Gingles*, 106 S.Ct. at 2766. (internal quotations omitted).

Simon Intervenors have offered no evidence to satisfy *any* of these conditions. This is despite Simon Intervenors’ admission in their motion that “the procedure mandated by *Gingles*” requires them to “engage [sic] an intensely localized and practical evaluation of the past political reality in the Mahoning Valley” and that such an evaluation involves an “analysis of race to assess numerosity and polarization preconditions.” (Motion at 6). Yet, Simon Intervenors offer no such analysis.<sup>2</sup> This fact alone dooms Simon Intervenors ability to succeed.

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<sup>2</sup> Simon Intervenors’ claim that somehow the Ohio Redistricting Commission’s rules prevent them from complying with *Gingles* is nonsensical. For starters, Simon Intervenors cite to a “Rule 9” but the Rule 9 of the Ohio Redistricting Commission Rules does not govern racial data (Exhibit 1; <https://redistricting.ohio.gov/assets/organizations/redistricting-commission/events/commission-meeting-august-31-2021-16/ohio-redistricting-commission-rules.pdf> ).

## 2. Simon Intervenors Are Not Irreparably Harmed.

Simon Intervenors offer a mere three sentences to explain their alleged irreparable harm, claiming simply that Simon Intervenors should not be forced to vote in an election utilizing districts that violate the VRA (Motion at p. 8). Apart from the fact that there is no evidence whatsoever that any Ohio legislative district is in violation of the VRA, Simon Intervenors argument is over simplified and incorrect given that Ohio is deep into administering the 2022 elections. In instances where the election has already begun and the primary is mere weeks away the Supreme Court has instructed courts that harm is calculated differently:

Under certain circumstances, such as where an impending election is imminent and a State's election machinery is already in progress, equitable considerations might justify a court in withholding the granting of immediately effective relief in a legislative apportionment case, even though the existing apportionment scheme was found invalid. In awarding or withholding immediate relief, a court is entitled to and should consider the proximity of a forthcoming election and the mechanics and complexities of state election laws, and should act and rely upon general equitable principles.

*Reynolds v. Sims*, 377 U.S. 533, 541 (1964). Therefore, even if Simon Intervenors had shown a likelihood of success on the merits (which they have not) considerations such as those articulated in *Reynolds* would bar a court from issuing the relief sought by Simon Intervenors. *See, e.g., Covington v. North Carolina*, 316 F.R.D. 117, 177 (M.D.N.C. 2016), *aff'd* 137 S. Ct. 2211 (2017) (declining to order immediate injunctive relief despite finding that districts were racial

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The rules adopted by the Commission on March 23, 2022, governing the map drawing of Dr. Johnson and Dr. McDonald contain a rule preventing those mapdrawers from using racial data (Exhibit 2; <https://redistricting.ohio.gov/assets/organizations/redistricting-commission/events/commission-meeting-march-24-2022-277/ground-rules-for-map-drawers.pdf>), but there is no rule preventing Simon Intervenors from submitting a map that includes racial data through the Commission's web portal or preventing them from submitting it to this Court.

gerrymanders and in violation of section 2 and allowed the elections “to proceed as scheduled under the challenged plans[.]”).

Indeed, the Supreme Court has frequently cautioned federal courts against overreaching injunctive relief in cases involving state election laws, including redistricting plans. *See, e.g., Upham v. Seamon*, 456 U.S. 37, 44 (1982) (“It is true that we have authorized District Courts to order or to permit elections to be held pursuant to apportionment plans that do not in all respects measure up to the legal requirements, even constitutional requirements . . . Necessity has been the motivating factor in those situations.”) (internal citations omitted); *Grove*, 507 U.S. at 35 (noting that elections must often be held under a legislatively enacted plan in deference to state court action). Moreover, where, as here, there is no alternative districting plan, courts find that neither the balance of the equities nor the public interest are in favor of injunctive relief. *See, e.g., Vera v. Richards*, 861 F. Supp. 1304, 1351 (S.D. Tex. 1994), *aff’d Bush v. Vera*, 517 U.S. 952 (1996) (denying a stay of 1994 and 1996 elections after finding a redistricting plan unconstitutional on September 2, 1994).

Furthermore, Simon Intervenors’ arguments regarding their alleged harm—i.e., that their right to vote will be irreparably harmed—are the same as those made by every VRA plaintiff. If Simon Intervenors’ arguments regarding the equities were effective, then it would “appear to justify” this extraordinary relief “in *every* racial-gerrymandering case” or every VRA case—something the Supreme Court has found to be insufficient to support extraordinary injunctive relief like that sought by the Simon Intervenors here. *North Carolina v. Covington*, 137 S.Ct. 1624, 1626 (2017).

### **3. The Other Parties Will Be Substantially Injured by a Stay, Nor is a Stay in the Public Interest**



When the government is the opposing party, the third and fourth stay factors merge. *Nken*, 129 S. Ct. at 1762. Here it is undisputed that one of the opposing parties is the State's chief election official: Secretary of State LaRose. Simon Intervenors seek a stay of this Court's order, effectively enjoining the election that is set to occur on August 2, 2022, just over a month away. In support of their argument that there is no harm to others and that the public interest is served by the stay, Simon Intervenors offer five conclusory sentences all alleging that no harm can accrue because of the alleged VRA violations, of which they have presented no evidence. Perhaps the reason that Simon Intervenors offer no real arguments on these points, is because the public harm, and harm to other parties in this case is incalculable.

If Simon Intervenors requested relief were granted, voter confusion would be immense, to say the least. And the Court's record is replete with unrebutted testimony that May 28 was the "drop dead" date by which the Secretary of State had to have a plan to administer the constitutionally required election. No one, least of all Simon Intervenors, have provided any contradictory testimony. Much less any evidence that the harm to the people of Ohio in not having this scheduled election is somehow outweighed by Simon Intervenors alleged harm. Furthermore, while election day itself is just over a month away, the election has already begun with the mailing of overseas ballots pursuant to the federal UOCAVA deadline on June 17, 2022.<sup>3</sup> And in-person early voting for the August election begins on July 6, 2022, just 9 days from today.<sup>4</sup> It is simply too late for the Simon Intervenors stay.

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<sup>3</sup> See Exhibit 3- Official Press Release of Secretary of State LaRose  
<https://www.ohiosos.gov/media-center/press-releases/2022/2022-06-17/>

<sup>4</sup> See Exhibit 4- 2022 Elections Calendar  
[https://www.ohiosos.gov/globalassets/publications/election/2022electionscalendar\\_11x17.pdf](https://www.ohiosos.gov/globalassets/publications/election/2022electionscalendar_11x17.pdf)

The United States Supreme Court held in *Purcell v. Gonzalez*, 594 U.S. 1, 4–5 (2006) (*per curiam*), that “[c]ourt orders affecting elections, especially conflicting orders, can themselves result in voter confusion and consequent incentive to remain away from the polls. As an election draws closer, that risk will increase.” In a normal election cycle, “[r]unning elections state-wide is extraordinarily complicated and difficult.” *Merrill v. Milligan*, 142 S. Ct. 879, 880 (2022) (Kavanaugh, J., concurring in grant of applications for stays). Elections officials must navigate “significant logistical challenges” that require “enormous advance preparations.” *Id.* The Supreme Court has consistently admonished courts not to alter state election laws and processes in the period close to an election. *Andino v. Middleton*, 141 S. Ct. 9, 10 (2020) (Kavanaugh, J., concurring in grant of stay application) see also *Milligan*, 142 S. Ct. at 879; *Merrill v. People First of Ala.*, 141 S. Ct. 25 (2020); *Merrill v. People First of Ala.*, 141 S. Ct. 190 (2020); *Clarno v. People Not Politicians*, 141 S. Ct. 206 (2020); *Little v. Reclaim Idaho*, 140 S. Ct. 2616 (2020); *Republican Nat’l Comm. v. Democratic Nat’l Comm.*, 140 S. Ct. 1205 (2020) (*per curiam*); *Democratic Nat’l Comm. v. Wisc. State Legislature*, 141 S. Ct. 28 (2020) (declining to vacate stay); *Benisek v. Lamone*, 138 S. Ct. 1942 (2018) (*per curiam*); *Veasey v. Perry*, 574 U.S. 951 (2014).

Here, where the election is just over a month away, early voting begins in days, and overseas ballots were mailed 10 days ago, the *Purcell* doctrine clearly counsels against issuing any order that would impact Ohio’s impending August election, including the Motion for Stay.

### **CONCLUSION**

The Simon Intervenors’ have utterly failed to demonstrate any likelihood of success on the merits, and have failed to show any harm that could outweigh the immense harm to the public and the parties in this matter if their motion for stay were granted. For the foregoing reasons, Simon Intervenors’ Motion to Stay should be denied.

Respectfully submitted this the 27th day of June, 2022.

/s/ Phillip J. Strach

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### CERTIFICATE OF SERVICE

I hereby certify that on this the 27th of June 2022 the foregoing document was filed via the Court's CM/ECF system which sent notice of the same to all counsel of record in this matter.

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# **Exhibit 1**

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**OHIO REDISTRICTING COMMISSION  
RULES**

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**Rule 01 | Establishing authority.**

(A) Article XI, Section 1 of the Ohio Constitution creates the Ohio Redistricting Commission, which is comprised of seven persons who are responsible for the redistricting of the State of Ohio for the general assembly, and, if necessary, for congress. Such persons, collectively, shall be referred to in these rules as “Members” and, individually, as “Member.”

(B) These rules are adopted in compliance with, and under the authority of, Article XI, Section 1 of the Ohio Constitution.

(C) The rules stated herein, as supplemented by Robert’s Rules of Order, shall be the procedural rules for the operation of the Ohio Redistricting Commission.

**Rule 02 | Notices of meetings and hearings.**

(A) Any person may ascertain the time and place of all regularly scheduled meetings, the time, place, and purpose of all specially scheduled meetings, and the time and place of public hearings of the Ohio Redistricting Commission through one of the following methods:

(1) Consulting the website of the Ohio Redistricting Commission at:

[www.redistricting.ohio.gov](http://www.redistricting.ohio.gov)

(2) Consulting the public bulletin boards located outside of the chambers of the Ohio House of Representatives and the Ohio Senate on the second floor of the Ohio Statehouse, Columbus, Ohio 43215.

(3) By calling a toll-free phone number with a pre-recorded message stating the date, time, and location of upcoming meetings of the Commission.

(4) Requesting electronic notice of all meetings of the Ohio Redistricting Commission. The Co-Chairs’ designated staff shall jointly maintain a list of all persons who have requested such notification. A request for such notification shall:

(a) Contain the name of the person making the request and an email address to which electronic notice should be sent;

(b) Be sent in writing by electronic mail to: [meetings@redistricting.ohio.gov](mailto:meetings@redistricting.ohio.gov)

(c) Be received by start of business the day of any regularly scheduled meeting, specially scheduled meeting, or public hearing.

(B) In the event of a regularly scheduled meeting, specially scheduled meeting not of an emergency nature, or public hearing, the Co-Chairs' designated staff shall provide notice of such meeting or hearing by providing the notice described in paragraph (A)(1), (A)(2), (A)(3), or (A)(4) of this rule not later than twenty-four hours prior to the meeting or hearing. In the event of a special meeting of an emergency nature, the Co-Chairs' designated staff shall provide notice of such meeting by providing the notice described in paragraph (A)(1), (A)(2), (A)(3), or (A)(4) of this rule. In such event, however, the notice need not be given twenty-four hours prior to the meeting, but shall be given immediately upon the scheduling of such meeting.

### **Rule 03 | Open meetings.**

All meetings and public hearings of the Ohio Redistricting Commission shall be held in accordance with the Sunshine Law, section 121.22 of the Revised Code, as amended. All meetings and public hearings of the Ohio Redistricting Commission shall be broadcast by electronic means of transmission using a medium readily accessible by the general public.

### **Rule 04 | Officers; participation of members; minutes.**

(A) The Ohio Redistricting Commission shall have two Co-Chairs selected by the legislative leaders in the Senate and the House of Representatives of each of the two largest political parties represented in the general assembly, acting jointly by political party to serve.

(B) Each member of the Ohio Redistricting Commission shall be entitled to participate in all voting and debates, regardless of position held on the Commission.

(C) Minutes of each meeting of the Ohio Redistricting Commission shall be maintained by the Co-Chairs' designated staff. Such minutes shall be circulated among the members and adopted by majority vote at a subsequent meeting of the Ohio Redistricting Commission. Transcripts and archived video of meetings of the Ohio Redistricting Commission shall be provided upon request and completion and verification through the Ohio Government Telecommunications Service.

### **Rule 05 | Calling of meetings.**

After the initial meeting of the Ohio Redistricting Commission, at which the Commission is convened, a meeting of the Commission may be called upon twenty-four-hours notice. Such call and notice to each member of the Ohio Redistricting Commission shall be issued jointly by the Co-Chairs, or may be dispensed with if a motion to recess a meeting designates a time certain for continuation of that meeting. However, a meeting may be jointly called by the Co-Chairs, upon proper notice, prior to a previously designated meeting, should the Co-Chairs deem it necessary.

*I. Amendment adopted 6-1 (Russo) on February 17, 2022 appears below:*

After an initial meeting of the Redistricting Commission, any of the three members of the commission may call for a meeting of the Commission. Upon a request by three members of the Commission for a meeting, the Co-Chairs shall promptly provide notice of the meeting pursuant to Rule 2, within twenty-four hours when feasible, at a location determined by the Co-Chairs.

#### **Rule 06 | Quorum.**

A majority of the seven members of the Ohio Redistricting Commission constitutes a quorum. A majority of the Ohio Redistricting Commission is required for any official actions of the Commission, including but not limited to the adoption of a plan of redistricting. All motions before the Ohio Redistricting Commission shall be determined by majority vote and in accordance with Article XI of the Ohio Constitution, and, if necessary, Article XIX of the Ohio Constitution. Members of the Ohio Redistricting Commission or their designees may, from time to time, conduct public hearings referred to in Rule 08, absent a quorum of members.

#### **Rule 07 | Records retention and public records policies.**

(A) Pursuant to section 149.34 of the Revised Code, the Ohio Redistricting Commission shall adopt the Ohio department of administrative services general records retention schedules for general administration records, personnel records, fiscal records, and information technology records.

(B) Pursuant to division (E) of section of 149.43 of the Revised Code, the Ohio Redistricting Commission shall adopt a public records policy.

#### **Rule 08 | Public hearings on the process.**

The Co-Chairs' designated staff shall organize a series of public hearings in locations around the State of Ohio for the Ohio Redistricting Commission's members or their designees to receive public comment and input on the redistricting process. The Co-Chairs' designated staff shall notify the members of the Ohio Redistricting Commission or their designees of the time, date, and location of each public hearing in the manner prescribed in paragraph (A)(1), (A)(2), or (A)(3) of Rule 02 and in no event less than twenty-four hours prior to each public hearing.

The Co-Chairs of the Ohio Redistricting Commission, or their designees, shall preside over these public hearings. Each member of the Ohio Redistricting Commission may designate an individual(s) to represent the member at any or all of these public hearings. Any individual so designated to represent a member of the Ohio Redistricting Commission shall have no voting rights. No official business or action of the Ohio Redistricting Commission shall take place at the public hearings referred to in this rule, except for the receiving of public comment and input or adopting procedural rules for the operation of the Commission; provided that, the Co-Chairs must provide at least twenty-four hours written notice to the Commission members for there to be a vote on adopting procedural rules for the operation of the Commission.

#### **Rule 09 | Redistricting plans.**

Any member of the Ohio Redistricting Commission, person, or organization may submit for the consideration of the Commission a proposed general assembly district plan. Any member of the Ohio Redistricting Commission, person or organization may submit for the consideration of the Commission a congressional redistricting plan.



Redistricting plans submitted to the Ohio Redistricting Commission for consideration should contain visual representations of the proposed boundaries. The Ohio Redistricting Commission's website shall give any person or organization access to necessary Census data.

Redistricting plans submitted by the public to the Ohio Redistricting Commission for consideration shall be submitted on the Commission's website at:

[www.redistricting.ohio.gov](http://www.redistricting.ohio.gov)

or by mailing to:

Ohio Redistricting Commission  
c/o Clerk of the Ohio Senate  
Ohio Statehouse  
Columbus, Ohio 43215

Upon receipt, the Co-Chairs' designated staff shall promptly provide electronic notification of a submitted plan to all the members of the Ohio Redistricting Commission, and cause each submitted plan to be posted on the Commission's website for the public to view.

**Rule 10 | Consideration of redistricting plans; adoption of plan.**

The Redistricting Commission shall hold no less than three hearings on three separate days after the Redistricting Commission introduces a proposed General Assembly district plan pursuant to Ohio Const. Art. XI, § 8(A)(1) but prior to adoption of a final plan.

During the meeting or meetings of the commission, a sponsor of a complete statewide general assembly district plan may personally or through a representative present the substance of their plan to the members of the Redistricting Commission for a period not to exceed ten minutes, unless extended by a majority of the commission. The public may offer testimony or comment not to exceed five minutes total on any redistricting plan before the commission, unless extended by a majority of the commission. The co-chairs of the Ohio Redistricting Commission may limit testimony or comments on plans before the Commission, as the Co-Chairs deem necessary.

Any person wishing to testify on a given plan must provide written notice to the Co-Chairs' designated staff prior to the meeting scheduled to consider the various plans submitted.

Members of the Ohio Redistricting Commission may ask questions of any person testifying on the various redistricting plans before the Commission during the meeting scheduled to consider these plans. Members of the Ohio Redistricting Commission may request testimony from experts during this meeting.

Only members of the Ohio Redistricting Commission may offer amendments to a general assembly district plan or, if necessary, a congressional district plan.

The Co-Chairs of the Ohio Redistricting Commission may offer amendments on behalf of those persons sponsoring redistricting plans who are not members of the Commission.

**Rule 11 | Publication of redistricting plan.**

After a final general assembly district plan is adopted by the Ohio Redistricting Commission in accordance with Article XI of the Ohio Constitution, the Co-Chairs of the Commission shall coordinate with the Governor for the publication of the adopted plan no later than September 30, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission's website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code.

If the Ohio Redistricting Commission adopts a congressional district plan in accordance with Article XIX of the Ohio Constitution, the Co-Chairs of the Commission shall publish the plan no later than November 15, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission's website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code.

**Rule 12 | Reconvening the Redistricting Commission.**

Should further action be necessary pursuant to either Article XI, Section 9 or Article XIX, Section 3 of the Ohio Constitution, the Ohio Redistricting Commission shall reconvene at the joint request of the Co-Chairs subject to this chapter.

# **Exhibit 2**

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**OHIO REDISTRICTING COMMISSION**  
**Ground Rules for Map Drawers – As Adopted on 3.23.2022**

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- 1.) The map drawers shall include the two independent map drawers hired by the Redistricting Commission and Commissioners' staff/contractor map drawers.
- 2.) The independent map drawers shall draft any General Assembly district plan at the direction of the Redistricting Commission and in accordance with the Ohio Constitution and Supreme Court of Ohio's orders.
- 3.) The independent map drawers shall answer to each of the Redistricting Commission members. However, any conflicting direction from the Redistricting Commission members shall be resolved via the mediation process described below. (See Rules 12-16)
- 4.) The independent map drawers shall produce an entirely new general assembly district plan that has not been previously submitted to the Redistricting Commission. The independent map drawers shall not include or consider any general assembly plan proposals or work product produced prior to Wednesday, March 23, 2022 when drafting the entirely new general assembly district plan.
- 5.) The map drawers shall utilize statewide election results and geography from 2016, 2018, and 2020 for the purpose of measuring the partisan lean of individual districts.
- 6.) When considering the election results, Republican votes cast plus Democratic vote casts shall equal 100% of the total vote.
- 7.) Any General Assembly district plan shall be drawn in Maptitude.
- 8.) The independent map drawers shall utilize one computer purchased by the Redistricting Commission to draft any general assembly district plan. Two additional computers may be used for preparation purposes by the independent map makers on site.
- 9.) Racial data will neither be loaded onto the computers nor shall it be utilized by the map drawers in any way.
- 10.) The independent map drawers shall draw a general assembly district plan that conforms with the Ohio Constitution including Article 11, Sections 1, 2, 3, 4, 5, 6, and 7, the Constitution of the United States and applicable federal laws.
- 11.) The independent map drawers shall draw a general assembly district plan that conforms with the opinions of the Ohio Supreme Court and the United States Supreme Court.
- 12.) Should the independent map drawers encounter a disagreement between themselves regarding the application of Art. 11 of the Ohio Constitution and/or the opinions of the Ohio Supreme Court, the issue shall be referred to the full Commission.

- 13.) Should the full Redistricting Commission reach a unanimous consensus, the independent map drawers shall implement the instructions of the full Redistricting Commission.
- 14.) Should the full Redistricting Commission not be able to resolve the issue by unanimous consensus, the issue shall be referred to mediation.
- 15.) Should mediation fail to resolve the issue, the issue shall be presented to the full Redistricting commission for a vote. A majority vote of the Commission shall resolve the issue.
- 16.) The map drawers will then implement the decision of the Commission regarding the disputed issue.
- 17.) Upon adoption of a general assembly district plan the independent map drawers shall complete and file with the Secretary of State, a geographical legal description of each House and Senate district, shape files, equivalency files and county population and filing location for the most populous county in each district, and any applicable Art 11, Sec. 5 Senate assignments in a manner requested by the Secretary of State within ten days.
- 18.) The independent map drawers agree that they have been hired by the Ohio Redistricting Commission, and as such, they owe a duty of fidelity to the Ohio Redistricting Commission. Accordingly, the independent map drawers shall not discuss or communicate with any person, organization, or group – aside from the Ohio Redistricting Commission and the Commission members’ staffs—regarding any aspect of the substance of any redistricting plan. Failure to abide by this requirement may result in the immediate termination of the independent map drawer’s contract along with all available remedial measures caused by the independent map drawer’s breach of their duty of fidelity to the Ohio Redistricting Commission.
- 19.) The meetings of independent map drawers will be held in Room 116 in the Ohio Statehouse. This will be the designated work space for the independent map drawers. No materials shall be taken off site.
- 20.) The Statehouse’s Ohio Government TV will livestream the map making process in Room 116. OGT will stream the map drawers whenever they are working in the room.
- 21.) Commissioners or their designated staff shall have unlimited access to the map drawers, but shall contact both Dr. McDonald and Mr. Johnson simultaneously.
- 22.) The independent map drawers will provide regular progress updates to the Commission at each of the Commission’s scheduled meetings.
- 23.) Commissioners can expect to provide feedback and guidance to the independent map drawers in these meetings in addition to their individual outreach to the independent map drawers as provided in Rule 21.
- 24.) Public access will be only be available in a nearby room where video from the work room will be broadcast.

# **Exhibit 3**

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## MEDIA CENTER



6/17/2022

### LAROSE ANNOUNCES OPENING OF AUGUST 2 PRIMARY ELECTION AS BALLOTS GO OUT TODAY TO MILITARY AND OVERSEAS VOTERS

#### MEDIA CONTACT

Rob Nichols  
RNichols@OhioSoS.gov  
330.760.7582

#### *Voter Registration Deadline is July 5, Early Voting Begins July 6*

Ohio's county boards of elections began distributing primary election ballots today to active duty military and overseas voters, officially opening the August 2 Primary Election for state legislative and party central committee candidates.

The deadline for Ohioans to register to vote is July 5 and early voting begins July 6.

"The August 2nd primary election is now officially underway as today marks the start of voting for overseas and military personnel. While every vote cast in every election is equally important, there's something unique and meaningful about our warriors who defend America's interests on foreign soil being able to easily participate in our election process. They are exercising the very rights they defend and impacting the communities they'll return to," said Ohio Secretary of State Frank LaRose.

"A primary election in August is unusual and certainly unexpected this year, but it's no less important. I encourage the friends and family of Ohioans who are serving or working abroad to remind them to visit [VoteOhio.gov](https://VoteOhio.gov) because it's time for them to cast a ballot."

Recognizing the complexities of voting from overseas, both federal and state law protect the right and ability for uniformed services and overseas U.S. citizens to vote by providing additional and adequate time for them to apply for and cast an absentee ballot. Ballots may be requested by mail, email, or fax, but must be submitted by mail or in person, like any other absentee ballot.

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) and the Military and Overseas Voter Empowerment (MOVE) Act are federal laws ensuring this right in federal elections, while the Ohio General Assembly has incorporated those federal protections into the Ohio Revised Code and extended them to state and local elections.

Due to increased cybersecurity efforts in response to attempted foreign interference in U.S. elections, users in some countries or unsecured locations (i.e. public WiFi, internet cafes) may not be able to immediately access their county or state website. If that occurs, voters are encouraged to visit the Federal Voting Assistance Program website at [FVAP.gov](https://fvap.gov) or call the Ohio Secretary of State's office at 614-466-2585. The Federal Voting Assistance Program is affiliated with the U.S. Department of Defense and ensures all Service members, their eligible family members, and overseas citizens have the tools and resources to exercise their right to vote.

UOCAVA ballots may be returned by U.S. Postal Service, APO/FPO System, diplomatic pouch or another delivery service such as UPS or FedEx, or in person. An absentee ballot delivered in person must arrive at the board office by the close of polls on Election Day. Absentee ballots returned by mail must be submitted for mailing by 12:01 a.m. on Election Day and must arrive at the board of elections office on or before the 10th day after the election.

Ohio voters will find the following races on their August 2 primary ballot:

- Ohio House of Representatives
- Ohio Senate
- Democrat State Central Committee
- Republican State Central Committee
- Local issues and measures impacting their communities

As always, all necessary voting information is available online at the Ohio Secretary of State's Voter Toolkit, [VoteOhio.gov](https://VoteOhio.gov). Once there, Ohio voters can download the Federal Post Card Application (FPCA), check their voter registration status, find their polling location, view their sample ballot and track the status of their absentee ballot.

###

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State of Ohio

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# **Exhibit 4**

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# 2022 OHIO ELECTIONS CALENDAR



2022		Reference
May 31	Secretary of State and boards of elections must send notice to candidates required to file post-primary campaign finance reports (10 days before the post-primary campaign finance report deadline)	<a href="#">R.C. 3517.11</a>
Jun. 03	Boards of elections must certify partisan candidate petitions for general assembly offices and for member of state central committee if the board did <b>not</b> receive a Form 2-ZA addendum from any candidate for general assembly by March 10, 2022	<a href="#">Directive 2022-34</a>
	Boards of elections must schedule a program for instruction of precinct election officials (within 60 days before primary/special election)	<a href="#">R.C. 3501.27</a>
Jun. 06	Protests against partisan candidates for general assembly offices and for member of state central committee must be filed by 4 p.m., if the board certified candidates by June 3, 2022	<a href="#">Directive 2022-34</a>
Jun. 07	General assembly candidates who filed a form 2-ZA addendum by March 10, 2022, may establish residency in a new district and update their voter registration no later than 4 p.m.	<a href="#">Directive 2022-34</a> <a href="#">OH Const. XI, §§9c</a>
Jun. 08	Boards of elections must certify partisan candidate petitions for general assembly offices and for member of state central committee if the board did receive a Form 2-ZA addendum from any candidate for general assembly by March 10, 2022	<a href="#">Directive 2022-34</a>
Jun. 09	Protests against partisan candidates for general assembly offices and for member of state central committee must be filed by 4 p.m., if the board certified candidates after June 3, 2022, but by June 8, 2022	<a href="#">Directive 2022-34</a>
Jun. 10	Protest hearings against partisan candidates for general assembly offices and for member of state central committee must be held and decided	<a href="#">Directive 2022-34</a>
	Post-primary election campaign finance reports must be filed by candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (38 days after primary election) detailing contributions and expenditures through June 3, 2022 (seven days before the report is filed)	<a href="#">R.C. 3517.10</a>
Jun. 15	Boards of elections of most populous county of a district located in more than one county must transmit petitions of independent candidates to other boards of elections	<a href="#">R.C. 3513.262</a>
Jun. 16	Last day for local option petitioners to send street listing to Division of Liquor Control (55 days before August 10 deadline for filing petitions for November 8 general election)	<a href="#">R.C. 4301.33, 4305.14</a>
Jun. 17	UOCAVA absentee ballots for August 2 primary/special election must be ready for use (46 days before primary/special election)	<a href="#">R.C. 3511.04</a>
	Boards of elections must update and publish notices of August 2 primary/special election and provide the notices to federal write-in absentee voters upon request (no later than 46 days before primary/special election)	<a href="#">R.C. 3511.16</a>
Jun. 21	Boards of elections must advertise in newspaper(s) the places, dates, times, qualifications, and methods for voter registration (six weeks before primary/special election)	<a href="#">R.C. 3503.12</a>
Jul. 05*	<b>Deadline for voter registration for August 2 primary/special election (30 days before primary/special election)</b>	<a href="#">R.C. 3503.19</a>
	Last day for local opinion petitioners seeking to sell at a community facility to send street listing to Division of Liquor Control (30 days before August 2, 2022 deadline to file petitions for November 8, 2022 general election)	<a href="#">R.C. 4301.334</a>
	Deadline to file corrections and challenges to precinct voter registration lists (30 days before primary/special election)	<a href="#">R.C. 3503.24</a>
Jul. 06	Non-UOCAVA absentee ballots for August 2 primary/special election must be ready for use (first day after close of voter registration)	<a href="#">R.C. 3509.01</a>
	Early in-person absentee voting begins (first day after close of voter registration)	<a href="#">R.C. 3509.01</a>
	Constitutional amendments or statutes proposed by initiative petitions to be submitted directly to the voters must be filed with Secretary of State (125 days before general election)	<a href="#">OH Const. II, §§1a-1b</a>
Jul. 11	Boards of elections must send notice to general assembly candidates required to file pre-primary campaign finance reports (10 days before the pre-primary campaign finance report deadline)	<a href="#">R.C. 3517.11</a>
Jul. 13	Committees advocating or opposing issues on August 2 primary/special election ballot must file by 4 p.m. to be recognized as a committee to appoint observers (20 days before primary/special election)	<a href="#">R.C. 3505.21</a>
Jul. 15	Boards of elections must certify independent candidate petitions by this date	<a href="#">R.C. 3513.262</a>
Jul. 19	Boards of elections must prepare precinct voter registration lists for primary/special election (14 days before primary/special election)	<a href="#">R.C. 3503.23</a>
	Secretary of State and boards of elections must send notice to candidates required to file semiannual campaign finance reports (10 days before the semiannual campaign finance report deadline)	<a href="#">R.C. 3517.11</a>
Jul. 21	Pre-primary election campaign finance reports must be filed by general assembly candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (12 days before primary election) detailing contributions and expenditures through July 13, 2022 (20 days before primary election)	<a href="#">R.C. 3517.10</a>
Jul. 22	Deadline for political parties, groups of candidates and issue committees to file notice of observer appointments (11 days before primary/special election)	<a href="#">R.C. 3505.21</a>
Jul. 23	Boards of elections must give public notice of August 2 primary/special election (10 days before primary/special election)	<a href="#">R.C. 3501.03</a>
Jul. 29	Semiannual election campaign finance reports must be filed by certain candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (last business day of July) detailing contributions and expenditures through June 30, 2022 (last day of June)	<a href="#">R.C. 3517.10</a>
Jul. 30	Applications for absentee ballots to be mailed for August 2 primary/special election must be received by noon (3 days before primary/special election)	<a href="#">R.C. 3509.03, .08, 3511.02</a>
Jul. 31	Boards of elections must prepare and publish notices of November 8 general election and provide the notices to federal write-in absentee voters upon request (no later than 100 days before the general election)	<a href="#">R.C. 3511.16</a>
Aug. 01	Nominating petitions of independent candidates for general assembly offices must be filed by 4 p.m. (one day before primary election)	<a href="#">Directive 2022-34</a>
	Protests against independent candidates, excluding general assembly offices, nominated by petition must be filed by 4 p.m.	<a href="#">R.C. 3513.262</a>
	Amendments to observer appointments must be filed by 4 p.m. (day before primary/special election)	<a href="#">R.C. 3505.21</a>
	Boards of elections must submit verification forms of handicapped accessible parking and handicapped accessible polling locations to the Secretary of State's Office (no later than the day before the primary/special election)	<a href="#">R.C. 3501.29</a>
Aug. 02	<b>Primary/Special Election may be held. Polls open from 6:30 a.m. to 7:30 p.m.</b>	<a href="#">R.C. 3501.01, .32</a>
	If voter, or voter's minor child is hospitalized because of accident or medical emergency, voter may apply for an absentee ballot until 3 p.m.	<a href="#">R.C. 3509.08</a>
	Boards of elections must receive absentee ballots, returned in person or via a method other than U.S. Mail, by the close of polls	<a href="#">R.C. 3509.05, 3511.11</a>
Aug. 10	Constitutional amendments proposed by joint resolution of General Assembly must be filed with Secretary of State (90 days before general election)	<a href="#">OH Const. XVI, §1</a>
	Nominating petitions of candidates in nonpartisan races must be filed by 4 p.m. (90 days before general election)	<a href="#">R.C. 1907.13, 3513.259, .263</a>
	Local questions and issues for November 8 general election, including local option petitions, must be certified to or filed with boards of elections by 4 p.m. (90 days before general election)	<a href="#">R.C. 731.28, .29, 3501.02, 4301.33, .331, .332, .333, .334, 4305.14</a>
Aug. 12	Absentee ballots for August 2 primary/special election returned by U.S. Mail must be postmarked no later than August 1 and received by boards of elections by this date to be counted (10 days after primary/special election)	<a href="#">R.C. 3509.05, 3511.11</a>
	UOCAVA absentee ballots for August 2 primary/special election must be received by boards of elections by this date to be counted (10 days after primary/special election)	<a href="#">R.C. 3511.11</a>
Aug. 13	Boards of elections may begin official canvass of August 2 primary/special election ballots (11 days after primary/special election)	<a href="#">R.C. 3505.32</a>
Aug. 15*	Political party or independent candidate nominating committees must certify name of person to fill vacancy on November 8 general election ballot caused by withdrawal or disqualification of candidate by 4 p.m. (86 days before general election)	<a href="#">R.C. 3513.31</a>
Aug. 17	Boards of elections must begin official canvass of August 2 primary/special election ballots no later than this date (15 days after primary/special election)	<a href="#">R.C. 3505.32</a>
Aug. 22	Boards of elections must certify the validity and sufficiency of candidates' petitions in nonpartisan races and nominating petitions for independent candidates for general assembly offices (78 days before general election)	<a href="#">R.C. 3513.263</a> <a href="#">Directive 2022-34</a>
	Boards of elections must certify the validity and sufficiency of local option petitions (78 days before general election)	<a href="#">R.C. 4301.33, .331, .332, .333, .334, 4305.14</a>
Aug. 23	Boards of elections must complete official canvass of August 2 primary/special election ballots no later than this date (21 days after primary/special election)	<a href="#">R.C. 3505.32</a>
Aug. 26	Protests against candidates for nonpartisan office and for independent candidates for general assembly offices must be filed by this date (74 days before general election)	<a href="#">R.C. 3513.263</a> <a href="#">Directive 2022-34</a>
	Protests against local option petitions must be filed by 4 p.m. (74 days before general election)	<a href="#">R.C. 4301.33, .331, .332, .333, .334, 4305.14</a>
Aug. 29*	Write-in candidates must file declarations of intent by 4 p.m. (72 days before general election)	<a href="#">R.C. 3513.041</a>
Aug. 30	Secretary of State must certify to boards of elections the form of official ballots for November 8 general election (70 days before general election)	<a href="#">R.C. 3505.01</a>
	Board of elections of most populous county of a multi-county district must certify names of all candidates to other boards of elections (70 days before general election)	<a href="#">R.C. 3505.01</a>
	Boards of elections must send notice to general assembly candidates required to file post-primary campaign finance reports (10 days before the post-primary campaign finance report deadline)	<a href="#">R.C. 3517.11</a>
Sep. 02	Protests against write-in candidates for general election must be filed by 4 p.m. (67 days before general election)	<a href="#">R.C. 3513.041</a>
Sep. 09	Boards of elections must schedule a program for instruction of precinct election officials (within 60 days before general election)	<a href="#">R.C. 3501.27</a>
	Post-primary election campaign finance reports must be filed by general assembly candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (38 days after primary election) detailing contributions and expenditures through September 2, 2022 (seven days before the report is filed)	<a href="#">R.C. 3517.10</a>
Sep. 23	UOCAVA absentee ballots for November 8 general election must be ready for use (46 days before general election)	<a href="#">R.C. 3511.04</a>
	Boards of elections must update and publish notices of November 8 general election and provide the notices to federal write-in absentee voters upon request (no later than 46 days before general election)	<a href="#">R.C. 3511.16</a>
Sep. 27	Boards of elections must advertise in newspaper(s) the places, dates, times, qualifications, and methods for voter registration (6 weeks before general election)	<a href="#">R.C. 3503.12</a>

\*Note: In some instances, the statutory deadline falls on a day when the offices of the Secretary of State and boards of elections are closed. In those instances, the deadlines are extended, pursuant to R.C. 1.14, to the next succeeding day when the appropriate office is open for regular business hours. The preceding dates reflect the extended deadline.  
"UOCAVA" is an acronym for Uniformed & Overseas Citizens Absentee Voting Act to refer to those voters who are uniformed and/or overseas. "Non-UOCAVA" refers to voters who are not uniformed or overseas voters.  
**SOS 0503 (updated 5/31/2022) printed in-house**

# 2022 OHIO ELECTIONS CALENDAR



2022		Reference
Oct. 11*	Deadline for voter registration for November 8 general election (30 days before general election)	<a href="#">R.C. 3503.19</a>
	Deadline to file corrections and challenges to precinct voter registration lists (30 days before general election)	<a href="#">R.C. 3503.24</a>
Oct. 12	Non-UOCAVA absentee ballots for November 8 general election must be ready for use (first day after close of voter registration)	<a href="#">R.C. 3509.01</a>
	Early in-person absentee voting begins (first day after close of voter registration)	<a href="#">R.C. 3509.01</a>
Oct. 17	Secretary of State and boards of elections must send notice to candidates required to file pre-general campaign finance reports (10 days before the pre-general campaign finance report deadline)	<a href="#">R.C. 3517.11</a>
Oct. 19	Committees advocating or opposing issues on November 8 general election ballot must file by 4 p.m. to be recognized as a committee to appoint observers (20 days before general election)	<a href="#">R.C. 3505.21</a>
Oct. 25	Boards of elections must prepare precinct voter registration lists for general election (14 days before general election)	<a href="#">R.C. 3503.23</a>
Oct. 27	Pre-general election campaign finance reports must be filed by certain candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (12 days before general election) detailing contributions and expenditures through October 19, 2022 (20 days before general election)	<a href="#">R.C. 3517.10</a>
Oct. 28	Deadline for political parties, groups of candidates and issue committees to file notice of observer appointments (11 days before general election)	<a href="#">R.C. 3505.21</a>
Oct. 29	Boards of elections must give public notice of November 8 general election (10 days before general election)	<a href="#">R.C. 3501.03</a>
	Certificate to fill vacancy on November 8 general election ballot caused by death of candidate nominated at primary election whose name is on ballot in more than one county (10 days before general election)	<a href="#">R.C. 3513.31</a>
Nov. 03	Certificate to fill vacancy on November 8 general election ballot caused by death of independent or nonpartisan candidate prior to October 29 (10 days before general election) must be filed by 4 p.m. (five days before general election)	<a href="#">R.C. 3513.31</a>
	Certificate to fill vacancy on November 8 general election ballot caused by death of candidate nominated at primary election whose name is on ballot in only one county must be filed by 4 p.m. (five days before general election)	<a href="#">R.C. 3513.31</a>
Nov. 05	Applications for absentee ballots to be mailed for November 8 general election must be received by boards of elections by noon (three days before general election)	<a href="#">R.C. 3509.03, 3511.02</a>
Nov. 07	Amendments to observer appointments must be filed by 4 p.m. (one day before general election)	<a href="#">R.C. 3505.21</a>
	Boards of elections must submit verification forms of handicapped accessible parking and handicapped accessible polling locations to the Secretary of State's Office (no later than one day before general election)	<a href="#">R.C. 3501.29</a>
Nov. 08	<b>General Election Day. Polls open from 6:30 a.m. to 7:30 p.m.</b>	<a href="#">R.C. 3501.01, .32</a>
	If voter, or voter's minor child is hospitalized because of accident or medical emergency, voter may apply for an absentee ballot until 3 p.m.	<a href="#">R.C. 3509.08</a>
	Boards of elections must receive absentee ballots, returned in person or via a method other than U.S. Mail, by the close of polls	<a href="#">R.C. 3509.05, 3511.11</a>
Nov. 18	Absentee ballots returned by U.S. Mail must be postmarked no later than November 7 and received by boards of elections by this date to be counted (10 days after general election)	<a href="#">R.C. 3509.05, 3511.11</a>
	UOCAVA absentee ballots must be received by boards of elections by this date to be counted (10 days after general election)	<a href="#">R.C. 3511.11</a>
Nov. 19	Boards of elections may begin official canvass of November 8 general election ballots (11 days after general election)	<a href="#">R.C. 3505.32</a>
Nov. 23	Boards of elections must begin official canvass of November 8 general election ballots no later than this date (15 days after general election)	<a href="#">R.C. 3505.32</a>
Nov. 29	Boards of elections must complete official canvass of November 8 general election ballots no later than this date (21 days after general election)	<a href="#">R.C. 3505.32</a>
Dec. 06	Secretary of State and boards of elections must send notice to candidates required to file post-general election campaign finance reports (10 days before the post-general campaign finance report deadline)	<a href="#">R.C. 3517.11</a>
Dec. 08	Last day for certain local option petitioners to send street listings to Division of Liquor Control (55 days before February 1, 2023 petition filing deadline for May 2, 2023 primary election)	<a href="#">R.C. 4301.33, 4305.14</a>
Dec. 16	Post-general election campaign finance reports must be filed by candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (38 days after general election) detailing contributions and expenditures through December 9, 2022 (the 7th day before the report is filed)	<a href="#">R.C. 3517.10</a>
2023		Reference
Jan. 01	Applications for absentee ballots for all elections held in 2023 may be accepted (first day of the year)	<a href="#">R.C. 3509.03, 3511.02</a>
Jan. 03*	Last day for local option petitioners contesting community facility to send street listings to Division of Liquor Control (30 days before February 1 petition filing deadline for May 2 primary election)	<a href="#">R.C. 4301.334</a>
<b>Recounts and Election Contests</b>		
Application for a recount must be filed no later than 5 days after official results are declared.		<a href="#">R.C. 3515.02</a>
A petition contesting an election must be filed in the appropriate court within 15 days after the official results are declared or, if a recount of the election is conducted, within 10 days after the official results of a recount are declared.		<a href="#">R.C. 3515.09</a>

\*Note: In some instances, the statutory deadline falls on a day when the offices of the Secretary of State and boards of elections are closed. In those instances, the deadlines are extended, pursuant to R.C. 1.14, to the next succeeding day when the appropriate office is open for regular business hours. The preceding dates reflect the extended deadline.  
"UOCAVA" is an acronym for Uniformed & Overseas Citizens Absentee Voting Act to refer to those voters who are uniformed and/or overseas. "Non-UOCAVA" refers to voters who are not uniformed or overseas voters.  
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