



**CUYAHOGA COUNTY
BOARD OF ELECTIONS**

Jeff Hastings, Chairman

Inajo Davis Chappell, Board Member

Lisa M. Stickan, Board Member

David J. Wondolowski, Board Member

Anthony W. Perlatti, Director

Anthony Kaloger, Deputy Director

MEETING AGENDA

February 14, 2022

9:30 A.M.

THE PLEDGE OF ALLEGIANCE

ADMINISTRATION

1. Approval of the minutes from the January 11, 2022, and January 25, 2022, Board Meetings
2. Acknowledgment of Secretary of State Directives:
 - a. Directive 2022-02; Instructions Regarding the Review, Examination, and Verification of the Supplemental Part-Petitions Proposing an Initiated Statute (An Act to Control and Regulate Adult Use Cannabis)
 - b. Directive 2022-03; House Bill (“H.B.”) 93
 - c. Directive 2022-04; Updated Election Official Manual
 - d. Directive 2022-05; Chapter 1 Introduction
 - e. Directive 2022-06; Chapter 2 Board of Elections Organization and Operations
 - f. Directive 2022-07; Chapter 3 Security
 - g. Directive 2022-08; Chapter 4 Voter Registration
 - h. Directive 2022-09; Chapter 5 Ballots
 - i. Directive 2022-10; Chapter 6 Precincts, Polling Locations, and Precinct Election Officials
 - j. Directive 2022-11; Chapter 7 Absentee Voting
 - k. Directive 2022-12; Chapter 8 Provisional Voting
 - l. Directive 2022-13; Chapter 9 Election Day Voting
 - m. Directive 2022-14; Chapter 10 Canvassing the Vote
 - n. Directive 2022-15; Chapter 11 Post-Election Activities
 - o. Directive 2022-16; Chapter 12 Voting Systems
 - p. Directive 2022-17; Chapter 13 Petitions
 - q. Directive 2022-18; Chapter 14 Candidates
 - r. Directive 2022-19; Chapter 15 Political Parties
 - s. Directive 2022-20; Chapter 16 Statewide Initiative and Referendum
 - t. Directive 2022-21; Chapter 17 Miscellaneous Duties
 - u. Directive 2022-22; Examination and Verification of Candidate Petitions Filed with the Secretary of State’s Office

Video of this meeting can be viewed at <https://www.youtube.com/CuyahogaCountyBOE>

¹ Please email mbejjani@cuyahogacounty.gov or lwalker@cuyahogacounty.gov with your name and the nature of your comment so we can fully assist you.

BALLOT

3. Approval to outsource the printing and mailing of Vote-by-Mail ballots for the May 3, 2022, Primary Election

CANDIDATE AND PETITION SERVICES

4. Hearing on the petitions received 2/1/2022 for the recall of the Mayor of Newburgh Heights
5. Acknowledgment of resignations from and appointments to elected office
6. Acknowledgment of intent to retire from elected office
7. Acknowledgment of withdrawal of candidates and issue from the May 3, 2022, Primary Election
8. Certification of candidates and issues for the May 3, 2022, Primary Election

ELECTION OFFICIALS

9. Acknowledgment of PEO Performance Report

FISCAL SERVICES

10. Approval to Renew the Delivery & Return of Voting Equipment to Voting Locations Contract with Midfitz, Inc. dba Berman Moving & Storage, under subdivision (B) Article I., in the amount not-to-exceed \$51,463.50 for the First Renewal Period May 3, 2022, through November 2, 2022
11. Approval to Suspend Contract (CM1356) with Tenex Software Solutions providing Online Poll Worker Management Solution Software, Election Force, Under the Authority of Subdivision (I)(3), Article IV. of the Contract

REGISTRATION

12. Challenge of right to vote filed by Delores Gray against Richard Starr

HUMAN RESOURCES

13. Approval of the personnel agenda

NEW BUSINESS

- Election Officials Department update
- Berman's contract extension
- Human Resources job posting update

PUBLIC COMMENT¹

EXECUTIVE SESSION

Discussion of personnel issues (to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official) and disputes involving the public body that are the subject of pending or imminent court action.

2022 Board Meeting Schedule

February 2022

Monday, February 14th @ 9:30AM

Certification of Candidates and Issues for the May 3, 2022 Primary Election

March 2022

Monday, March 7th @ 9:30AM

Certification of write-ins for the May 3, 2022 Primary Election

Certification of remaining issues for the May 3, 2022 Primary Election

April 2022

Wednesday, April 6th @ 9:30AM

April Board Meeting

Friday, April 29th @ 9:30AM

Meeting for the May 3, 2022 Primary Election

May 2022

Tuesday, May 3rd

May 3, 2022 Primary Election

Monday, May 16th @ 9:30AM

Provisional verification for the May 3, 2022 Primary Election

Certification of Issues for the August 2, 2022 Special Election

Tuesday, May 24th @ 9:30 AM

Certification of the May 3, 2022 Primary Election

June 2022

Monday, June 6th @ 9:30AM

Certification of remaining issues and charter amendments for the August 2, 2022 Special Election

Certification of Independent candidates for the November 8, 2022 General Election

July 2022

Wednesday, July 13th @ 9:30AM

July Board Meeting

August 2022

Tuesday, August 2nd

August 2, 2022 Special Election

Monday, August 15th @ 9:30AM

Provisional Verification for the August 2nd Special Election

Monday, August 22nd @ 9:30AM

Certification of the August 2, 2022 Special Election

Certification of Issues for the November 8, 2022 General Election

September 2022

Monday, September 12th @ 9:30AM

Certification of remaining issues and charter amendments for the November 8, 2022 General Election

Certification of Write-In Candidates for the November 8, 2022 General Election

October 2022

Wednesday, October 12th @ 9:30AM

October Board Meeting

November 2022

Friday, November 4th @ 9:30AM

Meeting for the November 8, 2022 General Election

Tuesday, November 8th

November 8th General Election

Monday, November 21st @ 9:30AM

Provisional verification for the November 8, 2022 General Election

Tuesday, November 29th @ 9:30AM

Certification of the November 8, 2022 General Election

December 2022

Wednesday, December 14th @ 9:30AM

December Board Meeting

Agenda Item #1

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

**Board Meeting
1/11/2022**

Attending:

Jeff Hastings, Chairman
Inajo Davis Chappell, Board Member
Lisa M. Stickan, Board Member
David Wondolowski, Board Member
Anthony W. Perlatti, Director/via teleconference
Tony Kaloger, Deputy Director

Mark R. Musson, Assistant Prosecutor, Cuyahoga County
Mary Bejjani, Clerk to the Board
Linda Walker, Clerk to the Board

The Cuyahoga County Board of Elections Meeting began at 9:31 a.m. Hereinafter referred to as the CCBOE/Board.

Chairman Hastings noted that all Board Members were in attendance.

Agenda Item 1: Approval of the minutes from the December 8, 2021, Board Meeting

Chairman Hastings moved to approve the minutes from the December 8, 2021, Board Meeting. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 2: Acknowledgment of Secretary of State Advisory and Directives: Advisory 2022-01: Ohio Attorney General Opinion No. 2022-001; Directive 2021-21: Instructions Regarding the Review, Examination, and Verification of the Petition Proposing an Initiated Statute (An Act to Control and Regulate Adult Use Cannabis); Directive 2022-01: 2021 Annual Expense Report

Chairman Hastings moved to acknowledge Secretary of State Advisory and Directives: Advisory 2022-01: Ohio Attorney General Opinion No. 2022-001; Directive 2021-21: Instructions Regarding the Review, Examination, and Verification of the Petition Proposing an Initiated Statute (An Act to Control and Regulate Adult Use Cannabis); Directive 2022-01: 2021 Annual Expense Report. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 3: Preliminary approval of the ballot order for the May 3, 2022, Primary Election

Chairman Hastings moved to approve the preliminary ballot order for the May 3, 2022, Primary Election. Board Member Wondolowski seconded. The motion passed unanimously.

¹ Narrative that is underlined in the CCBOE minutes relates to a motion that was acted on by the Board.

Agenda Item 4: Acknowledgment of the Post-Election Audit Summaries for the September 14, 2021, Primary Election; November 2, 2021, General Election; and November 23, 2021, Maple Heights Council District 6 Recall Election

Brian Cleary, Ballot Department Manager, reviewed and commented on information from the board packet concerning the post-election audits for the September 14, 2021, Primary Election; November 2, 2021, General Election; and November 23, 2021, Maple Heights Council District 6 Recall Election.

Chairman Hastings moved to acknowledge the Post-Election Audit Summaries for the September 14, 2021, Primary Election; November 2, 2021, General Election; and November 23, 2021, Maple Heights Council District 6 Recall Election. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 5: Acknowledgment of resignations from elected office

Chairman Hastings moved to acknowledge the resignations from elected office. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 6: Acknowledgment of intent to retire from elected office

Chairman Hastings moved to acknowledge the intent to retire from elected office. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 7: Acknowledgment of withdrawal of candidates from the May 3, 2022, Primary Election

Chairman Hastings moved to acknowledge the withdrawal of candidates from the May 3, 2022, Primary Election. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 8: Preliminary authorization for the allocation of voting booths for the May 3, 2022, Primary Election. Allocation quantities are based on social distancing and room size per polling location. A total of 4,613 voting booths will be allocated + 836 DS200 precinct scanners + 295 ADA AutoMark voting units and 1,131 Electronic Poll Books

Chairman Hastings moved to acknowledge the preliminary authorization for the allocation of voting booths for the May 3, 2022, Primary Election. Allocation quantities are based on social distancing and room size per polling location. A total of 4,613 voting booths will be allocated + 836 DS200 precinct scanners + 295 ADA AutoMark voting units and 1,131 Electronic Poll Books. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 9: Acknowledge receipt of ward boundary legislation from Bay Village, Euclid, Parma, and Parma Heights

Chairman Hastings moved to acknowledge receipt of ward boundary legislation from Bay Village, Euclid, Parma, and Parma Heights. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 11: Approval of the personnel agenda

Chairman Hastings moved to approve the personnel agenda. Board Member Wondolowski seconded. The motion passed unanimously.

Walk-On Agenda Item: Complaint from the Mayor of Newburgh Heights regarding petitions.

Chairman Hastings stated the CCBOE received a petition to recall the Mayor of Newburgh Heights. Upon receipt of the petition filing, Brent Lawler, Candidate and Petition Services Manager, contacted Director Perlatti and Deputy Director Kaloger. They reached out to Assistant Prosecuting Attorney Musson about the nature of the recall petition. Assistant Prosecutor Musson stated the CCBOE received the petition in mid-December 2021. In reviewing the petition, there was a question of whether the petitioners had the legal authority to petition for a recall according to the state law governing recall elections for Ohio Villages. The Village of Newburgh Heights ("Village") is a non-chartered statutory village. Mr. Musson commented that the Village follows the general plan of government that is provided for under the Ohio Revised Code, where there is no governing law for a village in Ohio to have the authority to recall elected officials. The Prosecutor's Office then reached out to the law director for Newburgh Heights for a legal opinion. The law director then issued his legal opinion concluding that that the Village does not have the authority to hold a recall election. Chairman Hastings confirmed the Board typically reaches out to the law director and has the law director interpret these matters, and then the Prosecutors office reviews the interpretation. Assistant Prosecutor Musson acknowledged that is the CCBOE's standard procedure. Assistant Prosecutor Musson concurred with the legal opinion of the Newburgh Heights law director and accordingly advised Director Perlatti, Deputy Director Kaloger, and Mr. Lawler. Assistant Prosecutor Musson then sent a letter to the petitioners stating there was no authority for a recall election, and the petitions were considered null or void. In the meantime, Mr. Lawler received a complaint from the subject of the recall petition alleging defects of certain signatures on the petitions and requesting an investigation into and referral to the prosecutor's office election falsification. In reviewing the complaint, Mr. Musson concluded since the petition was null or void, there cannot be election falsification because those signatures would not be checked or validated. Chairman Hastings asked if that was the advice Assistant Prosecutor Musson gave the Director, Deputy Director, and shared with Mr. Lawler. Mr. Musson stated yes. Mr. Lawler advised the subject of the complaint that the CCBOE would not refer this matter be no investigation. Chairman Hastings clarified that Mr. Lawler was responding to an email he received from the complainant, and he gave the appropriate answer, but the matter needed to come before the Board for determination. Chairman Hastings commented that the CCBOE generally does not conduct investigations of why an isolated address is written incorrectly. Board Member Davis Chappell stated it was necessary and important for the Board to be transparent about this matter and to have this matter discussed at a public hearing.

Chairman Hastings made a motion not to investigate this matter nor refer to the prosecutor's office the complaint by the Mayor of Newburgh Heights. Board Member Wondolowski seconded. The motion passed unanimously.

Chairman Hastings asked Assistant Prosecutor Musson to issue a letter to the Mayor of Newburgh Heights on the Board's behalf setting forth that the Board placed the matter of Mayor Elkin's complaint on today's agenda and the action the Board took.

Director Perlatti stated that the letter to be issued by Assistant Prosecutor Musson on behalf of the Board, along with the email already sent by Mr. Lawler, will bring additional clarity and conclusion to the matter.

NEW BUSINESS

Director Perlatti stated that the CCBOE is already preparing for the Primary Election on May 3, 2022.

Board Member Davis Chappell stated that she and Chairman Hastings, along with Director Perlatti, Deputy Director Kaloger, and CCBOE staff, participated in a call on January 10, 2022, with the Department of Justice (DOJ). The call was regarding the DOJ's notice the CCBOE receives approximately every five years. This Notice is sent as a result of data received by the DOJ from the Census Bureau for those jurisdictions that have bilingual programs in place. The CCBOE's bi-lingual program was started in 2010 and arose out of a consent decree implementing bilingual training, ballots, registration, interpreter services, bilingual staffing, and poll workers. The discussion included what the CCBOE has been doing and the CCBOE's commitment to continue to support Spanish-speaking voters in the County. The CCBOE collaborates with the DOJ to ensure an accurate count of voters with Hispanic surnames and requisite precincts. The call was productive, and the DOJ was receptive and appreciative of the collaboration between the CCBOE and DOJ.

Deputy Director Kaloger stated that the CCBOE is waiting for the submission of a petition to control and regulate cannabis. The group's initial petition was 13,000 signatures short, and the group has until Thursday, January 13, 2022, to submit additional signatures.

PUBLIC COMMENT

Jonathan A. Platt provided public comments regarding House Bills 110 and 272.

At 10:00 a.m. Chairman Hastings motioned to go into executive session for the purpose of discussing an employment matter. Board Member Wondolowski seconded, and a roll call was taken, and each Board Member voted in the affirmative.

At 10:13 a.m., after returning from the executive session, Chairman Hastings motioned to come out of the executive session. Board Member Wondolowski seconded, and a roll call was taken, and each Board Member voted in the affirmative.

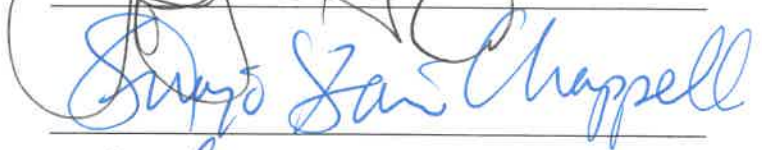
Chairman Hastings moved to adjourn the meeting at 10:13 a.m. Board Member Wondolowski seconded. The motion passed unanimously.

Certification: I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on January 11, 2022.

Jeff Hastings, Chairman



Inajo Davis Chappell, Board Member



Lisa M. Stickan, Board Member



David J. Wondolowski, Board Member



Anthony Perlatti, Director



VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

**Board Meeting
1/25/2022**

Attending:

Jeff Hastings, Chairman
Inajo Davis Chappell, Board Member
Lisa M. Stickan, Board Member
David Wondolowski, Board Member
Anthony W. Perlatti, Director
Tony Kaloger, Deputy Director

Mark R. Musson, Assistant Prosecutor, Cuyahoga County
Mary Bejjani, Clerk to the Board
Linda Walker, Clerk to the Board

The Cuyahoga County Board of Elections Meeting began at 1:59 p.m. Hereinafter referred to as the CCBOE/Board.

Chairman Hastings noted that all Board Members were in attendance.

Agenda Item 1: Acknowledgment of withdrawal of recall petition

Director Perlatti provided a summary of the matter regarding the withdrawal of the recall petition. Director Perlatti stated in December 2021, the CCBOE received a petition to recall the Mayor of Newburgh Heights. The Village of Newburgh Heights is a non-chartered statutory village. When there is no charter, determination of the recall process is provided for by the Ohio Revised Code. CCBOE's standard practice is to reach out to the law director of a village or municipality for guidance, along with the CCBOE's legal counsel for a legal opinion. The legal opinion of the Village law director concluded there could under Ohio law there is no authority for the Village to conduct a recall election. The petitioners consulted an attorney who concluded otherwise.

The Board scheduled today's special meeting for a hearing on whether to certify the recall petitions. In the meantime, after the CCBOE provided notice of the meeting, on January 22, 2022, the individuals who circulated the petition emailed the CCBOE requesting the petitions be withdrawn. Therefore, because the recall petitions have been withdrawn, the question whether to certify the recall petitions to the ballot is mute.

Chairman Hastings stated on or about December 20, 2021, after the recall petitions were filed, the CCBOE Director and legal counsel concluded (as did the law director of Newburgh Heights) that the recall petitions are void, as State law does not permit recall petitions for a non-statutory village. APA Musson then wrote the petitioners advising them of same and an attorney for the petitioner's opined differently. While the Board appreciates involvement in this matter, it is the Board that is charged with determining

¹ Narrative that is underlined in the CCBOE minutes relates to a motion that was acted on by the Board.

whether the recall petitions should be certified to the ballot and that was the reason for today's special meeting and because the petitions have been withdrawn the matter of certification is mute.

The CCBOE did receive an email one hour before today's meeting from Trevor Elkins asking if the CCBOE staff could withdraw petitions through an email attaching a photograph/copy of a withdrawal letter. Brent Lawler, Manager of Candidate and Petition Services, stated the CCBOE routinely accepts withdrawals of candidates and issues via email, and the Board acknowledges those withdrawals. The Statute states a "written notice" and does not go beyond that description. Chairman Hastings stated the past business practice is the CCBOE accepted any notice received electronically, by facsimile, by mail, etc. The CCBOE has acted on those notices, and there is no law that prohibits receiving withdrawal notices via email. Board Member Davis Chappell stated courts routinely accept electronic and facsimile copies, and the CCBOE does have a pattern practice of accepting withdrawals electronically.

Board Member Davis Chappell asked if the petitioners would refile if the Board would reconvene with a special meeting. Chairman Hastings stated the Board does not know whether the petitioners will refile the petition. If they do, CCBOE staff will accept the filing and then make a recommendation on certification.

Director Perlatti then explained the statutory procedure that would have to be followed should the Board certify the recall petitions to the ballot.

Chairman Hastings moved to acknowledge the withdrawal of the recall petition. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 2: Hearing on the petitions received for the recall of the Mayor of Newburgh Heights

Chairman Hastings stated the Board acknowledged the withdrawal of the recall petition, and there is no hearing on the petitions because there is no petition for the recall of the Mayor of Newburgh Heights to be heard.

Agenda Item 3: Protest hearing pertaining to issues with the circulator clause filed by Mayor Elkins of Newburgh Heights regarding petitions received for the recall of Mayor Elkins of Newburgh Heights

Chairman Hastings stated the Mayor of Newburgh Heights, Trevor Elkins, has filed a written complaint asking the CCBOE staff to investigate the circulators of the petition that have now been withdrawn. Chairman Hastings asked what the CCBOE's staff recommendations are regarding Mr. Elkins allegations. One of the circulators used his voter registration address to sign the circulatory clause on the petition and then signed the petition using another address where he apparently lives. As a result, Mr. Elkins wants the Board to refer this matter to the Cuyahoga County Prosecutors Office. Director Perlatti stated the documents provided in the complaint do not rise to the level of fraudulent activity on the petition. When the CCBOE receives petitions, the circulator statement is reviewed at face value. The circulator address matches the registration address, and even if the address does not match, the Election Official Manual allows for a different address. All petitions are reviewed for systemic issues and a lot of inconsistencies which these part petitions did not have. If there is a signature on a part petition and that address does not match the registration database, the signature is marked as invalid. Chairman Hastings stated the Ohio Elections Manual (OEM) specifically addresses this type of issue. Deputy Director Kaloger cited the OEM stating, "if the circulator is a qualified elector in Ohio, there is not a requirement that the address of the circulator matches the address on file with the Board of Elections. The Board must not invalidate a part petition solely because the address of the circulator in the circulatory statement differs from the address on file with the

Board of Elections.” Deputy Director Kaloger stated in this case; the address does match the database. However, the circulator did sign as a signatory, but that signature was invalidated because a circulator cannot sign the petition they are circulating. Chairman Hastings stated the petitions had been withdrawn.

Chairman Hastings made a motion that there be no investigation as requested by Mayor Elkins in this matter. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 4: Approval of voucher

Chairman Hastings moved to approve the voucher. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 5: Approval of the personnel agenda

Chairman Hastings moved to approve the personnel agenda. Board Member Wondolowski seconded. The motion passed unanimously.

NEW BUSINESS

Director Perlatti stated the Secretary of State is in contact with the CCBOE and providing updates on the State Redistricting.

Director Perlatti announced he was appointed as Second Vice President of the Ohio Association of Election Official (OAE) at the OAE Winter Conference.

Director Perlatti stated on Thursday, January 27, 2022, the Director and Mike West, Community Outreach Manager, are sitting for depositions regarding a lawsuit regarding ballot selfies.

Deputy Director Kaloger provided an update on the January 25, 2022, observance of National Poll Worker Recruitment Day. The CCBOE’s Election Officials Department invited poll workers to attend a focus group meeting, along with members of the media. The CCBOE will be hiring approximately 4,000 people county-wide for the upcoming 2022 elections.

PUBLIC COMMENT

There was no public comment.

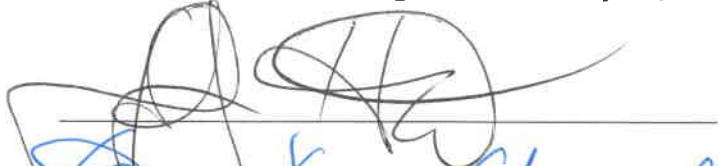
At 2:19 p.m. Board Member Davis Chappell moved to go into executive session for the purpose of discussing an employment matter and potentially the dismissal and discipline of a public employee. Chairman Hastings seconded, and a roll call was taken, and each Board Member voted in the affirmative.

At 2:47 p.m., after returning from the executive session, Chairman Hastings motioned to come out of the executive session. Board Member Wondolowski seconded, and a roll call was taken, and each Board Member voted in the affirmative.

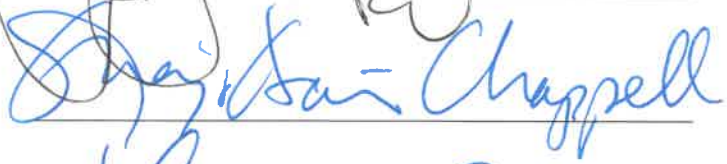
Chairman Hastings moved to adjourn the meeting at 2:47 p.m. Board Member Wondolowski seconded. The motion passed unanimously.

Certification: I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on January 25, 2022.

Jeff Hastings, Chairman



Inajo Davis Chappell, Board Member



Lisa M. Stickan, Board Member



David J. Wondolowski, Board Member



Anthony Perlatti, Director



Agenda Item #2

DIRECTIVE 2022-02 – Instructions Regarding the Review, Examination, and Verification of the Supplemental Part-Petitions Proposing an Initiated Statute (An Act to Control and Regulate Adult Use Cannabis)

RELEASED: January 13, 2022

SUMMARY

- On Dec. 20, 2021, petitioners filed with the Secretary of State (SOS) an initiated statute “An Act to Control and Regulate Adult Use Cannabis.” After review, an insufficient number of valid signatures were submitted. The petitioners elected to submit supplemental part-petitions, as permitted by the Ohio Constitution.
- *Directive 2022-02* provides instructions to boards of elections on how to review, examine and verify the signatures on the supplemental part-petitions.
- The Cuyahoga County Board of Elections (CCBOE) must complete its verification of the supplemental part-petitions and return its’ certification to the SOS no later than **12 noon on Friday, Jan. 28, 2022**.

PETITION SUBMITTED

On Thursday, Jan. 13, 2022, the SOS received supplemental part-petitions for an initiated statute. The petitioners did not circulate in every county; as such not all boards will receive signatures to verify. [The CCBOE received 1,667 signatures.](#)

VERIFYING THE VALIDITY OF SUPPLEMENTAL PART-PETITIONS AND SIGNATURES

1. The CCBOE must process all new, valid voter registrations, and changes of names and addresses to existing registrations received by the board or from the SOS as of the date the supplemental petition was filed before verifying the signatures on the part-petitions.
2. The CCBOE must visually inspect each supplemental part-petition to ensure that it is the unique petition provided to petitioners for the purpose of collecting supplemental signatures. The unique petition must contain a smiley face in the top, right corner of every page of the part-petition. The petition lines for an elector’s signature and date of signing are both **bold** and *italicized*.
3. For a supplemental part-petition, there are additional requirements for an elector’s signature to be valid. The elector’s signature must (1) be dated between Jan. 4, 2022 and Jan. 13, 2022; and (2) not have appeared in the original Dec. 20, 2021 filing. **An elector who signed the initial part-petition and then signs the supplemental part-petition must be rejected as a duplicate signature.**
4. The CCBOE must verify all petition signatures, electronically record decisions on the validity or invalidity of each signature on the voter registration record, track for duplicate signatures, and ensure that the voter registration record is updated with voter activity credit if the signature and address match.
5. The CCBOE must check each supplemental part-petition to determine whether the circulator’s statement on the part-petition was properly completed. **No board may invalidate a part-petition solely because a circulator statement includes a number that is lower than the number of signatures the part-petition actually contains, so long as there is no indication of fraud or material misrepresentation.**

6. A circulator must indicate the number of signatures on the supplemental part-petition and attest under penalty of election falsification that they witnessed the affixing of every signature. Thus, a board may invalidate a part-petition when it has evidence that a circulator committed fraud or material misrepresentation.

COMPLETING SUPPLEMENTAL PART-PETITION SPREADSHEETS

If the CCBOE receives a supplemental part-petition with a majority of signatures from another county, it must not verify that part-petition. Instead, it must promptly follow the steps outlined in *Directive 2022-02*. Instructions on how to process a scanned copy of a part-petition received from another county is also included in *Directive 2022-02*.

SCANNING THE PART-PETITIONS

After the CCBOE finishes checking the signatures on the part-petitions, the board must electronically scan each part-petition. A copy of the scanned images must be uploaded to the SOS's SharePoint site (using the instructions accompanying *Directive 2022-02*).

FULFILLING PUBLIC RECORDS REQUESTS

The CCBOE may receive public records requests for copies of the supplemental and original part-petitions. Boards should consult with their statutory legal counsel, the county prosecuting attorney, before rejecting, fulfilling, or responding to any public records request.

CERTIFICATION & RETURN OF PETITIONS

As soon as the CCBOE finishes verifying the signatures on the supplemental part-petitions, it must complete and submit the certification form (PDF file provided) electronically. Upon electronic submission, a timestamp will be placed on the form. After submitting the certification form electronically, the CCBOE will print the time-stamped form and have the Director and Deputy Director sign. The signed certification form will then be uploaded to the SOS SharePoint site.

After submitting the certification forms, the CCBOE must promptly return the supplemental part-petitions to the SOS via trackable delivery method. All part-petitions must be received by the SOS **no later than Friday, Feb. 4, 2022**.



DIRECTIVE 2022-02

January 13, 2022

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

Re: Instructions Regarding the Review, Examination, and Verification of the Supplemental Part-Petitions Proposing an Initiated Statute (An Act to Control and Regulate Adult Use Cannabis)

SUMMARY

On December 20, 2021, petitioners filed with this Office for the initiated statute, "An Act to Control and Regulate Adult Use Cannabis." Upon review, the petitioners submitted an insufficient number of valid signatures for the issue to be transmitted to the General Assembly. The petitioners elected to submit supplemental part-petitions, as permitted under Ohio's Constitution and statutes.¹

This Directive provides instructions to county boards of elections on the review, examination, and verification of signatures on the supplemental part-petitions for the initiated statute.² Each board of elections must complete its review, examination, and verification consistent with [Chapter 11](#) and [Chapter 14](#) of the Ohio Election Official Manual and return its certification to the Secretary of State's Office no later than **12:00 noon on Friday, January 28, 2022**.

PETITION SUBMITTED

On Thursday, January 13, 2022, the Secretary of State's Office received supplemental part-petitions for an initiated statute. The petitioners did not circulate in every county; as such not all boards will receive signatures to verify.

Boards that will receive signatures to verify from our Office will be notified by the elections division. However, all boards must be prepared to receive and process any part petitions that may be transferred from other counties.

Boards of elections with signatures to verify must examine each part-petition to determine the number of qualified electors who signed the petition. Boards that do not initially receive part-petitions to verify must remain available to quickly verify any part-petitions that may be transferred from another county.

¹ [Article II, Section 1g, Ohio Constitution](#) and [R.C. 3519.16\(F\)](#).

² [R.C. 3501.11\(K\)](#).

VERIFYING THE VALIDITY OF SUPPLEMENTAL PART-PETITIONS AND SIGNATURES

The board must carefully read this Directive, [Chapter 11](#), and [Chapter 14](#) of the Election Official Manual before the board examines the petitions.

1. The board must process all new, valid voter registrations, and changes of names and addresses to existing registrations received by the board or from the Secretary of State's Office as of the date the supplemental petition was filed with the Secretary of State before verifying the signatures on the part-petitions. These registrations are effective as of the date the supplemental petition was filed with the Secretary of State.³
2. The board must visually inspect each supplemental part-petition to ensure that it is the unique petition provided to petitioners for the purpose of collecting supplemental signatures. First, the unique petition must contain a smiley face in the top, right corner of every page of the part-petition. Next, the petition lines for an elector's signature and date of signing are both bold and italicized. See "Unique Petition Form-R.C. 3519.05" attachment for examples of the specific images.
3. For a supplemental part-petition, there are additional requirements for an elector's signature to be valid. The elector's signature must (1) be dated between January 4, 2022 and January 13, 2022; and (2) not have appeared in the original December 20, 2021 filing. **An elector who signed the initial part-petition and then signs the supplemental part-petition must be rejected as a duplicate signature. The board must program its petition tracking system accordingly to properly validate signatures on the supplemental petition.**
4. The board must verify all petition signatures, electronically record decisions on the validity or invalidity of each signature on the voter registration record, track for duplicate signatures, and ensure that the voter registration record is updated with voter activity credit if the signature and address match.
5. The board must check each supplemental part-petition to determine whether the circulator's statement on the part-petition was properly completed. The entire part-petition may be invalid if the circulator's statement is not completed as required by law.⁴ However, no board may invalidate a part-petition solely because a circulator statement includes a number that is lower than the number of signatures the part-petition actually contains,⁵ so long as there is no indication of fraud or material misrepresentation.⁶
6. A circulator must indicate the number of signatures on the supplemental part-petition and attest under penalty of election falsification that they witnessed the affixing of every signature.⁷ Thus, a board may invalidate a part-petition when it has evidence that

³ [R.C. 3501.38\(A\)](#), *State ex rel. Oster vs. Lorain Cty. Bd. of Elections*, 93 Ohio St.3d 480 (2001).

⁴ [R.C. 3501.38](#).

⁵ See *State ex rel. Ferrara v. Trumbull Cty. Bd. Of Elections*, Slip Opinion No. 2021-Ohio-3156.

⁶ See *Ohio Mfrs. ' Assn. v. Ohioans for Drug Price Relief Act*, 147 Ohio St.3d 42, 2016-Ohio-3038, 59 N.E.3d 1274, ¶19.

⁷ [R.C. 3501.38\(E\)\(1\)](#).

a circulator committed fraud or material misrepresentation.⁸ Moreover, the board must document and notify elections counsel through legal intake, if it has evidence that a circulator committed fraud.

COMPLETING SUPPLEMENTAL PART-PETITION SPREADSHEETS

If a board receives a supplemental part-petition with a majority of signatures from another county, that board of elections must not verify that part-petition. Instead, the board must promptly follow the steps below, complete the spreadsheet accompanying this Directive, and return the spreadsheet in the envelopes provided when all part-petitions are returned to the Secretary of State's Office:

1. Part-Petitions Sent Spreadsheet (Circulated Supplemental Part-Petition(s)), and
2. Part-Petitions Received from Another Board Spreadsheet (Scanned Part-Petition(s)).

If a board of elections receives a supplemental part-petition that belongs to another county:

1. Contact the Director or Deputy Director at the other county board by phone to notify them that your board will forward a scanned copy of a part-petition.
2. Log the transfer of the part-petition(s) going to another county on the "Part-Petitions Sent" spreadsheet.
3. Send the copy of the part-petition(s) via email to the Director and Deputy Director.
4. Return the circulated part-petition(s) with the "Part-Petitions Sent" spreadsheet in the marked transfer envelope included with the circulated part-petitions. When the board returns its reviewed part-petitions to the Secretary of State's Office, place the envelope with the part-petition and respective spreadsheet enclosed on top of the reviewed part-petitions so it can be easily located and retrieved from the box.

If a board of elections receives a scanned copy of a part-petition from another county:

1. Log the part-petition(s) that the board receives on the "Part-Petitions Received" spreadsheet.
2. Print and process the part-petition(s).
3. Return the emailed part-petition(s) with the "Part-Petitions Received" spreadsheet to the Secretary of State's Office in the marked transfer envelope included with the circulated part-petitions. When the board returns its reviewed part-petitions to the Secretary of State's Office, place the envelope with the part-petition and respective spreadsheet enclosed on top of the reviewed part-petitions so it can be easily located and retrieved from the box.

Note: Even if a board does not email a copy of a part-petition to another county and/or does not receive a copy of a part-petition from another county, the board must enter the county name and mark the box (X) in the top right-hand corner of the spreadsheet and place it in the correct envelope. When the board returns its reviewed part-petitions to the Secretary of State's Office, place both envelopes on top of the reviewed part-petitions so they can be easily located and retrieved from the box.

⁸ "And nothing in [*Ferrara*] disturbs the litany of caselaw providing that evidence of fraud triggers full invalidation of a part-petition." *Ferrara* at ¶22.

SCANNING THE PART-PETITIONS

After the board finishes checking the signatures on the part-petitions, the board must electronically scan each part-petition. A board need scan only the first page, any signature pages containing signatures, the circulator statement, and any other pages that contain handwriting. A copy of the scanned images must be uploaded to the Secretary of State's SharePoint site (using the instructions accompanying this Directive). Each board must retain an electronic copy of the images for the board's records.

FULFILLING PUBLIC RECORDS REQUESTS

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

CERTIFICATION & RETURN OF PETITIONS

As soon as the board finishes verifying the signatures on the supplemental part-petitions, the board must:

1. Complete and submit the certification form electronically by clicking the "submit" button on the bottom of the form;
2. Verify that the form received a timestamp;
3. Print and save a copy of the completed certification form containing the timestamp;
4. Have the Director and Deputy Director sign the time stamped certification form; and
5. Upload the signed certification form to the SharePoint site.⁹

Immediately contact this Office at 1-614-466-2585, if upon submitting the form via Elect Collect the board does not receive a timestamp. All certification forms and scanned images of petitions must be submitted through SharePoint by 12:00 noon on Friday, January 28, 2022.

After submitting the certification forms, county boards of elections must promptly return the supplemental part-petitions to the Secretary of State's Office, Elections Division, 22 North Fourth Street, Columbus, Ohio 43215-3668 via trackable delivery method. **All part-petitions must be received by the Secretary of State's Office no later than Friday, February 4, 2022.**

If you have any questions concerning this Directive, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,



Frank LaRose
Ohio Secretary of State

⁹ If a board has not appointed a Deputy Director or Director, then the Board Chairperson or a board member of the opposite party, respectively, must sign the certification forms.



Certification Form - Directive 2022-02

2021 Statewide Initiative Petition - Supplemental Filing - January 13, 2022

On behalf of the county board of elections below, we certify that the totals reported relevant to the part-petitions for the petition listed above are as follows:

County Name	<input style="width: 95%;" type="text"/>
-------------	--

1. Number of valid part-petitions	
2. Number of valid signatures on valid part-petitions	
3. Number of invalid signatures on valid part-petitions	
4. Number of invalid part-petitions	
5. Number of signatures on invalid part-petitions	
6. Total number of part-petitions received (valid and invalid)	
7. Total number of signatures on part-petitions (valid and invalid)	

Scanning Attestation

All part-petitions provided to the board of elections have been scanned and uploaded to the SharePoint site? Yes

Part-Petition(s) Sent and Received

Were any part-petitions described above **sent** to another board of elections? **If Yes, enter the county to which the parts were sent and the quantity.** Yes No

Were any part-petitions described above **received** from another board of elections? **If Yes, enter the county to which the parts were received and the quantity.** Yes No

Director's Signature	Date	Deputy Director's Signature	Date
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Instructions

1. **Click on the submit button below to send your data electronically.**
2. **This signed certification form and the scanned part-petitions must be uploaded to the SharePoint site no later than 12:00 noon on Friday, January 28, 2022.**
3. **If the board does not have a deputy director or a director, a board member of opposite party must sign the certification form.**
4. **Please keep a copy of your completed Certification Form for your files.**

Almost Done!

Name	<input style="width: 95%;" type="text"/>	Phone	<input style="width: 95%;" type="text"/>
E Mail	<input style="width: 95%;" type="text"/>	<i>Enter (111) 222-3333 as 1112223333</i>	
<i>Enter a valid email address e.g. name@somewhere.gov</i>			

COUNTY	BOXES	PART PETITIONS	SIGNATURES
ADAMS	1	1	1
ASHTABULA	1	1	3
BELMONT	1	5	144
BROWN	1	4	14
BUTLER	1	95	2109
CHAMPAIGN	1	2	21
CLARK	1	4	15
CLERMONT	1	35	202
CUYAHOGA	1	68	1667
DELAWARE	2	107	840
ERIE	1	2	21
FAIRFIELD	1	55	481
FRANKLIN	4	317	8858
GEAUGA	1	1	8
GREENE	1	5	19
GUERNSEY	1	1	1
HAMILTON	2	128	3532
HIGHLAND	1	2	3
HOCKING	1	4	6
HURON	1	1	4
JACKSON	1	1	1
JEFFERSON	1	1	13
KNOX	1	5	10
LICKING	1	80	1499
LOGAN	1	3	8
LORAIN	1	9	51
LUCAS	1	92	2938
MADISON	1	3	7
MAHONING	1	34	981
MARION	1	1	5
MEDINA	1	42	282
MIAMI	1	3	3
MONROE	1	1	18
MONTGOMERY	1	16	33
MORROW	1	2	2
MUSKINGUM	1	6	14
OTTAWA	1	1	3
PERRY	1	7	41
PICKAWAY	1	18	90
PORTAGE	1	47	498
SANDUSKY	1	2	20
SENECA	1	1	2
STARK	1	54	986
SUMMIT	2	141	3704
TRUMBULL	1	18	412

RECEIVED
SECRETARY OF STATE
ELECTIONS DIVISION
2022 JAN 13 PM 2:51

UNION	1	33	185
VINTON	1	1	1
WARREN	1	29	83
WOOD	1	16	78
WYANDOT	1	1	1
TOTAL:	56	1506	29918

RECEIVED
 SECRETARY OF STATE
 ELECTORAL DIVISION
 2022 JAN 13 PM 2:57

Number: _____

County: _____



INITIATIVE PETITION

Law Proposed by Initiative Petition First to be Submitted to the General Assembly.

TITLE

An Act to Control and Regulate Adult Use Cannabis

SUMMARY

The Act would enact Chapter 3780 ("Chapter") of the Ohio Revised Code regarding adult use cannabis control to authorize and regulate the cultivation, processing, sale, purchase, possession, home grow, and use of adult use cannabis by adults at least twenty-one years of age ("adult use consumers"). Adult use cannabis, cannabis and marijuana are all defined under the Act to mean marijuana as defined in section 3719.01 of the Ohio Revised Code.

Among other things, the Act would:

1. Define the following terms in the definition section of the Act: "adult use cannabis," "adult use cannabis operator," "adult use consumer," "adult use cultivator," "adult use dispensary," "adult use extract," "adult use processor," "adult use testing laboratory," "advertising," "applicant," "cannabis," "certificate of operation," "confidential information," "cultivate," "cultivation area," "cultivation facility," "dispensary," "disqualifying offense," "director," "extract," "level I adult use cultivator," "level II adult use cultivator," "level III adult use cultivator," "level I cultivator," "level II cultivator," "license," "license applicant," "license holder," "licensee," "manufacture," "marijuana," "medical provisional license," "minor cannabinoid," "mother plant," "paraphernalia," "person," "primary residence," "processor," "prohibited facility," "provisional license," "tetrahydrocannabinol," and "THC." Proposed Section 3780.01.
2. Permit controlled and regulated sales and use of adult use cannabis for adult use consumers for the following public purposes: reduce illegal marijuana sales and provide for safer and regulated cannabis product; limit transportation of out-of-state cannabis in the state; and provide funding and social equity opportunities in the state as outlined below. Proposed Section 3780.02.
3. Establish the Division of Cannabis Control ("Division") within the Department of Commerce, which shall have the authority to license, regulate, investigate, and penalize adult use cannabis operators, adult use testing laboratories, and individuals required to be licensed. The Act further requires the Division to adopt rules on the following twenty-two topics:
 - Preventing practices detrimental to the public interest and identifying ways to educate the public about the Act;
 - Establishing application, licensure and renewal standards and procedures for license applicants or license holders related to adult use cannabis operators, adult use testing laboratories, and individuals required to be licensed;
 - Establishing reasonable application, licensure and renewal fees amounts to ensure license applicants and license holders pay for the actual costs for administration and licensure for the Division;
 - Establishing standards for provisional licenses for an individual who is required to be licensed and who has exigent circumstances;
 - Specifying the process and reasons for which a license holder may be fined, suspended either with or without a prior hearing, revoked, or not renewed or issued;
 - The process and requirements for Division approval of any requested change in ownership or transfer of control of an adult use cannabis operator or adult use testing laboratory;
 - Establishing process and standards for expanding the size of the cultivation area for a cultivation facility;
 - Establishing standards and procedures for the testing of adult use cannabis by an adult use testing laboratory licensed under this Chapter;
 - Establishing the minimum amount of insurance or surety bond that must be maintained by an adult use cannabis operator and adult use testing laboratory;
 - Requiring the Division to adopt reasonable standards for any adult use cannabis samples, and advertising as prescribed in section 3780.21 of the Act;



- Requiring that the records of an adult use cannabis operator or adult use testing laboratory be maintained in the manner up to two years as prescribed by the Division and which shall be made available for inspection upon demand by the Division;
- Prescribing technical standards and requirements consistent with industry standards that must be met for security and surveillance equipment necessary for the provision of security and surveillance of adult use cannabis operators and adult use testing laboratories;
- Prescribing requirements for a license holder's provision of security services for an adult use cannabis operator and adult use testing laboratories which shall include the license holder's option to use armed or unarmed services including through agents of the license holder;
- Prescribing standards according to which license holders shall keep accounts and standards according to which adult use cannabis operators and adult use testing laboratories accounts shall be audited, and establishing guidance for assisting the department of taxation in levying and collecting the adult use tax;
- Determining penalties for violation of Division rules or of the Act, and a process for imposing such penalties;
- Establishing training requirements for employees and agents of adult use cannabis operators and adult use laboratories;
- Prescribing standards and procedures to allow for adult use cannabis delivery to adult use consumers, and online and mobile ordering procedures, which may only be conducted by an adult use dispensary or their agent;
- Prescribing cannabis inventory requirements to be maintained in an electronic database consistent with section 3780.05 of the Revised Code;
- Prescribing standards and procedures for product packaging and labeling of adult use cannabis products;
- Prescribing standards and procedures in coordination with the department of development to administer and enforce the cannabis social equity and jobs program as prescribed under 3780.19 of the Revised Code;
- Establishing a tetrahydrocannabinol content limit for adult use cannabis, which for plant material the content limit shall be no less than thirty-five per cent and for extracts the content limit shall be no less than ninety per cent, but that such content limits may be increased or eliminated by the Division; and
- Prescribing duty to update requirements for license holders.

Grants the Division the authority to adopt other rules necessary for the administration, implementation, and enforcement of the Act. The rules adopted shall be harmonized with the rules adopted under the medical marijuana control program to avoid duplication and excess fees. If there is a conflict with this Act and related rules, and the medical marijuana control program and related rules, then this Act and related rules shall govern. Requires that all rules adopted under the Act shall be adopted in accordance with Chapter 119 of the Revised Code. Proposed Section 3780.03.

4. Authorize the forms of adult use cannabis that may be sold under the Act, and allows any person to petition the Division to request that an additional form or method of adult use cannabis be approved or denied within sixty days pursuant to rules that may be adopted by the Division. Proposed Section 3780.04.
5. Require the Division to establish and maintain an electronic database to monitor all adult use cannabis from its seed or clone source through its cultivation, processing, testing, and dispensing, which shall include all adult use cannabis operations. The Act prohibits the Division from making public any information reported to or collected by the Division under this section that identifies or would tend to identify any adult use consumer. Proposed Section 3780.05.
6. Require the Ohio Department of Taxation to provide to the Division certain tax information regarding applicants for licensure which the Division shall maintain as confidential. Proposed Section 3780.06.
7. Provide facility requirements for adult use cannabis operators and adult use testing laboratories. Prohibits adult use cannabis operators and adult use testing laboratories from being within five hundred feet of a prohibited facility which is defined in the Act. The Act clarifies that this prohibition does not apply to: current facilities if there is a medical marijuana business operational at that location with a certificate of operation; or to research entities identified in the Act or by the Division. Allows medical marijuana cultivators with a certificate of operation to expand their current facilities to 100,000 square feet of cultivation area for a level I cultivator and 15,000 square feet of cultivation area for a level II cultivator once an adult use cultivator license is issued, and provides a process for further cultivation area expansion if approved by the Division. Allows level I or level II adult use cultivator to relocate all or a part of their cultivation area to more than one facility as long as the relocation complies with the Act and is approved by the Division. Authorizes a level III adult use cultivator to have up to 5,000 square feet in cultivation area and any additional expansion must be approved by the Division. Proposed Section 3780.07.
8. Require a criminal records check (as that term is defined in section 109.572 of the Revised Code), and prescribes the procedure for completing such criminal records check related to an adult use cannabis operator or an adult use



testing laboratory for the following: an administrator or person responsible for the operation, owners, officers, board members, and employees or agents required to be licensed by the Division. Proposed Section 3780.08.

9. Require that an adult use cannabis operator and an adult use testing laboratory licensed under the Act to conduct business under their license at the same location where the adult use cannabis operator or adult use testing laboratory, or their owners, also have been issued a medical marijuana certificate of operation. This requirement does not apply if all or a portion of an adult use cannabis operator or adult use testing laboratory facility is relocated as authorized under the Act. All other applicants must conduct business at a facility consistent with the Act. Proposed Section 3780.09.
10. Prohibit operating as an adult use cannabis operator or adult use testing laboratory without a license. Requires within nine months of the effective date of the Act that the following licenses be issued by the Division if the application is in compliance with the Act, and if an applicant, or their same owners, have a certificate of operation, or a medical provisional license that converts to a certificate of operation within 2 years, under the medical marijuana control program, as of the effective date of the Act:
 - A dispensary shall be issued an adult use dispensary license for the current location of the dispensary;
 - A level I cultivator shall be issued three adult use dispensary licenses at locations designated in a license application, and one level I adult use cultivator license for the current location of the level I cultivation facility;
 - A level II cultivator shall be issued one adult use dispensary license at a location designated in the license application, and one level II adult use cultivator license for the current location of the level II cultivation facility;
 - A dispensary shall be issued one adult use dispensary license at a different location as designated in the license application if the dispensary does not have any common ownership or control with any level I adult use cultivator, level II adult use cultivator, or adult use processor license applicant or licensee;
 - A processor shall be issued under this Chapter one adult use processor license for the current location of the processor; and
 - A testing laboratory shall be issued under this Chapter one adult use testing laboratory license for the current location of the testing laboratory.

The Act requires the Division to issue forty level III adult use cultivator licenses and fifty adult use dispensary licenses with a preference to applicants who are participants under the cannabis social equity and jobs program. Authorizes the Division to issue additional adult use cannabis licenses twenty-four months after the first adult use operator license is issued after the Division considers elements outlined in the Act, and after a report and recommendations is sent to the Director of the Department of Commerce for consideration. The Act places a cap on the number of adult use cannabis operator licenses any person can hold at one time which may be set by rule. The Division may issue additional adult use testing laboratory licenses at any time. Proposed Section 3780.10.

11. Allow authorized applicants to file an application for licensure under the Act and requires that applicants comply with Division rules and requirement related to the application. Requires initial applications to be available within six months of the effective date of the Act. Requires the Division to issue a license if an applicant meets specific requirements under the Act. Provide authority to the Division to set license expiration schedules and states that a license shall be renewed unless good cause is shown. Proposed Section 3780.11.
12. Authorize a level I or level II cultivator licensed under the Act to: cultivate adult use cannabis; distribute, transfer, and sell adult use cannabis to other adult use cannabis operators; and acquire seeds, clones, plants, and other genetic material. The adult use cultivators would not be permitted to cultivate any adult use cannabis for personal, family, or household use under the license. Proposed Section 3780.12.
13. Authorize a level III adult use cultivator licensed under the Act to: cultivate adult use cannabis; distribute, transfer, and sell adult use cannabis to other adult use cannabis operators; and acquire seeds, clones, plants, and other genetic material. A level III adult use cultivator would not be permitted to cultivate any adult use cannabis for personal, family, or household use under the license. Proposed Section 3780.13.
14. Authorize an adult use processor licensed under the Act to: obtain cannabis from adult use cannabis operators; process adult use cannabis obtained from adult use cannabis operators into a form authorized under the Act; and distribute, transfer, and sell processed adult use cannabis to adult use cannabis operators. Proposed Section 3780.14.
15. Authorize an adult use dispensary license issued under the Act to: obtain adult use cannabis from adult use processors, adult use cultivators, level III adult use cultivators, and other adult use dispensaries; distribute,



transfer, or sell adult use cannabis to adult use cannabis operators; provide delivery of adult use cannabis and cannabis paraphernalia to patrons as established in rules adopted under the Act; and dispense or sell adult use cannabis subject to limitations and requirements set forth in the Act. These requirements include, only dispensing or selling adult use cannabis to adult use consumers who present a current, valid identification card demonstrating proof that the adult use consumer is twenty-one years of age or older, acceptable form of prepackaged and labeled cannabis received from an adult use cannabis operator, only dispensing or selling adult use cannabis in amounts that do not exceed the possession limits established by the Act, training for employees, and providing addiction services information. Proposed Section 3780.15.

16. Authorize an adult use testing laboratory licensed under to the Act to obtain adult use cannabis from an adult use cannabis operator for testing purposes only and to conduct cannabis testing and research and operations as required by Division rule. Proposed Section 3780.16.
17. Authorize the division to issue a license to an individual applicant, who is at least twenty-one years of age, after the Division has determined that the applicant is eligible for a license under rules adopted by the Division and after the applicant has paid any applicable fees. A license issued under this section is portable and may be used at any adult use cannabis operator or adult use testing laboratory as long as such licensee is registered with the Division for each location where the licensee works or is employed. Proposed Section 3780.17.
18. Establish the cannabis social equity and jobs program in the interest of remedying the harms resulting from the disproportionate enforcement of marijuana-related laws and to provide financial assistance and license application support to individuals most directly and adversely impacted by the enforcement of marijuana-related laws who are interested in starting or working in cannabis business entities. Sets forth the following additional purposes of the cannabis social equity and jobs program:
 - Reducing barriers to ownership and opportunities within the adult use cannabis industry for individuals and communities most adversely impacted by the enforcement of marijuana-related laws;
 - Establishing an adult use cannabis industry that is equitable and accessible to those most adversely impacted by the enforcement of marijuana-related laws in this State; and
 - Acknowledging that: individuals who have been arrested or incarcerated due to drug laws suffer long-lasting negative consequences; family members and communities of those who have been arrested or incarcerated due to drug laws suffer from emotional, psychological, and financial harms as a result of such arrests or incarcerations; certain communities have disproportionately suffered the harms of enforcement of marijuana-related laws and those communities face greater difficulties accessing traditional banking systems and capital for establishing businesses; individuals who have resided in areas of high poverty suffer negative consequences, including barriers to entry in employment, business ownership, housing, health, and long-term financial well-being; and promotion of business ownership and employment by individuals who have resided in areas of high poverty and high enforcement of marijuana-related laws furthers an equitable cannabis industry.

The Ohio Department of Development is required to: establish the program which includes certifying program applicants based on social and economic disadvantage; develop a process for evaluating and adjusting program goals; educate potential participants about the program; implement a compliance system for the program; provide financial and technical assistance to persons certified under the program; encourage employment practices for adult use cannabis operators to hire and educate specified groups; study and fund judicial and criminal justice reform; study and propose policy reform related to impacts of enforcement of marijuana laws and to track and prevent underage usage of marijuana; fund specified investment in impacted communities related to the program; and use funding for the program only for the purposes of the program. Provide program applicants protection from the Department of Development releasing certain application information as public records. Requires that any license preference under the Act and as a result of the program be based on substantiated evidence that the preference is needed to address the goals of the program. Create an advisory board for the program to provide recommendations on the program to the Department of Development. Proposed Sections 3780.18 and 3780.19.

19. Require that adult use cannabis operators and adult use testing laboratories adopt operating procedures and comply with operation requirements required by Division rules adopted under the Act. Prohibits adult use operators from selling or dispensing adult use cannabis without payment unless otherwise authorized under the Act. Proposed Section 3780.20.
20. Authorize the Division to adopt rules on regulating advertising of license holders to prevent prohibited advertisements, and to set standards and Division audit authority related to the advertising. Proposed Section 3780.21.



21. Establish that (for the purpose of supporting social equity issues, providing funds to support jobs and economic development, providing funding for host communities who have adult use dispensaries in their jurisdiction to support these communities, funding education and treatment for individuals with cannabis and other addiction issues, and defraying the costs of regulation and administering the tax) there shall be an adult use tax on the sale of adult use cannabis by adult use dispensaries to adult use consumers in accordance with the Act in the amount of ten percent which is in addition to sales tax authorized under Chapter 5739 of the Revised Code. The tax commissioner is authorized to adopt rules to administer the tax. Proposed Section 3780.22.
22. Create (for the purpose of receiving and distributing, and accounting for, revenue received from the adult use sales tax) the following funds in the state treasury: (1) the adult use tax fund; (2) the cannabis social equity and jobs fund; (3) the host community cannabis fund; (4) the substance abuse and addiction fund; and (5) the division of cannabis control and tax commissioner fund. All monies collected from the tax levied under the Act are required to be deposited into the adult use tax fund which shall be quarterly distributed as follows: thirty-six per cent to the cannabis social equity and jobs fund; thirty-six per cent to the host community cannabis facilities fund; twenty-five per cent to the substance abuse and addiction fund; and three per cent to the division of cannabis control and tax commissioner fund. The director of the Office of Budget and Management shall transfer amounts of the funds as required in the Act. Proposed Section 3780.23.
23. Provide authority to the tax commissioner on the collection, administration, and enforcement of the adult use tax, and gives the tax commissioner authority to prescribe forms and rules to carry out the adult use tax and the funds created to receive the adult use tax. Proposed Section 3780.24.
24. Permit the legislative authority of a municipal corporation to adopt an ordinance, or a board of township trustees to adopt a resolution, by majority vote, to prohibit, or limit the number of adult use cannabis operators permitted under the Act within the municipal corporation or within the unincorporated territory of the township, respectively. However, the Act provides that a municipal corporation or township may not prohibit or limit: existing operational medical marijuana cultivators, processors, or dispensaries; or an adult use cultivator or an adult use processor, or an adult use dispensary who is co-located with adult use cultivator and an adult use processor, who have, or whose owner have, a medical marijuana certificate of operation at the same location as of the effective date of the Act. Medical marijuana dispensaries, or their owners, are authorized to operate an adult use dispensary in a municipal corporation or township once licensed by the Division. However, a municipal corporation or township may vote to prohibit the operation of an adult use dispensary within one-hundred and twenty days of the adult use dispensary license being issued. If a municipal corporation or township votes to prohibit an adult use dispensary, the adult use dispensary must stop operation within sixty days, unless the adult use dispensary files with the board of elections a valid petition on whether the adult use dispensary should remain open and whether the municipal corporation or township should receive funding related to the adult use dispensary. If the petition is valid, the issue is required to be placed on the next general election ballot as prescribed under the Act but no sooner than ninety days from when the petition is filed with the board of election. If the issue is passed, then the adult use dispensary may remain open. If the issue is not passed, then: the medical marijuana dispensary at that location may continue to operate, or may relocate and such relocation request shall be approved if it is filed within ninety days and complies with applicable law; and the adult use dispensary must close within ninety days unless the adult use dispensary applies to relocate within ninety days and then the adult use dispensary shall remain open until the Division approves the relocation. The Act prohibits a municipal corporation and township from: limiting specific research; levying a tax, fee, or charge on adult use operations, their owner, or their property not generally charged on other businesses; prohibiting or limiting cannabis home use authorized under the Act; or prohibiting or restricting an activity authorized by the Act. Proposed Section 3780.25.
25. Authorize the Division to enforce, or cause to be enforced, all sections of the Act and the rules adopted thereunder, and authorize the Division to take action against any licensee or applicant for licensure, including, but not limited to, refusing to issue a license, suspending a license, inspecting the premises of a license holder without prior notice, or imposing on a provisional license holder or license holder a civil penalty. If the Division suspends, revokes, or refuses to renew any license or determines that there is clear and convincing evidence of a danger of immediate and serious harm to any individual, the Division may place under seal all adult use cannabis owned by or in the possession, custody, or control of the affected license holder. Except as provided in the Act, the Division shall not dispose of the adult use cannabis sealed under section 3780.26 of the Act until the license holder exhausts all of the license holder's appeal rights under Chapter 119 of the Revised Code. The court involved in such an appeal may order the Division, during the pendency of the appeal, to sell perishable cannabis sealed under this section of the Act and deposit the proceeds of any such sale with the court.

The Act establishes additional procedures and requirements the Division must follow in exercising its authority, and any such enforcement action must be taken in accordance with Chapter 119 of the Revised Code. The Division

is not required to enforce minor violations of the Act if the Division determines that the public interest is served by a notice or warning to an alleged offender. Proposed Section 3780.26.



26. Authorize the Attorney General to bring a civil cause of action, if requested by the Division, to restrain a violation of the Act and require the applicable court to give any such action priority over all other civil cases before the court. Proposed Section 3780.27.
27. Authorize any citizen of the state of Ohio to commence an action to compel the Division to perform actions mandated under the Act if the Division fails to adopt rules necessary to initially implement the Act within nine months of the effective date of the Act or fails to begin accepting license applications within six months of the effective date of the Act. Establish that, if the Division fails to issue an adult use cannabis operator license, or send a notice of denial to an applicant, within three months after receiving a complete adult use cannabis operator application pursuant to the Act, the applicant may: commence an action to compel the Division to perform actions mandated under the Act; and unless the Division can demonstrate in writing that operating presents a danger of immediate and serious harm to others, the applicant may operate under a temporary license if the applicant has a medical marijuana certificate of operation at the location, and complies with the Act and any rules adopted by the Division under the Act. Proposed Section 3780.28.
28. Authorize adult use consumers, subject to enumerated limitations, to: (1) cultivate, grow, and possess not more than six cannabis plants at the individual's primary residence, with a total limitation of not more than twelve cannabis plants per residence where two or more adult use consumers reside at one time; (2) process by manual or mechanical means adult use cannabis cultivated or grown in accordance with section 3780.29 of the Act; (3) transfer up to six cannabis plants to an adult use consumer as long as the transfer is without remuneration and not advertised or promoted to the public; and/or (4) store adult use cannabis that was purchased from an adult use dispensary licensed under the Act or produced in compliance with section 3780.29 of the Act. The Act would also permit a landlord to prohibit home grow activities otherwise authorized under the Act so long as such prohibition is included in the applicable lease agreement. The Act sets forth Division rule making authority to adopt a schedule of civil penalties for violations of this section and a reference to section 3780.99 of the Act for other listed violations in this section. Proposed Section 3780.29.
29. Require the Division to enter into an agreement with the Department of Mental Health and Addiction Services under which the Department shall provide a program for cannabis addiction services to be implemented on behalf of the Division which includes best practices for education and treatment for individuals with addiction issues related to cannabis or other controlled substances including opioids. The Department would also be required to establish, operate, and publicize an in-state, toll-free telephone number Ohio residents may call to obtain basic information about addiction services available to consumer, and options for an addicted consumer to obtain help. Require the Department of Mental Health and Addiction Services to administer the cannabis addition fund, to use the money in the fund to support addiction services or other services that relate to addiction and substance abuse, and research that relates to addiction and substance abuse, and to prepare an annual report describing the use of the fund for these purposes which shall be submitted to the Director of Commerce and several enumerated elected officials. The Act would require license holders to provide information to patrons regarding addiction issues and available services and resources and training to their employees on the same services and resources. Proposed Section 3780.30.
30. Define certain information collected by the Division as confidential and restrict the Division from disclosing such information unless certain criteria are satisfied. Proposed Section 3780.31.
31. Establish the proper venue for actions challenging the Act will be the Court of Common Pleas of Franklin County, Ohio with limited exceptions, and require that any action asserting that any portion of the Act or any rule adopted thereunder violates any provision of the Ohio Constitution or federal law shall be brought within ninety days after the effective date of the enactment of the Act or within ninety days after the effective date of any rule adopted pursuant to the Act, as applicable. Proposed Section 3780.32.
32. Protect individuals who hold a license, as defined in section 4776.01 of the Revised Code, or other license, certification, or registration issued by any professional board in the state of Ohio, or pursuant to 2923.125 of the Revised Code (concealed handgun license), from disciplinary action solely for engaging in professional or occupational activities related to adult use cannabis in accordance with the Act, or for engaging in other enumerated activities in compliance with the Act. The Act would create additional protections for individuals who engage in conduct permitted under the Act, including protections relating to: adjudicatory hearings to determine shelter care placement, parental rights and responsibilities, and parenting time orders, unless there is clear and convincing evidence that a child is unsafe; eligibility for any public benefit program administered by the state or any locality; and right to medical care and/or inclusion on a transplant waiting list. Establish that the use, possession, administration, cultivation, processing, testing, dispensing, transporting, sale, delivery, or



transferring of adult use cannabis in accordance with the Act shall not be used as the sole or primary reason for taking action under any criminal or civil statute. Establish that an individual's status as an adult use consumer shall not be used as the sole or primary basis for rejecting the individual as a tenant unless the rejection is required by federal law, but a landlord may prohibit the consumption of cannabis by combustion so long as such prohibition is included in the applicable lease agreement. Establish as the public policy of the State of Ohio that contracts related to adult use cannabis operators and adult use cannabis testing laboratories are enforceable. Establish that when an adult use consumer who engages in activities related to adult use cannabis in compliance with this Chapter, such activities alone do not constitute sufficient basis for conducting a field sobriety test on the individual or for suspending the individual's driver's license. The Act further requires that, to conduct any field sobriety test, a law enforcement officer must have an independent, factual basis giving reasonable suspicion that the individual is operating a vehicle under the influence of adult use cannabis or with a prohibited concentration of marijuana in the person's whole blood, blood serum, plasma, breath, or urine. Proposed Section 3780.33.

33. Define the terms "financial institution" and "financial services," and limit criminal liability for financial institutions that provide financial services to any adult use cannabis operator or testing laboratory licensed under the Act if the adult use cannabis operator or testing laboratory licensed operates in compliance with the Act and the applicable tax laws of the State of Ohio. Provide that, notwithstanding any contrary section of the Ohio public records law, that upon the request of a financial institution providing services to an adult use cannabis operator or adult use testing laboratory, the Division shall provide to the financial institution the following six categories of information:

- Whether an individual or entity with whom the financial institution is seeking to do business is an adult use cannabis operator or adult use testing laboratory licensed under the Act;
- The name of any other business or individual affiliated with the individual or entity;
- An unredacted copy of the adult use cannabis license application and any supporting documentation that was submitted by the individual or entity;
- If applicable, information relating to sales and volume of product sold by the individual or entity, except where prohibited by the Act;
- Whether the individual or entity follows the Act; and
- Any past or pending violation by the individual or entity of this Chapter, and any penalty imposed on the individual or entity for such a violation. Proposed Section 3780.34.

34. Protect an employer's authority to establish hiring and employment policies and practices related to the Act. Specifically, nothing in the Act does any of the following related to an employer:

- Requires an employer to permit or accommodate an employee's use, possession, or distribution of adult use cannabis;
- Prohibits an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against an individual with respect to hire, tenure, terms, conditions, or privileges of employment because of that individual's use, possession, or distribution of cannabis;
- Prohibits an employer from establishing and enforcing a drug testing policy, drug-free workplace policy, or zero-tolerance drug policy;
- Interferes with any federal restrictions on employment, including the regulations adopted by the United States Department of Transportation in Title 49 of the Code of Federal Regulations, as amended;
- Permits an individual to commence a cause of action against an employer for refusing to hire, discharging, disciplining, discriminating, retaliating, or otherwise taking an adverse employment action against an individual with respect to hire, tenure, terms, conditions, or privileges of employment related to the individual's use of cannabis; or
- Affects the authority of the administrator of workers' compensation to grant rebates or discounts on premium rates to employers that participate in a drug-free workplace program.

An individual who is discharged from employment because of the individual's use of cannabis shall be considered to have been discharged for just cause for purposes of unemployment benefits eligibility if the individual's use of cannabis was in violation of an employer drug or related cannabis policy. Proposed Section 3780.35.

35. Authorize that adult use consumers may do the following: (1) use adult use cannabis; (2) possess, transfer without remuneration to another adult consumer, or transport adult use cannabis, subject to specified limitations; and (3) purchase adult use cannabis from an adult use dispensary per day an amount of adult use cannabis that does not exceed the possession limits established under the Act. Limit the amount of adult use cannabis that may be possessed by an adult use consumer to two and a half ounces of adult use cannabis in any form except adult use extract and fifteen grams of adult use cannabis in the form of adult use extract. Limit the amount of adult use cannabis that may be transferred by an adult use consumer without remuneration and not advertised or promoted to the public to two and one-half ounces of adult use cannabis in any form except adult use extract and fifteen



grams of adult use cannabis in the form of adult use extract. Limit the amount of adult use cannabis that may be transported by an adult use consumer to two and one-half ounces of adult use cannabis in any form except adult use extract and fifteen grams of adult use cannabis in the form of adult use extract. Prohibit any individual from, among other activities: (1) operating a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft while using adult use cannabis or while under the influence of adult use cannabis; (2) smoking, vaporizing, or using any other combustible adult use cannabis product while in a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft; (3) transferring or selling adult use cannabis, with or without remuneration, to an individual under twenty-one years of age; or (4) allowing an individual under twenty-one years of age to purchase, possess, use, process, transport, or cultivate cannabis except where authorized by Chapter 3796 of the Revised Code. Proposed Section 3780.36.

36. Establish that if any provision of this Act or its application is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are severable. Proposed Section 3780.90.
37. Establish penalties for violations of the Act by adult use consumers, individuals under twenty-one years of age, and others who violate the Act. Proposed Section 3780.99.

CERTIFICATION OF ATTORNEY GENERAL

Without passing on the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General's Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed statute.

DAVE YOST
Ohio Attorney General
August 20, 2021

COMMITTEE TO REPRESENT THE PETITIONERS

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

Thomas Haren	11747 Ivy Ridge Drive, North Royalton, Ohio 44133
Brandon Lynaugh	1299 Avondale Avenue, Columbus, Ohio 43212
Kevin Murphy	4155 Hadleigh Road, Cleveland, Ohio 44118



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MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

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(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
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41. Print First Name	Print Last Name		M.I.
Street Address (Your Address on File with the Board of Elections)			
City, Village, or Township	County	Zip Code	Ward/Precinct
Signature		Date of Signing	

42. Print First Name	Print Last Name		M.I.
Street Address (Your Address on File with the Board of Elections)			
City, Village, or Township	County	Zip Code	Ward/Precinct
Signature		Date of Signing	

43. Print First Name	Print Last Name		M.I.
Street Address (Your Address on File with the Board of Elections)			
City, Village, or Township	County	Zip Code	Ward/Precinct
Signature		Date of Signing	

44. Print First Name	Print Last Name		M.I.
Street Address (Your Address on File with the Board of Elections)			
City, Village, or Township	County	Zip Code	Ward/Precinct
Signature		Date of Signing	

45. Print First Name	Print Last Name		M.I.
Street Address (Your Address on File with the Board of Elections)			
City, Village, or Township	County	Zip Code	Ward/Precinct
Signature		Date of Signing	



NOTICE

Whoever knowingly signs this petition more than once, except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post Office Address	Month / Day / Year
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(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
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46. Print First Name		Print Last Name		M.I.
Street Address (Your Address on File with the Board of Elections)				
City, Village, or Township		County	Zip Code	Ward/Precinct
Signature			Date of Signing	

47. Print First Name		Print Last Name		M.I.
Street Address (Your Address on File with the Board of Elections)				
City, Village, or Township		County	Zip Code	Ward/Precinct
Signature			Date of Signing	

48. Print First Name		Print Last Name		M.I.
Street Address (Your Address on File with the Board of Elections)				
City, Village, or Township		County	Zip Code	Ward/Precinct
Signature			Date of Signing	

49. Print First Name		Print Last Name		M.I.
Street Address (Your Address on File with the Board of Elections)				
City, Village, or Township		County	Zip Code	Ward/Precinct
Signature			Date of Signing	

50. Print First Name		Print Last Name		M.I.
Street Address (Your Address on File with the Board of Elections)				
City, Village, or Township		County	Zip Code	Ward/Precinct
Signature			Date of Signing	



NOTICE

Whoever knowingly signs this petition more than once, except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

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Signature	County	Township	Rural Route or other Post Office Address	Month / Day / Year
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(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
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51. Print First Name		Print Last Name		M.I.	
Street Address (Your Address on File with the Board of Elections)					
City, Village, or Township		County		Zip Code	
City, Village, or Township		County		Zip Code	
Signature				Date of Signing	
52. Print First Name		Print Last Name		M.I.	
Street Address (Your Address on File with the Board of Elections)					
City, Village, or Township		County		Zip Code	
City, Village, or Township		County		Zip Code	
Signature				Date of Signing	
53. Print First Name		Print Last Name		M.I.	
Street Address (Your Address on File with the Board of Elections)					
City, Village, or Township		County		Zip Code	
City, Village, or Township		County		Zip Code	
Signature				Date of Signing	
54. Print First Name		Print Last Name		M.I.	
Street Address (Your Address on File with the Board of Elections)					
City, Village, or Township		County		Zip Code	
City, Village, or Township		County		Zip Code	
Signature				Date of Signing	
55. Print First Name		Print Last Name		M.I.	
Street Address (Your Address on File with the Board of Elections)					
City, Village, or Township		County		Zip Code	
City, Village, or Township		County		Zip Code	
Signature				Date of Signing	

FULL TEXT OF LAW



Be it Enacted by the People of the State of Ohio that the following chapter and sections are added to Title XXXVII of the Revised Code:

Chapter 3780: Adult Use Cannabis Control

Section 3780.01. Definitions.

(A) As used in this chapter:

- (1) "Adult use cannabis" or "cannabis" or "marijuana" means marihuana as defined in section 3719.01 of the Revised Code.
- (2) "Adult use cannabis operator" means a level I adult use cultivator, a level II adult use cultivator, a level III adult use cultivator, an adult use processor, and an adult use dispensary.
- (3) "Adult use consumer" means an individual who is at least twenty-one years of age.
- (4) "Adult use cultivator" means a level I adult use cultivator or a level II adult use cultivator.
- (5) "Adult use dispensary" means a person licensed pursuant section 3780.15 of the Revised Code, this chapter and any rules promulgated thereunder to sell adult use cannabis as authorized.
- (6) "Adult use extract" or "extract" means a substance obtained by separating or concentrating cannabinoids and other compounds from any part of the adult use cannabis plant by physical or chemical means, intended to be refined for use as an ingredient in an adult use cannabis product or as a standalone adult use cannabis product.
- (7) "Adult use processor" means a person licensed pursuant section 3780.14 of the Revised Code, this chapter and any rules promulgated thereunder to manufacture adult use cannabis as authorized.
- (8) "Adult use testing laboratory" means an independent laboratory located that has been issued a license by the division of cannabis control to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.
- (9) "Advertising" means any written or verbal statement, illustration, or depiction created to induce sales through the use of or a combination of letters, pictures, objects, lighting effects, illustrations, videos, sounds, or other similar means. "Advertisement" includes brochures, promotional and other marketing materials consistent with section 3780.21 of the Revised Code.
- (10) "Applicant" means an individual or person who files an application for a license pursuant to this chapter."
- (11) "Certificate of operation" means a certification of operation or license issued by either the department of commerce or the state board of pharmacy to a person pursuant to Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.
- (12) "Confidential information" means information that is not a public record for purposes of section 149.43 of the Revised Code.
- (13) "Cultivate" means to grow, harvest, package, and transports adult use cannabis pursuant to this chapter.



(14) "Cultivation area" means the boundaries of the enclosed areas in which adult use cannabis is cultivated during the vegetative stage and flowering stage of the cultivation process. For purposes of calculating the cultivation area square footage, enclosed areas used solely for the storage and maintenance of mother plants, clones, or seedlings shall not be included.

(15) "Cultivation facility" means a facility where an adult use cultivator or a level III adult use cultivator is authorized to operate.

(16) "Dispensary" means a person who has a certificate of operation to operate a dispensary under Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

(17) "Disqualifying offense" means:

(a) A conviction or plea of guilty, including conspiracy to commit, attempt to commit, or aiding and abetting another in committing, the following:

(i) Any offense set forth in Chapters 2925, 3719, or 4729 of the Revised Code, the violation of which constitutes a felony or a misdemeanor of the first degree;

(ii) Any theft offense set forth under division (K) in section 2913.01 of the Revised Code, the violation of which constitutes a felony;

(iii) Any violation for which a penalty was imposed under section 3715.99 of the Revised Code;

(iv) A crime of moral turpitude as defined in section 4776.10 of the Revised Code; or

(v) A violation of any former law of this state, any existing or former law of another state, any existing or former law applicable in a military court or Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any of the offenses listed in paragraphs (a)(i) to (a)(iv) of this definition.

(b) Any first degree misdemeanor offense listed in paragraphs (a)(i) to (a)(v) of this definition will not automatically disqualify an applicant from licensure if the applicant was convicted of or pleaded guilty to the offense more than five years before the date the application for licensure is filed.

(c) Notwithstanding paragraph (a) or (b) of this definition, no misdemeanor offense, including misdemeanors of the first degree, related to cannabis possession, cannabis trafficking, illegal cultivation of cannabis, illegal use or possession of drug paraphernalia or cannabis drug paraphernalia, or other cannabis related crimes shall be considered a disqualifying offense.

(18) "Director" means the director of the department of commerce.

(19) "Level I adult use cultivator" mean either a person who has a certificate of operation as a level I cultivator and who is licensed pursuant to section 3780.12 of the Revised Code, this chapter and any rules promulgated thereunder to cultivate adult use cannabis as authorized, or a person who is licensed as a level I adult use cultivator pursuant to section 3780.12 of the Revised Code, this chapter and any rules promulgated thereunder to cultivate adult use cannabis as authorized, and either person may operate up to one hundred thousand square footage of space designated as the cultivation area in the application which may be increased if a request for expansion is approved by the division of cannabis control.



(20) “Level II adult use cultivator” mean either a person who has a certificate of operation as a level II cultivator and who is licensed pursuant to section 3780.12 of the Revised Code, this chapter and any rules promulgated thereunder to cultivate adult use cannabis as authorized, or a person who is licensed as a level II adult use cultivator pursuant to section 3780.12 of the Revised Code, this chapter and any rules promulgated thereunder to cultivate adult use cannabis as authorized, and either person may operate up to fifteen thousand square footage of space designated as the cultivation area in the application which may be increased if a request for expansion is approved by the division of cannabis control.

(21) “Level III adult use cultivator” means a person licensed pursuant section 3780.13 of the Revised Code, this chapter and any rules promulgated thereunder to cultivate adult use cannabis as authorized.

(22) “Level I cultivator” means a person who has a certificate of operation to operate as a level I cultivator under Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

(23) “Level II cultivator” means a person who has a certificate of operation to operate as a level II cultivator under Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

(24) “License” means a license by the division of cannabis control to a license applicant pursuant to chapter 3780 of the Revised Code and the rules adopted thereunder.

(25) “License applicant” means an individual or person who applies for a license under this chapter.

(26) “License holder” or “Licensee” means an adult use cannabis operator, adult use testing laboratory or an individual who is licensed under the provisions of chapter 3780 of the Revised Code.

(27) “Manufacture” means the process of converting harvested plant material into adult use extract by physical or chemical means for use as an ingredient in an adult use cannabis product.

(28) “Medical provisional license” means a provisional license issued by either the department of commerce or the state board of pharmacy to a person pursuant to Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

(29) “Minor cannabinoid” means any cannabinoid other than CBD, CBDa, Delta-9 THC or Delta 9 THCa, including any isomer, analogue, or derivative thereof, and any other cannabinoid that naturally occurs in cannabis, regardless of whether that cannabinoid may be naturally or synthetically derived, which may be used as an ingredient in adult use products.

(30) “Mother plant” means an adult use cannabis plant that is cultivated or maintained for the purpose of generating clones, and that will not be used to produce plant material for sale to an adult use processor or an adult use dispensary unless the plant is transferred into the cultivation area of the facility.

(31) “Paraphernalia” means any equipment, products, or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body.



(32) "Person" includes, but is not limited to, an individual or a combination of individuals; a sole proprietorship, a firm, a company, a joint venture, a partnership of any type, a joint-stock company, a corporation of any type, a corporate subsidiary of any type, a limited liability company, a business trust, or any other business entity or organization; an assignee; a receiver; a trustee in bankruptcy; an unincorporated association, club, society, or other unincorporated entity or organization; entities that are disregarded for federal income tax purposes; and any other nongovernmental, artificial, legal entity that is capable of engaging in business.

(33) "Primary residence" means the residence of an individual in which the individual's habitation is fixed and to which, whenever the person is absent, the person has the intention of returning.

(34) "Processor" means a person who has been issued a processing certificate of operation pursuant to Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

(35) "Prohibited facility" means any church, public library, public playground, public park, or school, as defined in section 3796.30 of the Revised Code.

(36) "Provisional license" means a temporary license issued to an applicant for an individual license that establishes the conditions that must be met by the licensee before the individual is issued a license in accordance with the requirements and conditions set forth in chapter 3780 of the Revised Code and the rules adopted thereunder.

(37) "Tetrahydrocannabinol" or "THC" means the sum of the amount of delta-9 tetrahydrocannabinol (THC) and 87.7 per cent of the amount of delta-9-tetrahydrocannabinolic acid (THCA) present in the product or plant material. THC does not include minor cannabinoids.

Section 3780.02 Authorization and purpose.

(A) Controlled and regulated sales and use of adult use cannabis shall be permitted under this chapter for the following public purposes:

- (1) Reducing illegal marijuana sales and providing for a safer and regulated cannabis product;
- (2) Limiting the transportation of out-of-state cannabis into the state;
- (3) Providing key funding to support social equity, job creation, host communities that have adult use dispensaries, cannabis research, and proper oversight and regulation of the adult cannabis industry; and
- (4) Improving social equity issues to address the state's compelling interest to redress past and present effects of discrimination and economic disadvantage for individuals in the state.

(B) Adult use cannabis shall only be sold to, or used by, an adult use consumer pursuant to this chapter unless otherwise authorized pursuant to the Revised Code.

(C) Nothing in this chapter shall limit any sale, use, possession, or any other activity authorized by Chapter 3796 of the Revised Code.

Section 3780.03. Establishment and authority of division of cannabis control; adoption of rules.

(A) There is hereby established a division of cannabis control within the department of



commerce.

(B) To ensure the proper oversight and control of the adult use cannabis industry, the division of cannabis control shall have the authority to license, regulate, investigate, and penalize adult use cannabis operators, adult use testing laboratories and individuals required to be licensed under this chapter.

(C) The division of cannabis control shall adopt, and as advisable and necessary shall amend or repeal, rules on the following:

(1) Prevention of practices detrimental to the public interest consistent with this chapter, and also ways to educate the public about this chapter;

(2) Establishing application, licensure and renewal standards and procedures for license applicants or license holders related to adult use cannabis operators, adult use testing laboratories, and individuals required to be licensed, including any additional background check requirements, the disqualifying offenses under section 3780.01 of the Revised Code that prohibit licensure, and any exemption criteria from licensing requirements for institutional or private investors who do not have significant control or influence over a license applicant or license holder, and whose ownership in a license is for investment purposes only;

(3) Establishing reasonable application, licensure and renewal fees amounts to ensure license applicants and license holders under this chapter pay for the actual costs for administration and licensure for the division of cannabis control;

(4) Establishing standards for provisional licenses for an individual who is required to be licensed and who has exigent circumstances. Such standards for provisional licenses must include submission of a complete application and compliance with a required background check. A provisional license shall be valid not longer than three months. A provisional license may be renewed, at the division of cannabis control's discretion, for an additional three months. In establishing standards with regard to instant background checks the division of cannabis control may use all available resources;

(5) Specifying the process and reasons for which a license holder may be fined, suspended either with or without a prior hearing, revoked, or not renewed or issued;

(6) The process and requirements for division of cannabis control approval of any requested change in ownership or transfer of control of an adult use cannabis operator or adult use testing laboratory;

(7) Establishing process and standards for expanding the size of the cultivation area for a cultivation facility;

(8) Establishing standards and procedures for the testing of adult use cannabis by an adult use testing laboratory licensed under this chapter. When establishing standards and procedures for the testing of cannabis, the division of cannabis control shall do all of the following:

(a) Specify when testing must be conducted;

(b) Determine the minimum amount of adult use cannabis that must be tested;

(c) Specify the manner in which testing is to be conducted in an effort to ensure uniformity of cannabis products processed for and dispensed; and



(d) Specify the manner in which test results are provided.

(9) The minimum amount of insurance or surety bond that must be maintained by an adult use cannabis operator and adult use testing laboratory;

(10) Requiring the division of cannabis control to adopt reasonable standards for any adult use cannabis samples, and advertising as prescribed in section 3780.21 of the Revised Code;

(11) Requiring that the records, including financial statements, of an adult use cannabis operator or adult use testing laboratory be maintained in the manner up to two years as prescribed by the division of cannabis control and which shall be made available for inspection upon demand by the division of cannabis control, but shall be subject to section 3780.31 of the Revised Code;

(12) Prescribing technical standards and requirements consistent with industry standards that must be met for security and surveillance equipment necessary for the provision of security and surveillance of adult use cannabis operators and adult use testing laboratories;

(13) Prescribing requirements for a license holder's provision of security services for an adult use cannabis operator and adult use testing laboratories which shall include the license holder's option to use armed or unarmed services including through agents of the license holder;

(14) Prescribing standards according to which license holders shall keep accounts and standards according to which adult use cannabis operators and adult use testing laboratories accounts shall be audited, and establish guidance for assisting the department of taxation in levying and collecting the adult use tax levied under section 3780.22 of the Revised Code;

(15) Determining penalties for violation of division of cannabis control rules or this chapter, and a process for imposing such penalties;

(16) Training requirements for employees and agents of adult use cannabis operators and adult use laboratories;

(17) Prescribing standards and procedures to allow for adult use cannabis delivery to adult use consumers, and online and mobile ordering procedures, which may only be conducted by an adult use dispensary or their agent;

(18) Prescribing cannabis inventory requirements to be maintained in an electronic database consistent with section 3780.05 of the Revised Code;

(19) Prescribing standards and procedures for product packaging and labeling of adult use cannabis products;

(20) Prescribing standards and procedures in coordination with the department of development to administer and enforce the cannabis social equity and jobs program as prescribed under 3780.19 of the Revised Code;

(21) Establishing a tetrahydrocannabinol content limit for adult use cannabis, which for plant material the content limit shall be no less than thirty-five per cent and for extracts the content limit shall be no less than ninety per cent, but that such content limits may be increased or eliminated by the division of cannabis control; and

(22) Prescribing duty to update requirements for license holders.

(D) All rules adopted under this section and chapter shall be adopted in accordance with Chapter



119 of the Revised Code.

(E) In addition to the rules described in division (C) of this section, the division of cannabis control may adopt any other rules it considers necessary for the administration, implementation, and enforcement of this chapter consistent with this chapter.

(F) When adopting rules under this section, the division of cannabis control shall consider standards and procedures that have been found to be best practices relative to the use and regulation of adult use cannabis and shall harmonize any rules with the rules adopted pursuant to sections 3796.03 and 3796.04 of the Revised Code to minimize duplication of operational requirements and fees as much as possible. If there is a conflict with Chapter 3796 and related rules, and chapter 3780 of the Revised Code and related rules, then chapter 3780 and related rules shall govern.

Section 3780.04. Allowable forms of adult use cannabis.

(A) Only adult use cannabis may be sold under this chapter in the following forms: plant material and seeds, live plants, clones, extracts, drops, lozenges, oils, tinctures, edibles, patches, smoking or combustible product, vaporization of product, beverages, pills, capsules, suppositories, oral pouches, oral strips, oral and topical sprays, salves, lotions or similar cosmetic products, and inhalers.

(B) Any person may submit a petition to the division of cannabis control requesting that an additional form or method of adult use cannabis be approved. A petition shall be submitted to the division of cannabis control in a manner prescribed by the division of cannabis control.

(C) On receipt of a petition, the division of cannabis control shall determine whether or not to approve the form or method of adult use cannabis described in the petition within sixty days of petition receipt.

(D) The division of cannabis control may adopt rules as necessary to implement this section.

Section 3780.05. Electronic database.

The division of cannabis control shall establish and maintain an electronic database to monitor all adult use cannabis from its seed or clone source through its cultivation, processing, testing, and dispensing for all adult use cannabis operator operations. The division of cannabis control may contract with a separate entity or state agency to establish and maintain all or any part of the electronic database on behalf of the division of cannabis control.

The electronic database shall allow for information regarding adult use cannabis to be updated instantaneously. Any license holder licensed under this chapter shall submit to the division of cannabis control any information the division of cannabis control determines is necessary for maintaining the electronic database.

The division of cannabis control, and any entity under contract with the division of cannabis control, shall not make public any information reported to or collected by the division of cannabis control under this section that identifies or would tend to identify any adult use consumer.

Section 3780.06. Information provided by the department of taxation.

(A)(1) Notwithstanding section 149.43 of the Revised Code or any other public records law to



the contrary or any law relating to the confidentiality of tax return information, upon the request of the division of cannabis control, the department of taxation shall provide to the division of cannabis control all of the following information:

- (a) Whether an applicant for license under this chapter follows the applicable tax laws of this state;
 - (b) Any past or pending violation by the applicant of those tax laws, and any penalty imposed on the applicant for such a violation.
- (2) The division of cannabis control shall request the information only as it pertains to an application for license that the division of cannabis control is reviewing.
- (3) The department of taxation may charge the division of cannabis control a reasonable fee to cover the administrative cost of providing the information.
- (B) Information received under this section is confidential. Except as otherwise permitted by other state law or federal law, the division of cannabis control shall not make the information available to any person other than the applicant for licensure to whom the information applies.

Section 3780.07. Facilities.

(A) Except as provided in divisions (B), (C), and (D) of this section, no adult use cannabis operator or adult use testing laboratory shall be located within five hundred feet of the end boundaries of a parcel of real estate having situated on it a prohibited facility.

If a relocation of an adult use cannabis operator or adult use testing laboratory licensed under this chapter results in the adult use cannabis operator or adult use testing laboratory being located within five hundred feet of the boundaries of a prohibited facility, the division of cannabis control shall deny the relocation and the adult use cannabis operator or adult use testing laboratory may apply with the division of cannabis control to request a relocation to a different location.

(B) Division (A) does not apply to:

- (1) Current facilities and properties of adult use cannabis operators if the license holder or applicant, or the owners of the license holder or applicant, also have a certificate of operation and is doing business at that same location; or
- (2) Research related to adult use cannabis conducted at a state university, academic medical center, or private or public research and development organization as part of a research protocol approved by an institutional review board or equivalent entity, or any other entity as approved by the division of cannabis control.

(C) Upon a level I cultivator or level II cultivator with a certificate of operation, or the same owners of the level I or level II cultivator, receiving a license from the division of cannabis control as a level I adult use cultivator or level II adult use cultivator, the license holder may expand its cultivation area and facility as authorized in this chapter notwithstanding any limitation resulting from Chapter 3796 of the Revised Code or Chapter 3796 of the Administrative Code.

(D) Upon the division of cannabis control's receipt of a request from an adult use cultivator or level III adult use cultivator for expansion beyond what is authorized in this chapter, the division



of cannabis control shall have ninety days to review and approve or deny a request for expansion consistent with division of cannabis control rule.

(E) After the review and approval from the division of cannabis control, an adult use cultivator may relocate all or a portion of the authorized cultivation area to more than one cultivation facility as long as any relocation complies with this chapter, the relocated facility is operated under the same license, and so long as the aggregate square footage for all related cultivation area and facilities does not exceed the square footage limitations under the license as authorized under this chapter. A level I adult use cultivator or level II adult use cultivator who also has, or whose same owner also has, a certification of operation, may only relocate cultivation area that is above the original approved cultivation area under 3796 of the Revised Code and 3796 of the Administrative Code.

(F) A level III adult use cultivator's cultivation area shall not exceed five thousand square feet unless authorized by the division of cannabis control under this chapter.

(G) The division of cannabis control may adopt rules as necessary to implement this section.

Section 3780.08. Criminal records checks.

(A) As used in this section, criminal records check has the same meaning as in section 109.572 of the Revised Code.

(B)(1) As part of the application process for a license issued under this chapter, the division of cannabis control shall require each of the following to complete a criminal records check:

- (a) An administrator or other person responsible for the daily operation of an adult use cannabis operator or an adult use testing facility seeking a license;
- (b) An owner or prospective owner, officer or prospective officer, or board member or prospective board member of an entity seeking the license as an adult use cannabis operator or an adult use testing facility as determined by the division of cannabis control; and
- (c) An employee or agent of an adult use cannabis operator or an adult use testing facility required to be licensed under this chapter.

(2) If a person subject to the criminal records check requirement does not present proof of having been a resident of this state for the five-year period immediately prior to the date the criminal records check is requested or provide evidence that within that five-year period the superintendent of the bureau of criminal identification and investigation has requested information about the person from the federal bureau of investigation in a criminal records check, the division of cannabis control shall request that the person obtain through the superintendent a criminal records request from the federal bureau of investigation as part of the criminal records check of the person. Even if a person presents proof of having been a resident of this state for the five-year period, the division of cannabis control may request that the person obtain information through the superintendent from the federal bureau of investigation in the criminal records check.

(C) The division of cannabis control shall provide the following to each person who is subject to the criminal records check requirement:

(1) Information about accessing, completing, and forwarding to the superintendent of the bureau of criminal identification and investigation the form prescribed pursuant to division (C)(1) of



section 109.572 of the Revised Code and the standard impression sheet to obtain fingerprint impressions prescribed pursuant to division (C)(2) of that section;

(2) Written notification that the person is to instruct the superintendent to submit the completed report of the criminal records check directly to the division of cannabis control.

(D) Each person who is subject to the criminal records check requirement shall pay to the bureau of criminal identification and investigation the fee prescribed pursuant to division (C)(3) of section 109.572 of the Revised Code for the criminal records check conducted of the person.

(E) The report of any criminal records check conducted by the bureau of criminal identification and investigation in accordance with section 109.572 of the Revised Code and pursuant to a request made under this section is not a public record for the purposes of section 149.43 of the Revised Code and shall not be made available to any person other than the following:

(1) The person who is the subject of the criminal records check or the person's representative;

(2) The staff of the division of cannabis control and the director; and

(3) A court, hearing officer, or other necessary individual involved in a case dealing with either of the following:

(a) A license denial resulting from the criminal records check;

(b) A civil or criminal action regarding the division of cannabis control or any violation of this chapter.

(F) The division of cannabis control shall deny a license if, after receiving the information and notification required by this section, a person subject to the criminal records check requirement fails to do either of the following:

(1) Access, complete, or forward to the superintendent of the bureau of criminal identification and investigation the form prescribed pursuant to division (C)(1) of section 109.572 of the Revised Code or the standard impression sheet prescribed pursuant to division (C)(2) of that section;

(2) Instruct the superintendent to submit the completed report of the criminal records check directly to the division of cannabis control.

(G) The superintendent of the bureau of criminal identification and investigation shall conduct a criminal record check under section 109.572 of the Revised Code in a consistent manner as the superintendent conducts a criminal record check as required for sections 3796.12 and 3796.13 of the Revised Code upon the receipt of a request, a completed form prescribed pursuant to section 109.572(C)(1) of the Revised Code, and a set of fingerprint impressions obtained in a manner described in section 109.572(C)(2) of the Revised Code. The superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in section 109.572(B) of the Revised Code to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or plead guilty to a disqualifying offense as defined in this chapter and as clarified in rules adopted under this chapter.



Section 3780.09. Location of adult use cannabis operators.

(A) Notwithstanding any provision of Chapter 3796 of the Revised Code or Chapter 3796 of the Administrative Code, an adult use cannabis operator and an adult use testing laboratory licensed under this chapter shall conduct business under their license at the same location where the adult use cannabis operator or adult use testing laboratory, or the same owners of the adult use cannabis operator or adult use testing laboratory, also have been issued a certificate of operation, unless the adult use cannabis operator or adult use testing laboratory relocates all or a portion of their facility and business if authorized under this chapter and rules adopted by the division of cannabis control.

(B) All other applicants who do not have a certificate of operation shall conduct business at a facility consistent with this chapter and as approved by the division of cannabis control.

Section 3780.10. Adult use cannabis operator and adult use testing laboratory licenses.

(A) No person shall operate as an adult use cannabis operator or adult use testing laboratory without a license issued pursuant to this chapter.

(B) The following licenses shall be issued by the division of cannabis control within nine months of the effective date of this section if the license applicant is in compliance with section 3780.11 of the Revised Code and this chapter, and the license applicant, or the same owners of the license applicant, have a certificate of operation or medical provisional license issued as of the effective date of this section:

(1) A dispensary issued a certificate of operation or medical provisional license shall be issued an adult use dispensary license under this chapter for the current location of the dispensary;

(2) A level I cultivator issued a certificate of operation or medical provisional license shall be issued under this chapter three adult use dispensary licenses at locations designated in a license application, and one level I adult use cultivator license for the current location of the level I cultivation facility;

(3) A level II cultivator issued a certificate of operation or medical provisional license shall be issued under this chapter one adult use dispensary license at a location designated in the license application, and one level II adult use cultivator license for the current location of the level II cultivation facility;

(4) A dispensary issued a certificate of operation or medical provisional license shall be issued under this chapter one adult use dispensary license at a different location as designated in the license application if the dispensary does not have any common ownership or control with any level I adult use cultivator, level II adult use cultivator, or adult use processor license applicant or licensee;

(5) A processor issued a certificate of operation or medical provisional license shall be issued under this chapter one adult use processor license for the current location of the processor; and

(6) A testing laboratory issued a certificate of operation shall be issued under this chapter one adult use testing laboratory license for the current location of the testing laboratory.

Notwithstanding anything in this section, a license shall not be issued pursuant to division (B) of this section to a license applicant holding only a related medical provisional license unless the medical provisional license holder is issued a certificate of operation within two years of the effective date of this section.



(C) The division of cannabis control shall issue up to forty level III adult use cultivator licenses consistent with this chapter with preference provided to applicants who have been certified as cannabis social equity and jobs program participants under the cannabis social equity and jobs program pursuant to 3780.19 of this chapter. No person may have any ownership or control in more than one level III adult use cultivator license under this chapter. No adult use cultivator or adult use processor may have any ownership or control in a level III adult use cultivator license.

(D) The division of cannabis control shall issue up to fifty additional adult use dispensary licenses in conformity with this chapter with preference provided to applicants who have been certified as cannabis social equity and jobs program participants under the cannabis social equity and jobs program.

(E) Following twenty-four months from the first date of issuance of an adult use operator license, the division of cannabis control shall review the number of adult use cannabis operator licenses on a biannual basis and may authorize additional licenses after considering:

(1) The current and anticipated market growth and consumer demand, including the number of adult use consumers seeking adult use cannabis;

(2) The current and projected supply of adult use cannabis produced by licensed adult use cultivators, level III adult use cultivators, and adult use processors; and

(3) The geographic distribution of adult use dispensary sites in an effort to ensure adult use customer access to adult use cannabis.

(F)(1) The division of cannabis control shall provide a report and recommendation within ninety days of the conclusion of the requirements in division (E) of this section to the director for consideration.

(2) The division of cannabis control may adopt rules as necessary to implement this division.

(3) The division of cannabis control shall adopt a rule regarding the number of licenses a license holder may hold for each type of license consistent with this chapter. As of the effective date of this section, and notwithstanding any other provision of this chapter, no person shall be issued more than eight adult use dispensary licenses, and not more than one adult use cultivator license, and not more than one adult use processor license at any time, unless authorized by the division of cannabis control after an analysis supporting the licensing pursuant to rule.

(G) The division of cannabis control may authorize additional adult use testing laboratory licenses at any time.

Section 3780.11. Application requirements for adult use cannabis operators and adult use testing laboratories.

(A) An adult use cannabis operator and adult use testing laboratory license applicant authorized to file an application may file an application for licensure with the division of cannabis control. Each application shall be submitted in accordance with rules adopted under section 3780.03 of the Revised Code and in conformity with this chapter. Initial applications shall be made available to adult use operators and adult use testing laboratory within six months of the effective date of this section and license applicants shall comply with all requirements of this chapter and related rules prior to the issuance of a license.

(B) The division of cannabis control shall issue a license to an applicant if all of the following conditions are met:



(1) The report of the criminal records check conducted pursuant to section 3780.08 of the Revised Code with respect to the application demonstrates the following:

- (a) The criminal offenses for which an applicant will be disqualified from licensure; and**
- (b) The criminal offenses that will not disqualify an applicant from licensure if the applicant was convicted of or pleaded guilty to the offense more than five years before the date the application for licensure is filed.**

(2) The adult use cannabis operator applicant demonstrates that it does not have an ownership or investment interest in or compensation arrangement with any of the following:

- (a) An adult use testing laboratory licensed under this chapter; or**
- (b) An applicant for a license to conduct adult use laboratory testing.**

(3) The adult use cannabis operator applicant demonstrates that it does not share any corporate officers or employees with any of the following:

- (a) An adult use testing laboratory licensed under this chapter; or**
- (b) An applicant for a license to conduct adult use laboratory testing.**

(4) The adult use testing laboratory applicant demonstrates that it does not have an ownership or investment interest in or compensation arrangement with any of the following:

- (a) An adult use cannabis operator licensed under this chapter; or**
- (b) An applicant for a license to conduct adult use cannabis operations.**

(5) The adult use testing laboratory applicant demonstrates that it does not share any corporate officers or employees with any of the following:

- (a) An adult use cannabis operator licensed under this chapter; or**
- (b) An applicant for a license to conduct adult use cannabis operations.**

(6) The applicant demonstrates that the operations will not be located within five hundred feet of a prohibited facility consistent with this chapter unless the prohibited facility was located within five hundred feet after the applicant filed the application with the division of cannabis control, or after the applicant, or the applicant owners, was operating under Chapter 3796 of the Revised Code at the same location, or unless otherwise authorized in this chapter.

(7) The information provided to the division of cannabis control pursuant to section 3780.06 of the Revised Code demonstrates that the applicant is in compliance with the applicable tax laws of this state.

(8) The applicant meets all other license eligibility conditions established in rules adopted under section 3780.03 of the Revised Code.

(9) The applicant is not employed by a regulatory body of a governmental unit of this state and in that capacity has significant influence or control, as determined by the division of cannabis control, over the ability of the applicant to conduct business in this state.

(C) A license expires according to the renewal schedule established in rules adopted under



section 3780.03 of the Revised Code and may be renewed in accordance with the procedures established in those rules. A license shall be automatically renewed by the division of cannabis control unless good cause is otherwise shown.

Section 3780.12. Level I and level II adult use cultivator license.

(A) Notwithstanding any conflicting provision of the Revised Code and except as provided in division (B) of this section, the holder of a current and valid level I or level II adult use cultivator license issued under this chapter may do either of the following:

- (1) Cultivate adult use cannabis;
- (2) Distribute, transfer, and sell adult use cannabis to other adult use cannabis operators; and
- (3) Acquire seeds, clones, plants, and other genetic material.

(B) A level I or level II adult use cultivator license holder shall not cultivate any adult use cannabis for personal, family, or household use under the license.

Section 3780.13. Level III adult use cultivator license.

(A) Notwithstanding any conflicting provision of the Revised Code, and except as provided in division (B) of this section, the holder of a current and valid level III adult use cultivator license issued under this chapter may do any of the following:

- (1) Cultivate adult use cannabis;
- (2) Distribute, transfer, and sell adult use cannabis to other adult use cannabis operators; and
- (3) Acquire seeds, clones, plants, and other genetic material.

(B) A level III adult use cultivator license holder shall not cultivate any adult use cannabis for personal, family, or household use under the license.

Section 3780.14. Adult use processor license.

(A) Notwithstanding any conflicting provision of the Revised Code, the holder of a current and valid adult use processor license issued under this chapter may do any of the following:

- (1) Obtain cannabis from adult use cannabis operators;
- (2) Subject to the rules adopted pursuant to this section, process adult use cannabis obtained from adult use cannabis operators into a form authorized under this chapter; and
- (3) Distribute, transfer, and sell processed adult use cannabis to adult use cannabis operators.

Section 3780.15. Adult use dispensary license.

(A) Notwithstanding any conflicting provision of the Revised Code, the holder of a current and valid adult use dispensary license issued under this chapter may do the following:

- (1) Obtain adult use cannabis from adult use processors, adult use cultivators, level III adult use



cultivators, and other adult use dispensaries;

(2) Distribute, transfer, or sell adult use cannabis to adult use cannabis operators;

(3) Provide delivery of adult use cannabis and cannabis paraphernalia to patrons as established in rules adopted under section 3780.03 of the Revised Code; and

(4) Dispense or sell adult use cannabis in accordance with division (B) of this section and sell paraphernalia.

(B) When dispensing or selling adult use cannabis, a licensed adult use dispensary shall do all of the following:

(1) Dispense or sell adult use cannabis only to those adult use consumers who present a current, valid identification card demonstrating proof that the adult use consumer is twenty-one years of age or older;

(2) Only accept adult use cannabis from a licensed adult use cannabis operator that has been prepackaged and labeled in compliance with chapter 3780 of the Revised Code and the rules adopted under 3780.03 of the Revised Code; and

(3) Not dispense or sell adult use cannabis to adult use consumers per day in amounts that exceed the possession limits in 3780.36(B)(1) of the Revised Code.

(C) When operating a licensed adult use dispensary, an adult use dispensary shall:

(1) Only use licensed individuals who have met the training requirements established in rules adopted under section 3780.03 of the Revised Code; and

(2) Maintain addiction services information materials available at the adult use consumer's request.

Section 3780.16. Adult use testing laboratory license.

(A) Notwithstanding any conflicting provision of the Revised Code, the holder of a current and valid adult use testing laboratory license issued under this chapter may do both of the following:

(1) Obtain adult use cannabis from one or more adult use cannabis operators licensed under this chapter for testing purposes only; and

(2) Conduct cannabis testing, research and operations in the manner specified in rules adopted under section 3780.03 of the Revised Code.

Section 3780.17. Licensure of individuals.

(A) The division of cannabis control may issue a license to an individual applicant required to be licensed related to an adult use cannabis operator or adult use testing laboratory after it has determined that the applicant is eligible for a license under rules adopted by the division of cannabis control and after the applicant has paid any applicable fees.

(B) To be eligible for a license, an applicant shall be at least twenty-one years of age.



(C) Each application for a license shall be on a form prescribed by the division of cannabis control and shall contain all information required by the division of cannabis control.

(D) Each applicant shall submit with each application, on a form provided by the division of cannabis control, two sets of the applicant's fingerprints and a photograph as required by rule consistent with this chapter. The division of cannabis control shall charge each applicant an application fee to cover all actual regulatory costs generated by each licensee and all background checks.

(E) A license issued under this section is portable and may be used at any adult use cannabis operator or adult use testing laboratory as long as such licensee is registered with the division of cannabis control for each location where the licensee works or is employed.

Section 3780.18. Purpose of cannabis social equity and jobs program.

(A) Additional efforts are needed to reduce barriers to ownership and opportunities within the adult use cannabis industry for individuals and communities most adversely impacted by the enforcement of marijuana-related laws.

(B) In the interest of establishing an adult cannabis industry that is equitable and accessible to those most adversely impacted by the enforcement of marijuana-related laws in this State, the cannabis social equity and jobs program should be established.

(C) Individuals who have been arrested or incarcerated due to drug laws suffer long-lasting negative consequences, including impacts to employment, business ownership, housing, health, and long-term financial well-being.

(D) Family members, especially children, and communities of those who have been arrested or incarcerated due to drug laws, suffer from emotional, psychological, and financial harms as a result of such arrests or incarcerations.

(E) Certain communities have disproportionately suffered the harms of enforcement of marijuana-related laws. Those communities face greater difficulties accessing traditional banking systems and capital for establishing businesses.

(F) Individuals who have resided in areas of high poverty suffer negative consequences, including barriers to entry in employment, business ownership, housing, health, and long-term financial well-being.

(G) Promotion of business ownership and employment by individuals who have resided in areas of high poverty and high enforcement of marijuana-related laws furthers an equitable cannabis industry.

(H) Therefore, in the interest of remedying the harms resulting from the disproportionate enforcement of marijuana-related laws, a cannabis social equity and jobs program shall provide financial assistance and license application support to individuals most directly and adversely impacted by the enforcement of marijuana-related laws who are interested in starting or working in cannabis business entities.

Section 3780.19. Cannabis social equity and jobs program.

(A) As used in this section, "cannabis social equity and jobs program participant" means a person certified as a participant in the cannabis social equity program by the department of development under this section of the Revised Code.



(B) The department of development shall establish a business assistance program known as the cannabis social equity and jobs program funded by the cannabis social equity and jobs fund, and shall adopt rules in accordance with Chapter 119 of the Revised Code to administer the program including the following:

(1) Establish procedures by which a person may apply for certification under the cannabis social equity and jobs program;

(2) Establish a system of certifying cannabis social equity and job program applicants based on a requirement that the business owner or owners show both social and economic disadvantage based on the following, as determined to be sufficient by the department of development:

(a) Wealth of the business seeking certification as well as the personal wealth of the owner or owners of the business.

(b) Social disadvantage based on any of the following:

(i) The business owner or owners demonstrate membership in a racial minority group or show personal disadvantage due to color, ethnic origin, gender, physical disability, or long-term residence in an area of high unemployment;

(ii) The owner or owners, or their spouse, child, or parent, have been arrested for, convicted of, or adjudicated delinquent for a marijuana related offense as determined by rule by the department of development prior to the effective date of this section.

(c) Economic disadvantage based on economic and business size thresholds and eligibility criteria designed to stimulate economic development through license awards to businesses located in qualified census tracts.

(3) Establish standards to determine when a cannabis social equity and jobs program participant no longer qualifies for cannabis social equity program certification;

(4) Develop a process for evaluating and adjusting goals established by this section to determine what adjustments are necessary to achieve participation goals established by the department of development;

(5) Implement an outreach program to educate potential participants about the cannabis social equity and jobs program;

(6) Implement a system of self-reporting by cannabis social equity and jobs program participants on compliance, as well as an on-site inspection process to validate the qualifications of a cannabis social equity program;

(7) Establish a process for when there is a transfer of a license from a certified cannabis social equity and jobs program participant to a person or entity that does not qualify as a participant to the cannabis social equity and jobs program, which process shall not undermine the policy goals of the program;

(8) Provide financial assistance, loans, grants, and technical assistance to persons certified by the department under the cannabis social equity and jobs program pursuant to rules adopted under this section. Notwithstanding any other law to the contrary, the cannabis social equity and jobs program fund is not subject to budgetary sweeps, administrative charge-backs, or any other fiscal



or budgetary maneuver that would in any way transfer any amounts from the cannabis social equity and jobs program fund into any other fund of the state;

(9) Encourage employment practices, in which an adult use cannabis operator can demonstrate a plan of action to inform, hire, and educate minorities, women, veterans, and persons with disabilities, engage in fair labor practices, and provide worker protections;

(10) Study and fund judicial and criminal justice reform including bail, parole, sentencing reform, expungement and sealing of records, legal aid, and community policing related to marijuana;

(11) Study and propose policy reforms to address the social and economic impacts of the enforcement of marijuana laws and to track and prevent underage use of marijuana;

(12) Fund direct investment in disproportionately impacted communities to enhance education, entrepreneurship, legal aid, youth development, violence prevention, and the arts related to the program; and

(13) Utilize the cannabis social equity and jobs fund exclusively for the purposes of this section and for the implementation of this section.

(C) For certified cannabis social equity and job program participants, the division of cannabis control shall waive at least fifty percent of any license or application fees associated with a license holder's application or license.

(D) Any business or personal financial information, or trade secrets submitted by a cannabis social equity and jobs program applicant to the department of development pursuant to this section are not public records for purposes of section 149.43 of the Revised Code, unless the division of cannabis control or department of development is required to present the financial information or trade secrets at a public hearing or public proceeding regarding the applicant's eligibility to participate in the program in which case the agency shall only disclose any required information.

(E) Any license or other preference to persons certified under the cannabis social equity and jobs program under this section shall be based on substantiated evidence that the preference is needed to address the goals of cannabis social equity and job program under this chapter.

(F) The department of development shall create a cannabis social equity and jobs program advisory group promulgated through rule in accordance with Chapter 119 of the Revised Code. The advisory group may develop and submit to the department of development on any recommendations related to the cannabis social equity and jobs program under sections 3780.18 and 3780.19 of the Revised Code.

Section 3780.20. Operations.

(A) Adult use cannabis operators and adult use testing laboratories shall adopt operating procedures and comply with operation requirements required by rules under 3780.03 of the Revised Code, which include, but are not limited to, the following as applicable:

(1) Quality assurance;

(2) Package and labeling;



- (3) Waste disposal;
- (4) Inventory control and storage;
- (5) Monitoring, surveillance and security requirements;
- (6) Laboratory testing;
- (7) Records and reporting requirements;
- (8) Hours of operation and procedures when location is closed;
- (9) Receipt of adult use cannabis;
- (10) Dispensing errors reporting and review;
- (11) Destruction and disposal of adult cannabis;
- (12) Recall procedures; and
- (13) Transportation of adult use cannabis.

(B) No adult use cannabis operator may sell or dispense adult use cannabis without remuneration unless authorized under rule pursuant to 3780.03 of this chapter.

(C) The division of cannabis control may adopt other operation rules as necessary consistent with this chapter.

Section 3780.21. Advertising.

(A) The division of cannabis control may adopt rules regulating advertisements of license holders to prevent advertisements that are false, misleading, targeted to minors, promote excessive use, or that promote illegal activity.

(B) Rules adopted by the division of cannabis control pursuant to section (A) of this chapter shall not require preapproval and shall not overly burden the legitimate commercial speech of adult use cannabis operators in communicating with adult use consumers. Notwithstanding, the division of cannabis control may adopt narrowly tailored time and place restrictions preventing advertising targeted to minors.

(C) The division of cannabis control at any time may conduct an audit of license holder's published advertisements to ensure it complies with section (A) of this chapter and the rules adopted pursuant to this chapter.

(D) The division of cannabis control may require a license holder to stop using an advertisement if the division of cannabis control finds the license holder violated rules adopted pursuant to division (A) of this section.

Section 3780.22. Tax levied on adult use consumers.

(A) For the purpose of supporting social equity issues, providing funds to support jobs and economic development, providing funding for host communities who have adult use dispensaries



in their jurisdiction to support these communities, funding education and treatment for individuals with cannabis and other addiction issues, and defraying the costs of regulation and administering the tax, there shall be an adult use tax on the sale of adult use cannabis by adult use dispensaries to adult use consumers in accordance with this chapter.

(B) The rate of the adult use tax shall be ten per cent. The adult use tax applies and is collectable when the sale is made, regardless of the time when the price is paid, or when the adult use cannabis is delivered.

(C) The adult use tax is in addition to the tax levied or collected under Chapter 5739 of the Revised Code on adult use cannabis sales by adult use dispensaries to adult use consumers.

(D) The tax authorized under division (A) shall be collected consistent with Chapter 5739 of the Revised Code, but the tax commissioner shall adopt rules the commissioner deems necessary to administer the adult use tax including the licensure, filing, collection, distribution, refund, assessment, bad debt, liability of unpaid taxes, recordkeeping, and any penalty related to the adult use tax consistent with this chapter.

Section 3780.23. Funds created.

(A) For the purpose of receiving and distributing, and accounting for, revenue received from the adult use tax levied by section 3780.22 of the Revised Code, the following funds are created in the state treasury:

- (1) The adult use tax fund;
- (2) The cannabis social equity and jobs fund;
- (3) The host community cannabis fund;
- (4) The substance abuse and addiction fund; and
- (5) The division of cannabis control and tax commissioner fund.

(B) All monies collected from the tax levied under this chapter shall be deposited into the adult use tax fund.

(C) Unless otherwise authorized under this chapter or rule, the director of budget and management shall transfer amounts to each fund as follows:

- (1) Thirty-six per cent to the cannabis social equity and jobs fund to be used to implement the requirements of 3780.19 of the Revised Code;
- (2) Thirty-six per cent to the host community cannabis fund for the benefit of municipal corporations or townships that have adult use dispensaries, and the municipal corporations or townships may use such funds for any approved purpose. Distributions to municipal corporations or townships shall be based on the percentage of adult use tax attributable to each municipal corporation or township;
- (3) Twenty-five per cent to the substance abuse and addiction fund to support the efforts of the department of mental health and addiction services to alleviate substance and opiate abuse and related research in the state under section 3780.30 of the Revised Code; and



(4) Three per cent to the division of cannabis control and tax commissioner fund to support the operations of the division of cannabis control and to defray the cost of the department of taxation for administering the tax levied under section 3780.22 of the Revised Code.

Payments under of this section shall be made by the end of the month following the end of each quarterly period. The tax commissioner shall make the data available to the director of the office of budget and management for this purpose and the director of budget and management shall transfer amounts the funds in this section as required. The tax commission may serve as agent of the municipal corporations or townships only for the purposes of division (C)(2) of this section as promulgated by rule.

Section 3780.24. Tax administration and enforcement.

The tax commissioner shall administer and enforce sections 3780.22 through 3780.23 of this chapter. In addition to any other powers conferred upon the tax commissioner by law, the tax commissioner may:

(A) Prescribe all forms that are required to be filed under sections 3780.22 through 3780.23 of this chapter;

(B) Adopt rules that are necessary and proper to carry out section 3780.22 through 3780.23 of this chapter; and

(C) Appoint professional, technical, and clerical employees as are necessary to carry out the tax commissioner's duties under sections 3780.22 through 3780.23 of this chapter.

Section 3780.25. Local authority regarding adult use cannabis operators.

(A) The legislative authority of a municipal corporation may adopt an ordinance, or a board of township trustees may adopt a resolution, by majority vote to prohibit, or limit the number of adult use cannabis operators permitted under this chapter within the municipal corporation or within the unincorporated territory of the township, respectively.

(B) Notwithstanding division (A) above:

(1) Existing cultivators, processors, or dispensaries who have a certificate of operation may not be prohibited or limited by a municipal corporation or township from operating under Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code by a municipal corporation or township unless there is a revocation of the certificate of operation;

(2) Adult use cultivators, adult use processors, and adult use dispensaries that are co-located on the same parcel or contiguous parcels with an adult use cultivator and an adult use processor, who are applicants or license holders under this chapter, and whose owners also have a certificate of operation at the same location as the effective date of this section, may not be prohibited or limited by any municipal corporation or township from operating as an adult use cultivator, adult use processor, or an adult use dispensary co-located with an adult use cultivator and an adult use processor under this chapter because of the significant capital investment in the facilities; and

(3) Dispensaries, or the owners of dispensaries, who have a certificate of operation, and who are not co-located on the same parcel or contiguous parcels with a cultivator or processor that has a



certificate of operation, as of the effective date of this section, shall also be authorized to operate as an adult use dispensary without any municipal or township prohibitions upon receiving a license from the division of cannabis control, unless a majority of the members of the legislative authority of a municipal corporation affirmatively pass an ordinance, or a majority of township trustees in a township affirmatively pass a resolution, after the license is issued and within one hundred and twenty days from license issuance, prohibiting the operation of the adult use dispensary within the municipal corporation or within the unincorporated territory of the township, respectively.

(C) If a majority of the members of the legislative authority of a municipal corporation pass an ordinance, or a majority of township trustees in a township pass a resolution, prohibiting the adult use dispensary pursuant to division (B)(3) of this section, then the adult use dispensary license holder shall cease operations within sixty days, unless the adult use dispensary license holder files with the board of elections within the sixty day timeframe a petition prescribed by the secretary of state, and signed by the lessor of one hundred qualified electors or five per cent of the qualified electors of the municipal corporation or township, requesting that the issue, of whether the adult use dispensary shall remain open as long as the adult use dispensary is licensed pursuant to chapter 3780 of the Revised Code by the division of cannabis control and the municipal corporation or township is eligible to receive host community cannabis funding, be placed on the next general election ballot which election shall not occur less than ninety days from petition filing. If the required signatures and form of petition is verified by the board of election, the issue shall be placed on the next general election which is ninety days or greater away from the petition filing, and notwithstanding any provision of this chapter, the adult use dispensary license holder may continue to operate until the issue is decided at the next authorized general election. A board of elections may discontinue verifying signatures when the number of verified signatures on a petition equals the minimum number of qualified signatures. The secretary of state shall adopt rules in accordance with 119 of the Revised Code for the proper administration and implementation of divisions (C) and (D) of this section.

(D) The form of the ballot to be used at the election provided for in division (C) of this section shall be as follows:

“Shall the following adult use dispensary, _____ (here insert name of adult use dispensary), whose owners also have had a licensed medical marijuana dispensary at _____ (here insert address) since _____ (here insert the date of opening), remain open as long as the adult use dispensary is licensed pursuant to Chapter 3780 of the Revised Code by the Division of Cannabis Control under the Department of Commerce, and the _____ (here insert name of municipal corporation or township) is eligible to receive host community cannabis funding?

Yes for the Issue	
No for the Issue	

(E) If a majority of the voters at the general election vote yes for the issue, then the adult use dispensary may operate within the municipal corporation or township and the municipal corporation or township shall receive related host community cannabis funding as authorized under section 3780.23 of the Revised Code.

(F) If a majority of the voters at the general election vote no for the issue, then:



(1) The dispensary with a certificate of operation at that location may continue to operate at its current address, or the dispensary may request to relocate the dispensary within ninety days of election certification consistent with the requirements of Chapter 3796 of the Revised Code, and related rules, which relocation request shall be approved regardless of the dispensary districts established by the board of pharmacy as long as the relocation request meets all other applicable requirements of Chapter 3796 of the Revised Code and related rules; and

(2) The adult use dispensary must close within ninety days of election certification unless the adult use dispensary applies to the division of cannabis control for a request to relocate within ninety days of the election certification, and then the adult use dispensary may continue to operate until the request to relocate is approved by the division of cannabis control. The division of cannabis control shall review and approve a request to relocate timely once the request to relocate application is in compliance with this chapter and related rules.

(G) A legislative authority of a municipal corporation or a board of township trustees is prohibited from:

(1) Adopting an ordinance or resolution limiting research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity;

(2) Levying any tax, fee, or charge on adult use cannabis operators, their owners or their property which is not generally charged on other businesses in the municipal corporation or township;

(3) Prohibiting or limiting home grow otherwise authorized under this chapter; and

(4) Prohibiting or restricting an activity that is authorized by this chapter.

Section 3780.26. Enforcement authority of the division of cannabis control.

(A) The division of cannabis control shall enforce, or cause to be enforced, all sections of this chapter and the rules adopted thereunder. If the division of cannabis control has information that any provision of this chapter or that any rule adopted thereunder has been violated, it may investigate the matter and take any reasonable action as it considers appropriate.

(B) The division of cannabis control may do any of the following for any reason specified in rules adopted under section 3780.03 of the Revised Code:

(1) Suspend, suspend without prior hearing upon finding clear and convincing evidence that continued distribution of adult use cannabis presents a danger of immediate and serious harm to others, revoke, restrict, or refuse to renew a license it issued under this chapter;

(2) Refuse to issue a license unless a license is required in accordance with this chapter;

(3) Inspect the premises of an adult use cannabis operator or an adult use testing laboratory without prior notice; or

(4) Impose on a provisional license holder or license holder a civil penalty in an amount to be determined by the division of cannabis control through rule to be paid into the division of cannabis control and tax commissioner fund.

(C) If the division of cannabis control suspends, revokes, or refuses to renew any license issued



under this chapter or determines that there is clear and convincing evidence of a danger of immediate and serious harm to any individual, the division of cannabis control may place under seal all adult use cannabis owned by or in the possession, custody, or control of the affected license holder. Except as provided in this section, the division of cannabis control shall not dispose of the adult use cannabis sealed under this section until the license holder exhausts all of the license holder's appeal rights under Chapter 119 of the Revised Code. The court involved in such an appeal may order the division of cannabis control, during the pendency of the appeal, to sell cannabis that is perishable. The division of cannabis control shall deposit the proceeds of the sale with the court.

(D) The division of cannabis control's enforcement actions under this section shall be taken in accordance with Chapter 119 of the Revised Code.

(E) Nothing in this chapter shall be construed to require the division of cannabis control to enforce minor violations of this chapter if the division of cannabis control determines that the public interest is adequately served by a notice or warning to the alleged offender.

Section 3780.27. Enforcement by the attorney general.

(A) Upon receiving a written request from the division of cannabis control, the Ohio attorney general may bring a cause of action to restrain a violation of this chapter. Such an action is a civil action, governed by the Rules of Civil Procedure.

(B) The court of common pleas of Franklin county shall give any claim filed under division (A) of this section priority over all other civil cases before the court, irrespective of position on the court's calendar, and shall make a determination on the claim expeditiously. A court of appeals shall give any appeal from a final order issued in a case brought under division (A) of this section priority over all other civil cases before the court, irrespective of position on the court's calendar, and shall make a determination on the appeal expeditiously.

(C) Any action filed under division (A) of this section does not preclude an administrative or criminal proceeding on the same facts.

Section 3780.28. Enforcement of chapter.

(A) If the division of cannabis control fails to adopt rules necessary to initially implement this chapter within nine months of the effective date of this chapter or fails to begin accepting license applications within six months of the effective date of this chapter as provided in section 3780.11 of the Revised Code, any citizen of the state of Ohio may commence an action in the court of common pleas of Franklin county, Ohio to compel the division of cannabis control to perform the actions mandated under this chapter.

(B) If the division of cannabis control fails to issue a license to an adult use cannabis operator, or send a notice of denial to an applicant, within three months after receiving a complete adult use cannabis operator application pursuant to section 3780.11 of the Revised Code, the applicant may:

(1) Commence an action in the court of common pleas of Franklin county, Ohio to compel the division of cannabis control to perform the actions mandated under this chapter; and

(2) Unless the division of cannabis control can demonstrate in writing that operating presents a danger of immediate and serious harm to others, operate under a temporary license, which shall be issued by the division of cannabis control, and in compliance with this chapter, until the



division of cannabis control issues or denies the license. If this occurs, the adult use cannabis operator license applicant may only operate if the applicant:

(a) Is also operating at the application location under a corresponding certificate of operation issued under Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code; and

(b) Complies with this chapter and any rules adopted by the division of cannabis control under this chapter.

(C) Nothing in this section shall be construed to authorize the operation of an adult use cannabis operator or a medical marijuana cultivator, processor, or dispensary whose license, certificate of operation or application has been suspended, revoked, or denied, including a suspension, revocation, or denial due to a determination by the division of cannabis control that the applicant or operator has violated this chapter or committed a disqualifying offense.

Section 3780.29. Home Grow.

(A) Except as otherwise provided in this chapter, and notwithstanding any other provision of the Revised Code, the following acts by an adult use consumer are lawful:

(1) Cultivating, growing, and possessing not more than six cannabis plants at the individual's primary residence, if all of the following apply:

(a) Not more than twelve cannabis plants are cultivated or grown at a single residence where two or more individuals who are at least twenty-one years of age reside at any one time; and

(b) Cultivation or growing of adult use cannabis only takes place within a secured closet, room, greenhouse, or other enclosed area in or on the grounds of the residence that prevents access by individuals less than twenty-one years of age, and which is not visible by normal unaided vision from a public space.

(2) Processing by manual or mechanical means adult use cannabis cultivated or grown in accordance with this section; or

(3) Transferring up to six cannabis plants to an adult use consumer as long as the transfer is without remuneration and not advertised or promoted to the public.

(B) An adult use consumer may store at their primary residence adult use cannabis that was purchased from an adult use dispensary licensed under this chapter or produced in compliance with this section.

(C) This section does not authorize an individual to:

(1) Cultivate, grow, or process adult use cannabis except at the individual's primary residence;

(2) Permit individuals less than twenty-one years of age to use, cultivate, process, transfer, or transport adult use cannabis;

(3) Process adult use cannabis by hydrocarbon-based extraction; or

(4) Sell, or profit from, adult use cannabis except as specifically authorized in this chapter.



(D) A landlord may prohibit conduct otherwise authorized under division (A) this section so long as such prohibition is included in the applicable lease agreement.

(E) The division of cannabis control shall adopt rules setting forth a schedule of civil penalties that may be applied for violations of this section.

(F) If an individual cultivates or grows double the maximum number of cannabis plants permitted under division (A) of this section or transfers cannabis plants in violation of division (A)(3) of this section, division (F) of section 3780.99 of the Revised Code shall apply.

Section 3780.30. Cannabis addiction services; toll-free numbers.

(A) The division of cannabis control shall enter into an agreement with the department of mental health and addiction services under which the department shall provide a program for cannabis addiction services to be implemented on behalf of the division of cannabis control which includes best practices for education and treatment for individuals with addiction issues related to cannabis or other controlled substances including opioids.

(B) The department of mental health and addiction services shall establish, operate, and publicize an in-state, toll-free telephone number Ohio residents may call to obtain basic information about addiction services available to consumer, and options for an addicted consumer to obtain help. The telephone number shall be staffed twenty-four hours per day, seven days a week in order to respond to inquiries and provide that information. The costs of establishing, operating, and publicizing the telephone number shall be paid for with money in the substance abuse and addiction fund.

(C) The director of mental health and addiction services shall administer the substance abuse and addiction fund. The director shall use the money in the fund to support addiction services or other services that relate to addiction and substance abuse, and research that relates to addiction and substance abuse. Treatment and prevention services supported by money in the fund under this section shall be services that are certified by the department of mental health and addiction services.

(D) The director mental health and addiction services shall prepare an annual report describing the use of the fund for these purposes. The director shall submit the report to the director of the department of commerce, the speaker and minority leader of the house of representatives, the president and minority leader of the senate, and the governor.

(E) License holders shall provide informational resources for patrons related to cannabis addiction issues and services.

(F) License holders shall provide training for their employees regarding the cannabis addiction services resources for patrons related to this section.

Section 3780.31. Confidentiality.

(A) The following information submitted, collected, or gathered under this chapter is confidential and not subject to disclosure by any state agency or political subdivision as a public record under section 149.43 of the Revised Code:

(1) Social security numbers, passport numbers, or federal tax identification numbers;

(2) Home addresses and telephone numbers;



- (3) Birth certificates;**
- (4) Driver's license numbers;**
- (5) Dates of birth;**
- (6) Places of birth;**
- (7) The personal financial information and records, including tax returns and information, and records of criminal proceedings;**
- (8) Any information concerning a victim of domestic violence, sexual assault, or stalking;**
- (9) Electronic mail addresses;**
- (10) Internet Protocol addresses or similar addresses;**
- (11) Any trade secret, and patents, or exclusive licenses;**
- (12) Client records and adult use consumer identifying information; and**
- (13) Security information, including risk prevention plans, detection and countermeasures, location of vaults or other money and/or cannabis storage areas, emergency management plans, security and surveillance plans, equipment and usage protocols, and theft and fraud prevention plans and countermeasures.**

(B) Notwithstanding any other law, upon written request, the division of cannabis control shall provide the following information, except as provided in this chapter:

- (1) The amount of tax paid to the state by any license holder; and**
- (2) A copy of a letter providing the reasons for the denial of an applicant's license, but with confidential information redacted.**

(C) An individual who holds, held, or has applied for a license under this chapter may waive the confidentiality requirements of division (A) of this section.

(D) Confidential information received by the division of cannabis control from another jurisdiction relating to an individual who holds, held, or has applied for a license under this chapter is confidential and not subject to disclosure as a public record under section 149.43 of the Revised Code.

(E) After giving reasonable notice to the applicant, the current or former provisional license holder, or the current or former license holder, the division of cannabis control may share any information gathered pursuant to this chapter with, or disclose the information to, the inspector general, any appropriate prosecuting authority, any law enforcement agency, or any other appropriate governmental or licensing agency, but the agency that receives the information shall comply with the same requirements regarding confidentiality required under Ohio law.

(F) The division of cannabis control, and any entity under contract with the division of cannabis control, shall not make public any information reported to or collected by the division of cannabis control under this chapter that identifies or would tend to identify any adult use



consumer, or tend to show any adult use consumer's purchase history.

Section 3780.32. Venue for court actions.

(A) Any action asserting that this chapter, any portion of this chapter, or any rule adopted thereunder, violates any provision of the Ohio Constitution or federal law shall be brought in the court of common pleas of Franklin county within ninety days after the effective date of the enactment of this chapter or within ninety days after the effective date of any rule adopted pursuant to this chapter, as applicable.

(B) Any claim asserting that any action taken by the division of cannabis control under this chapter violates any provision of the Ohio Constitution or any provision of the Revised Code shall be brought in the court of common pleas of Franklin county within ninety days after the action is taken.

(C) Divisions (A) and (B) of this section do not apply to any claim within the original jurisdiction of the Supreme Court of Ohio or any court of appeals under Article IV of the Ohio Constitution.

(D) The court of common pleas of Franklin county shall give any claim filed under (A) or (B) of this section priority over all other civil cases before the court, irrespective of position on the court's calendar, and shall make a determination on the claim expeditiously. A court of appeals shall give any appeal from a final order issued in a case brought under divisions (A) or (B) of this section priority over all other civil cases before the court, irrespective of position on the court's calendar, and shall make a determination on the appeal expeditiously.

Section 3780.33. Liabilities and immunities.

(A) The holder of a license, as defined in section 4776.01 of the Revised Code, or other license, certification, or registration issued by any professional board in the state of Ohio, or pursuant to 2923.125 of the Revised Code, are not subject to disciplinary action solely for engaging in professional or occupational activities related to adult use cannabis in accordance with this chapter, for owning or providing professional assistance to prospective or licensed adult use operators, adult use testing laboratories or to other individuals for activity in accordance with this chapter, or for obtaining, possessing, transporting, or using adult use cannabis in accordance with this chapter.

(B) Unless there is clear and convincing evidence that a child is unsafe, the use, possession, or administration of adult use cannabis in accordance with this chapter shall not be the sole or primary basis for any of the following:

(1) An adjudication under section 2151.28 of the Revised Code determining that a child is an abused, neglected, or dependent child;

(2) An allocation of parental rights and responsibilities under section 3109.04 of the Revised Code; or

(3) A parenting time order under section 3109.051 or 3109.12 of the Revised Code.

(C) Notwithstanding any conflicting provision of the Revised Code, the use or possession of adult use cannabis in accordance with this chapter shall not be used as a reason for disqualifying an individual from medical care or from including an individual on a transplant waiting list.



(D) Notwithstanding any conflicting provision of the Revised Code, the use, possession, administration, cultivation, processing, testing, dispensing, transporting, sale, delivery, or transferring of adult use cannabis in accordance with this chapter shall not be used as the sole or primary reason for taking action under any criminal or civil statute.

(E) Notwithstanding any conflicting provision of the Revised Code, when an adult use consumer engages in activities related to adult use cannabis in compliance with this chapter, such activities alone do not constitute sufficient basis for conducting a field sobriety test on the individual or for suspending the individual's driver's license. To conduct any field sobriety test, a law enforcement officer must have an independent, factual basis giving reasonable suspicion that the individual is operating a vehicle under the influence of adult use cannabis or with a prohibited concentration of marijuana in the person's whole blood, blood serum, plasma, breath, or urine.

(F) Notwithstanding any conflicting provision of the Revised Code, an individual's status as an adult use consumer shall not be used as the sole or primary basis for rejecting the individual as a tenant unless the rejection is required by federal law. Notwithstanding this division, a landlord may prohibit the consumption of cannabis by combustion so long as such prohibition is included in the applicable lease agreement.

(G) Notwithstanding any conflicting provision of the Revised Code, the use or possession of adult use cannabis in accordance with this chapter shall not be used as a reason for disqualifying an individual from a public benefit program administered by any state or local authority, or for otherwise denying an individual a public benefit administered by the state or any locality.

(H) This chapter does not do any of the following:

- (1) Permit the use, possession, cultivation, processing, dispensing, or transportation of adult use cannabis other than as authorized by this chapter;
- (2) Permit the cultivation, processing, and dispensing of adult use cannabis by any person unless licensed as an adult use cannabis operator by the division of cannabis control except as authorized under this chapter;
- (3) Permit the use, cultivation, dispensing, or processing of adult use cannabis on federal, state, or locally owned land located in the state of Ohio;
- (4) Require any public place to accommodate an individual's use of adult use cannabis;
- (5) Prohibit any public place from accommodating an individual's use of adult use cannabis; or
- (6) Restrict research related to cannabis at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

(I) It is the public policy of the state of Ohio that contracts related to adult use cannabis operators and adult use cannabis testing laboratories are enforceable.

Section 3780.34. Financial institutions.

(A) As used in this section:

- (1) "Financial institution" means any of the following:



(a) Any bank, trust company, savings and loan association, savings bank, or credit union or any affiliate, agent, or employee of a bank, trust company, savings and loan association, savings bank, or credit union;

(b) Any money transmitter licensed under sections 1315.01 to 1315.18 of the Revised Code or any affiliate, agent, or employee of such a licensee.

(2) "Financial services" means services that a financial institution is authorized to provide under Title XI, sections 1315.01 to 1315.18, or Chapter 1733 of the Revised Code, as applicable, including electronic payments to the extent not in conflict with other state law or federal law.

(B) A financial institution that provides financial services to any adult use cannabis operator, or testing laboratory licensed under this chapter shall be exempt from any criminal law of the state of Ohio an element of which may be proven by substantiating that a financial institution provides financial services to an individual or entity who cultivates, possesses, delivers, processes, or dispenses cannabis or cannabis derived products, including section 2925.05 of the Revised Code and sections 2923.01 and 2923.03 of the Revised Code as those sections apply to violations of Chapter 2925 of the Revised Code, if the adult use consumer, adult use cannabis operator or adult use testing laboratory is in compliance with this chapter and the applicable tax laws of the state of Ohio.

(C)(1) Notwithstanding section 149.43 of the Revised Code or any other public records law to the contrary, upon the request of a financial institution providing services to an adult use cannabis operator or adult use testing laboratory, the division of cannabis control shall provide to the financial institution all of the following information:

(a) Whether an individual or entity with whom the financial institution is seeking to do business is an adult use cannabis operator or adult use testing laboratory licensed under this chapter;

(b) The name of any other business or individual affiliated with the individual or entity;

(c) An unredacted copy of the application for a license under this chapter, and any supporting documentation, that was submitted by the individual or entity;

(d) If applicable, information relating to sales and volume of product sold by the individual or entity, except where prohibited by this chapter;

(e) Whether the individual or entity follows this chapter; and

(f) Any past or pending violation by the individual or entity of this chapter, and any penalty imposed on the individual or entity for such a violation.

(2) The division of cannabis control may charge a financial institution a reasonable fee to cover the administrative cost of providing the information.

(D) Information received by a financial institution under division (C) of this section is confidential. Except as otherwise licensed by other state law or federal law, a financial institution shall not make the information available to any individual other than the customer to whom the information applies and any trustee, conservator, guardian, personal representative, or agent of that customer.



Section 3780.35. Rights of employer.

(A) Nothing in this chapter does any of the following:

- (1) Requires an employer to permit or accommodate an employee's use, possession, or distribution of adult use cannabis otherwise in compliance with this chapter;
- (2) Prohibits an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against an individual with respect to hire, tenure, terms, conditions, or privileges of employment because of that individual's use, possession, or distribution of cannabis otherwise in compliance with this chapter;
- (3) Prohibits an employer from establishing and enforcing a drug testing policy, drug-free workplace policy, or zero-tolerance drug policy;
- (4) Interferes with any federal restrictions on employment, including the regulations adopted by the United States Department of Transportation in Title 49 of the Code of Federal Regulations, as amended;
- (5) Permits an individual to commence a cause of action against an employer for refusing to hire, discharging, disciplining, discriminating, retaliating, or otherwise taking an adverse employment action against an individual with respect to hire, tenure, terms, conditions, or privileges of employment related to the individual's use of cannabis; or
- (6) Affects the authority of the administrator of workers' compensation to grant rebates or discounts on premium rates to employers that participate in a drug-free workplace program established in accordance with rules adopted by the administrator under Chapter 4123 of the Revised Code.

(B) An individual who is discharged from employment because of that individual's use of cannabis shall be considered to have been discharged for just cause for purposes of division (D) of section 4141.29 of the Revised Code if the individual's use of cannabis was in violation of an employer's drug-free workplace policy, zero-tolerance policy, or other formal program or policy regulating the use of cannabis.

Section 3780.36 Limitations on conduct by individuals.

(A) Except as otherwise provided in this chapter and notwithstanding any conflicting provision of the Revised Code, an adult use consumer, may do the following:

- (1) Use adult use cannabis;
- (2) Possess, transfer without remuneration to another adult consumer, or transport adult use cannabis, subject to division (B) of this section; and
- (3) Purchase adult use cannabis from an adult use dispensary per day in amounts that do not exceed the possession limits set forth in division (B)(1) of this section.

(B) Except as otherwise provided in chapter 3796 of the Revised Code:

- (1) The amount of cannabis that may be possessed by an adult use consumer shall not exceed:
 - (a) Two and one-half ounces of adult use cannabis in any form except adult use extract; and



(b) Fifteen grams of adult use cannabis in the form of adult use extract.

(2) The amount of cannabis that may be transferred by an adult use consumer without remuneration and not advertised or promoted to the public shall not exceed:

(a) Two and one-half ounces of adult use cannabis in any form except adult use extract; and

(b) Fifteen grams of adult use cannabis in the form of adult use extract.

(3) The amount of cannabis that may be transported by an adult use consumer shall not exceed:

(a) Two and one-half ounces of adult use cannabis in any form except adult use extract; and

(b) Fifteen grams of adult use cannabis in the form of adult use extract.

(C) Except as otherwise provided in this chapter, an adult use consumer shall not be subject to arrest, criminal prosecution, or civil penalty for engaging in any of the activities authorized under this chapter, including:

(1) Obtaining, using, possessing, or transporting adult use cannabis;

(2) Performing conduct authorized under section 3780.29 of the Revised Code;

(3) Acquiring, possessing, using, purchasing, manufacturing, selling, or transporting paraphernalia; and

(4) Assisting another adult use consumer, or allowing property to be used, in any of the acts authorized by this chapter.

(D)(1) An individual is prohibited from operating a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft while using adult use cannabis or while under the influence of adult use cannabis and is subject to section 4511.19 of the Revised Code for any violation of this division.

(2) An individual is prohibited from smoking, vaporizing, or using any other combustible adult use cannabis product while in a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft and is subject to section 4511.19 of the Revised Code for any violation of this division.

(E) Except as otherwise provided in this chapter, no individual under twenty-one years of age shall knowingly show or give false information concerning the individual's name, age, or other identification for the purpose of purchasing adult use cannabis from an adult use dispensary licensed under this chapter.

(F) Nothing in this chapter is intended to permit the transfer or sale of adult use cannabis, with or without remuneration, to an individual under twenty-one years of age, or to allow an individual under twenty-one years of age to purchase, possess, use, process, transport, or cultivate cannabis except where authorized by Chapter 3796 of the Revised Code.

(G) It is unlawful for any parent or guardian to knowingly permit their residence, any other private property under their control, or any vehicle, conveyance, or watercraft under their control to be used by an invitee of the parent's child or the guardian's ward, if the invitee is under



twenty-one years of age, in a manner that constitutes a violation of this chapter.

(1) A parent or guardian is deemed to have knowingly permitted their residence, any other private property under their control, or any vehicle, conveyance, or watercraft under their control to be used in violation of this chapter if they knowingly authorize or permit consumption of cannabis by underage invitees.

(2) Where the residence or other property has an owner and a tenant or lessee, the trier of fact may infer that the residence or other property is occupied only by the tenant or lessee.

Section 3780.90. Severability.

If any provision of this chapter or its application is held invalid, the invalidity does not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

Section 3780.99. Penalties.

(A) Except as otherwise provided in Chapter 3796 of the Revised Code, section 2925.11 of the Revised Code shall apply when an adult use consumer possesses an amount of cannabis greater than the limits set forth in division (B)(1) of section 3780.36 of the Revised Code.

(B) Except as otherwise provided in this chapter, an adult use consumer who uses adult use cannabis in public areas, or who violates division (D)(2) of section 3780.36 of the Revised Code as a passenger, is guilty of a minor misdemeanor.

(C)(1) An individual under twenty-one years of age who knowingly shows or gives false information concerning the individual's name, age, or other identification for the purpose of purchasing or otherwise obtaining adult use cannabis from an adult use dispensary licensed under this chapter is guilty of a misdemeanor of the first degree. If, in committing a first violation, the offender presented to an adult use dispensary licensed under this chapter a false, fictitious, or altered identification card, a false or fictitious driver's license purportedly issued by any state, or a driver's license issued by any state that has been altered, the offender is guilty of a misdemeanor of the first degree and shall be fined not less than two hundred fifty and not more than one thousand dollars, and may be sentenced to a term of imprisonment of not more than six months.

(2) On a second violation in which, for the second time, the offender presented to an adult use dispensary licensed under this chapter a false, fictitious, or altered identification card, a false or fictitious driver's license purportedly issued by any state, or a driver's license issued by any state that has been altered, the offender is guilty of a misdemeanor of the first degree and shall be fined not less than five hundred nor more than one thousand dollars, and may be sentenced to a term of imprisonment of not more than six months. The court also may impose a class seven suspension of the offender's driver's or commercial driver's license or permit or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code. The court, in lieu of suspending the offender's temporary instruction permit, probationary driver's license, or driver's license, instead may order the offender to perform a determinate number of hours of community service, with the court determining the actual number of hours and the nature of the community service the offender shall perform.

(3) On a third or subsequent violation in which, for the third or subsequent time, the offender presented to an adult use dispensary licensed under this Chapter a false, fictitious, or altered identification card, a false or fictitious driver's license purportedly issued by any state, or a



driver's license issued by any state that has been altered, the offender is guilty of a misdemeanor of the first degree and shall be fined not less than five hundred nor more than one thousand dollars, and may be sentenced to a term of imprisonment of not more than six months. Except as provided in this division, the court also may impose a class six suspension of the offender's driver's or commercial driver's license or permit or nonresident operating privilege from the range specified in division (A)(6) of section 4510.02 of the Revised Code; and the court may order that the suspension or denial remain in effect until the offender attains the age of twenty-one years. The court, in lieu of suspending the offender's temporary instruction permit, probationary driver's license, or driver's license, instead may order the offender to perform a determinate number of hours of community service, with the court determining the actual number of hours and the nature of the community service the offender shall perform.

(D) An individual who is under twenty-one years of age and who solicits another individual to purchase adult use cannabis from an adult use dispensary licensed under this chapter is guilty of:

(1) For a first violation, a misdemeanor of the fourth degree; and

(2) For a second or subsequent violation, a misdemeanor of the second degree.

(E) An employee or agent of an adult use dispensary licensed under this chapter who knowingly sells cannabis to an individual under twenty-one years of age is guilty of a misdemeanor of the first degree.

(F) Any individual who violates division (A) of section 3780.10 of the Revised Code, or division (F) of 3780.29 of the Revised Code, is guilty of the illegal trafficking in drugs under section 2925.03 of the Revised Code and the illegal manufacture of drugs under section 2925.04 of the Revised Code.

(G) Any individual who violates divisions (B)(2) or (B)(3) of section 3780.36 of the Revised Code is guilty of the illegal trafficking in drugs under section 2925.03 of the Revised Code.

(H) Any individual who violates division (B) of section 3780.20 of the Revised Code is guilty of illegal dispensing of drug samples under section 2925.36 of the Revised Code.

(I)(1) An individual who violates division (G) of Section 3780.36 of the Revised Code is guilty of:

(a) For a first violation, a misdemeanor of the third degree; and

(b) For a second or subsequent violation, a misdemeanor of the first degree.

(2) If a violation of division (G) of Section 3780.36 of the Revised Code directly or indirectly results in great bodily harm or death to any individual, the individual violating this division is guilty of a felony of the fourth degree.



STATEMENT OF CIRCULATOR

I, _____, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of _____ electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by

(Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

I further declare under penalty of election falsification that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

(Signed)

(Address of circulator's permanent residence in this state)
Number and Street, Road or Rural Route

City, Village or Township

State Zip Code

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

Instructions for Upload Files to SOS

1. Select this link to access the board's document transfer via <https://ohiosos.sharepoint.com/sites/boe/Documents>;
2. Log in to the site using board's SOS Username and Password - (this is the same password used to login to your SOS email account);

Example:

Username: athens@sos.state.oh.us

Password: (password used for SOS email)

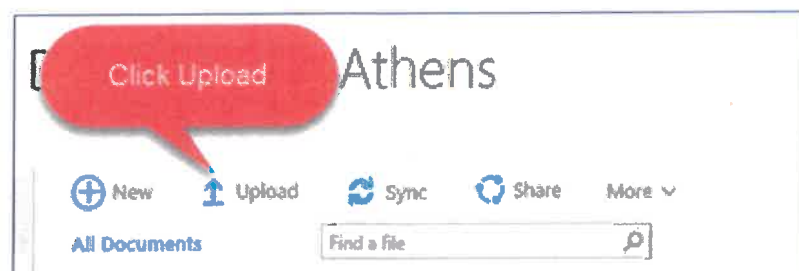
Note: *If you do not know the password for this account, please contact your Director or Deputy Director for this information.*

3. The board will only be able to view a folder with its county name (Example: Athens);
4. Select the folder to open.
5. Create a folder called "**2021 Initiative Petition**"
6. Open the folder.
7. The board must upload the scanned part-petitions and the properly named and signed certification form into the folder created by one of the following methods:

- a. **Drag & Drop** the file: Drag the file to your county's folder into the area "Drag the file here to upload."



- b. Or select the "**Upload**" button and then the "Files" option. Locate and select the file to upload and select the "Open" button to place the files in the folder.



8. Confirm that the files appear in the folder. No other action is necessary as the SOS staff will be notified the file was uploaded.

If you need assistance using this service, please contact SOS Help Desk at 1-614-466-8467.

RELEASED: January 31, 2022

SUMMARY

- *Directive 2022-03* outlines the changes House Bill (H.B.) 93 makes to election administration for the May 3, 2022 Primary Election.
- Changes outlined in this Directive only apply to those seeking nomination for offices in the U.S. House of Representatives, the Ohio Senate and House of Representatives, and the state central committee.
- H.B. 93 also repealed temporary law for U.S. House candidates contained in Senate Bill (S.B.) 258, which had made invalid any filing received by a board of elections prior to Feb. 19, 2022.
- H.B. 93 included an emergency clause, meaning the 2022 primary election provisions went into effect immediately upon the Governor's signature on Jan. 28, 2022.
- Further Court decisions may render some or all of *Directive 2022-03* moot. For example, if the Court determines Ohio House and Senate district maps do not conform to the Court's interpretation of the Ohio Constitution, the Secretary of State (SOS) will issue additional instruction.

INSTRUCTIONS

I. 2022 PRIMARY ELECTION DEADLINES

The 2022 primary election filing deadline remains **Feb. 2, 2022** for all candidates *other* than those for U.S. House. The filing deadline for declaration of candidacy and petition or declaration of intent to be a write-in candidate for U.S. House is no later than **4:00 p.m. on March 4, 2022**.

H.B. 93 permits the SOS to adjust deadlines pertaining to the administration of the primary election *except* for the following:

- The deadline to file a declaration of candidacy, declaration of candidacy and petition, or declaration of intent to be a write-in candidate;
- The deadline to certify a ballot issue or question to the election officials or to file a petition with the election officials to place a question or issue on the ballot;
- The UOCAVA deadline; and
- Any deadline that, under Ohio law, falls on or after April 3, 2022.

II. OHIO HOUSE AND SENATE CANDIDATES

A. DECLARATION OF CANDIDACY, PETITION, NOMINATION PETITION, OR DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

i. REQUIREMENTS FOR FILING VALIDITY

For candidates for Ohio House and Ohio Senate, boards are *prohibited* from invalidating a petition or declaration of intent to be a write-in candidate on the basis that it does not include the number of the district the filer seeks to represent or includes an incorrect district number. The appropriate document filed by the candidate shall be deemed to include the correct number of the applicable House or Senate district in which the filer (i.e., the candidate filing to run) for Ohio House or Ohio Senate currently resides.

Section 91 of Article XI of the Ohio Constitution provides that when the Ohio Redistricting Committee adopts a new district plan pursuant to an order of the Supreme Court of Ohio, as is currently the case, a candidate is allowed up to 30 days to change their residence to be eligible for election in a district in which the candidate may not currently reside. As such, boards are *prohibited* from invalidating a petition or declaration of intent to be a write-in candidate for Ohio House or Ohio Senate on the basis that it contains the filer's former residence address that is *not* located in the district the filer seeks to represent, **so long as the filer takes the three actions listed below no later than** Tuesday, Feb. 22, 2022:

1. Becomes a resident of the district the filer seeks to represent;
2. Files an addendum with the board of elections that indicates the filer's new address; and
3. Updated their voter registration record to reflect their new residency.

If a filer does not take the three actions listed above by Feb. 22, 2022, a board of elections must invalidate the filing.

ii. REQUIREMENTS FOR SIGNATURE VALIDITY

Boards are prohibited from invalidating a signature on a petition filed by a candidate for Ohio House or Senate on the ground that the signer does not reside in the *new* district the filer seeks to represent (i.e., per the plan the Ohio Redistricting Commission adopted on January 22, 2022) so long as:

1. The House or Senate district in which the filer resided under the General Assembly district plan adopted by the Ohio Redistricting Commission in September 2021 had territory in the county in which the signer resides; **and**
2. The *new* House or Senate district the filer seeks to represent has territory in the county in which the signer resides.

Additionally, boards are prohibited from invalidating a signature on a petition on the ground that the signature was signed before a district plan for Ohio House or Ohio Senate was adopted, enacted, or took effect.

III. U.S. HOUSE OF REPRESENTATIVES CANDIDATES

A. H.B. 93'S IMPACT ON S.B. 258

H.B. 93 repeals Section 4 of S.B. 258, which, among other things, rendered invalid any filing by a person seeking nomination for the office of a member of the U.S. House prior to S.B. 258's effective date of Feb. 19, 2022. Therefore, any filing by a person seeking nomination for the office of a member of the U.S. House that was filed prior to S.B. 258 effective date (February 19, 2022), **is no longer invalid solely on the ground that it was filed prior to that date.**

B. FILING DEADLINE

The filing for a declaration of candidacy and petition or declaration of intent to be a write-in candidate for U.S. House is no later than **4:00 p.m. on March 4, 2022.**

C. DECLARATION OF CANDIDACY, PETITION, NOMINATING PETITION, OR DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

i. REQUIREMENTS FOR FILING VALIDITY

For candidates for U.S. House, boards are prohibited from invalidating a filing on the basis that it does not include the number of the district the filer seeks to represent or includes an incorrect district number. However, H.B. 93 requires the filer that seeks nomination for U.S. House to notify the election officials at the board of elections in writing of the district the filer seeks to represent.

ii. REQUIREMENTS FOR SIGNATURE VALIDITY

Boards are prohibited from invalidating a signature on a petition filed by a person seeking nomination for the U.S. House on the ground that the signer does not reside in the district the filer seeks to represent if:

1. The district the filer sought to represent under the congressional plan described in S.B. 258 of the 134th General Assembly had territory in the county in which the signer resides; **and**
2. The congressional district the filer seeks to represent has territory in the county in which the signer resides.

Additionally, boards are prohibited from invalidating a signature on a petition filed by a person seeking nomination for the U.S. House on the ground that the signature was signed before a district plan for U.S. House was adopted, enacted, or took effect, provided that a signature is not dated more than one year before the date the petition is filed.

IV. CANDIDATE FOR STATE CENTRAL COMMITTEE OF A POLITICAL PARTY

A. DECLARATION OF CANDIDACY, PETITION, NOMINATION PETITION, OR DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

i. REQUIREMENTS FOR FILING VALIDITY

Boards are prohibited from invalidating a filing by a person seeking nomination for the state central committee of a political party on the basis that it does not include the number of the district the filer seeks to represent or that it includes an incorrect district number. If the filer seeks nomination for the office of the state central committee of a political party, the document shall be deemed to include the number of the applicable district in which the filer resides.

ii. REQUIREMENTS FOR SIGNATURE VALIDITY

Boards are prohibited from invalidating a signature on a petition filed by a person seeking nomination for the office of state central committee on the ground that the signature was signed before a district plan of the applicable type was adopted, enacted, or took effect.

a. CONGRESSIONAL DISTRICTS

If a major political party uses congressional districts as a basis for election of its state central committee members, boards are prohibited from invalidating a signature filed by a person seeking nomination for the office of state central committee on the ground that the signer does

not reside in the district the filer seeks to represent so long as the filer seeks nomination for the office of member of the state central committee of a political party to represent a congressional district and:

1. The district in which the filer resided under the congressional plan described in S.B. 258 of the 134th General Assembly had territory in the county in which the signer resides; **and**
2. The congressional district the filer seeks to represent has territory in the county in which the signer resides.

b. SENATE DISTRICTS

On the other hand, if the state central committee of a political party is based on Senate districts, boards are prohibited from invalidating a signature by a person seeking nomination for the office of state central committee on the ground that the signer does not reside in the district the filer seeks to represent so long as the filer seeks nomination for the office of member of the state central committee of a political party to represent a Senate district and:

1. The Senate district in which the filer resided under the General Assembly district plan adopted by the Ohio Redistricting Commission in September 2021 had territory in the county in which the signer resides; **and**
2. The Senate district the filer seeks to represent has territory in the county in which the signer resides.

V. TRANSFER OF DECLARATION OF CANDIDACY, DECLARATION OF CANDIDACY AND PETITION, NOMINATING PETITION, OR DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

Boards of elections that subsequently become aware that a filer for U.S. House, Ohio Senate, Ohio House, or state central committee of a political party who had previously filed with that board of elections, is seeking to represent a district for which a different board of election is the appropriate office to process the filing, are required to promptly transfer the filing to the appropriate board of elections.



DIRECTIVE 2022-03

January 31, 2022

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

Re: House Bill ("H.B.") 93

SUMMARY

On January 28, 2022, Governor DeWine signed H.B. 93 into law. H.B. 93 makes improvements to the Address Confidentiality Program administered by the Secretary of State's Office ("Safe at Home")¹ and notably Section 4 of H.B. 93 made many temporary law changes to the requirements for the 2022 primary election. H.B. 93 included an emergency clause. Therefore, the 2022 primary election provisions went into effect immediately upon the Governor's signature.

The changes to the 2022 primary election outlined below apply only to those seeking nomination for the offices of the United States House of Representatives ("U.S. House"), the Ohio Senate, the Ohio House of Representatives ("Ohio House"), and the state central committee of a political party. H.B. 93 also repealed temporary law for U.S. House candidates contained in Senate Bill ("S.B. 258").

This Directive outlines the changes H.B. 93 makes to election administration for the 2022 primary election. Please note that Courts' ultimate decisions in ongoing litigation² may render some or all of this Directive moot. In the event that for example, the Court determines that the Ohio House and Ohio Senate district maps do not conform with the Court's interpretation of the Ohio Constitution, my Office will issue additional instruction.

INSTRUCTIONS

I. 2022 PRIMARY ELECTION DEADLINES

Pursuant to H.B. 93, the 2022 primary election filing deadline remains **February 2, 2022** for all candidates *other* than those for U.S. House. Effective immediately, Section 4(A) of H.B. 93 makes the filing deadline for declaration of candidacy and petition or declaration of intent to be a write-in candidate for U.S. House no later than **4:00 p.m. on March 4, 2022** to the most populous county board of elections.

¹ The provisions in H.B. 93 related to Safe at Home are not effective immediately. An advisory on those provisions may be forthcoming.

² *Simon, et al. v. DeWine*, et. al, N.D. Ohio No. 4:21-cv-02267-JRA, *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, Slip Opinion No. 2022-Ohio-65, and *Adams v. DeWine*, Slip Opinion No. 2022-Ohio-89.

H.B. 93 also permits the Secretary of State to adjust deadlines pertaining to the administration of the May 3, 2022 primary election *except* for the following:³

- The deadline to file a declaration of candidacy, declaration of candidacy and petition, or declaration of intent to be a write-in candidate;
- The deadline to certify a ballot issue or question to the election officials or to file a petition with the election officials to place a question or issue on the ballot at the May 3, 2022 primary election or a special election on that date;
- The UOCAVA deadline; and
- Any deadline that, under Ohio law, falls on or after April 3, 2022.

Therefore, the certification and protest deadline for candidates to the offices of United States House of Representatives, Ohio House of Representatives (“House”), Ohio Senate, and state central committee of a political party shall be as follows:

- **Wednesday, March 9, 2022** – Most populous county board of elections or board of elections must certify the validity and sufficiency of partisan candidate petitions and provide the names of the certified candidates to the less populous county board of elections in the district.
- **Friday, March 11, 2022** – Protests against partisan candidates for U.S. House, Ohio House, Ohio Senate, and state central committee of a political party (including write-in candidates) must be filed with the most populous county by 4:00 p.m.

Pending the outcome of the ongoing litigation mentioned above, the Secretary may establish or amend other deadlines and dates related to the administration of the May 3, 2022 primary election.

II. OHIO HOUSE AND SENATE CANDIDATES

A. DECLARATION OF CANDIDACY, PETITION, NOMINATING PETITION, OR DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

i. REQUIREMENTS FOR FILING VALIDITY

For candidates for Ohio House and Ohio Senate, boards are prohibited from invalidating a declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate on the basis that it does not include the number of the district the filer seeks to represent or includes an incorrect district number.⁴ The appropriate document filed by the candidate shall be deemed to include the correct number of the applicable House or Senate district in which the filer (i.e. the candidate filing to run) for Ohio House or Ohio Senate currently resides.⁵

In the alternative, Section 9(C) of Article XI of the Ohio Constitution provides that when the Ohio Redistricting Committee adopts a new district plan pursuant to an order of the Supreme Court of Ohio, as is currently the case, a candidate is allowed up to 30 days to change their residence to be

³ Section 4(G) of H.B. 93.

⁴ Section 4(B) of H.B. 93.

⁵ Section 4(B) of H.B. 93.

eligible for election in a district in which the candidate may not currently reside. As such, boards are prohibited from invalidating a declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate filed by a person seeking nomination for Ohio House or Ohio Senate on the basis that it contains the filer's former residence address that is *not* located in the district the filer seeks to represent, **so long as the filer takes the three actions listed below no later than** Tuesday, February 22, 2022:

- (1) Becomes a resident of the district the filer seeks to represent;
- (2) Files an addendum to the declaration of candidacy declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate with the board of elections that indicates the filer's new address; and
- (3) Updated their voter registration record to reflect their new residency.⁶

Attached to this Directive is a template addendum boards of election must provide to candidates and utilize for processing this particular change to a declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate in this situation. After a candidate for Ohio House or Ohio Senate notifies the board of elections of the filer's new residence address as set forth above, the signatures on the filer's petition shall be verified based on the filer's new residence.

However, a board of elections must invalidate an Ohio House or Ohio Senate declaration of candidacy declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate if the filer does not take the three actions listed above on or before February 22, 2022.⁷

ii. **REQUIREMENTS FOR SIGNATURE VALIDITY**

Boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for Ohio House or Ohio Senate on the ground that the signer does not reside in the *new* district the filer seeks to represent (i.e., per the plan the Ohio Redistricting Commission adopted on January 22, 2022) so long as:

- (1) The House or Senate district in which the filer resided under the General Assembly district plan adopted by the Ohio Redistricting Commission in September 2021 had territory in the county in which the signer resides; **and**
- (2) The *new* House or Senate district the filer seeks to represent has territory in the county in which the signer resides.⁸

Attached with this Directive is a list of counties within each district under the General Assembly district plan adopted by the Ohio Redistricting Commission in September 2021 and a list of counties within each district under the General Assembly district plan adopted by the Ohio Redistricting Commission on January 22, 2022.

⁶ Section 4(C)(1)(a)-(c) of H.B. 93.

⁷ Section 4(C) of H.B. 93. Pursuant to R.C. 1.14, the deadline is extended to the next succeeding day.

⁸ Section 4(D)(2)-(3) of H.B. 93.

Moreover, boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for Ohio House or Ohio Senate on the ground that the signature was signed before a district plan for Ohio House or Ohio Senate was adopted, enacted, or took effect, provided that a signature on a nominating petition is not valid if it is dated more than one year before the date the nominating petition is filed.⁹

III. UNITED STATES (“U.S.”) HOUSE OF REPRESENTATIVES CANDIDATES

A. H.B. 93’S IMPACT ON S.B. 258

H.B. 93 repeals Section 4 of S.B. 258, which (1) moved the congressional filing deadline to March 4, 2022; (2) required the Secretary to adjust applicable deadlines to accommodate the shorter timeframe; and (3) rendered invalid any declaration of candidacy, declaration of candidacy and petition, nominating petition or declaration of intent to be a write-in candidate filed by a person seeking nomination for the office of a member of the U.S. House prior to S.B. 258’s effective date of February 19, 2022.¹⁰

My Office issued [Advisory 2021-06](#) following the passage of S.B. 258. This Directive supersedes that Advisory. Therefore, any declaration of candidacy, declaration of candidacy and petition, nominating petition or declaration of intent to be a write-in candidate that was filed prior to S.B. 258 effective date (February 19, 2022), is no longer invalid solely on the ground that it was filed prior to that date.

B. FILING DEADLINE

As set forth above, the filing for a declaration of candidacy and petition or declaration of intent to be a write-in candidate for U.S. House is no later than **4:00 p.m. on March 4, 2022**.

C. DECLARATION OF CANDIDACY, PETITION, NOMINATING PETITION, OR DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

i. REQUIREMENTS FOR FILING VALIDITY

For candidates for U.S. House, boards are prohibited from invalidating a declaration of candidacy, declaration of candidacy and petition or declaration of intent to be a write-in candidate on the basis that it does not include the number of the district the filer seeks to represent or includes an incorrect district number.¹¹

However, H.B. 93 requires the filer that seeks nomination for U.S. House to notify the election officials at the board of elections in writing of the district the filer seeks to represent.¹² My Office drafted a template notification, attached to this Directive, that candidates and/or boards of elections must utilize.

⁹ Section 4(F) of H.B. 93.

¹⁰ Section 3 of H.B. 93.

¹¹ Section 4(B) of H.B. 93.

¹² Section 4(B) of H.B. 93.

ii. REQUIREMENTS FOR SIGNATURE VALIDITY

H.B. 93 also sets forth several other circumstances that *do not* invalidate signatures on a U.S. House candidate’s petition. First, boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for the U.S. House on the ground that the signer does not reside in the district the filer seeks to represent as long as:

- (1) The district the filer sought to represent under the congressional plan described in S.B. 258 of the 134th General Assembly had territory in the county in which the signer resides; **and**
- (2) The congressional district the filer seeks to represent has territory in the county in which the signer resides.

Attached with this Directive is a list of counties within each district under the congressional plan described in S.B. 258 of the 134th General Assembly.¹³

Second, boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for U.S. House on the ground that the signature was signed before a district plan for U.S. House was adopted, enacted, or took effect, provided that a signature on a nominating petition is not valid if it is dated more than one year before the date the nominating petition is filed.¹⁴ My Office will issue additional guidance pending the outcome of the litigation regarding the U.S. House district maps.

IV. CANDIDATE FOR STATE CENTRAL COMMITTEE OF A POLITICAL PARTY

A. DECLARATION OF CANDIDACY, PETITION, NOMINATING PETITION, OR DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

i. REQUIREMENTS FOR FILING VALIDITY

Boards are prohibited from invalidating a declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate filed by a person seeking nomination for the state central committee of a political party on the basis that it does not include the number of the district the filer seeks to represent or that it includes an incorrect district number. If the filer seeks nomination for the office of the state central committee of a political party, the document shall be deemed to include the number of the applicable district in which the filer resides.¹⁵

ii. REQUIREMENTS FOR SIGNATURE VALIDITY

Boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for the office of state central committee of a political party on the ground that the signature was signed before a district plan of the applicable

¹³ Section 4(D)(1).

¹⁴ Section 4(F) of H.B. 93.

¹⁵ Section 4(B) of H.B. 93.

type was adopted, enacted, or took effect, provided that a signature on a nominating petition is not valid if it is dated more than one year before the date the nominating petition is filed.¹⁶

a. CONGRESSIONAL DISTRICTS

If a major political party uses congressional districts as a basis for election of its state central committee members, boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for the office of state central committee of a political party on the ground that the signer does not reside in the district the filer seeks to represent so long as the filer seeks nomination for the office of member of the state central committee of a political party to represent a congressional district and:

- (1) The district in which the filer resided under the congressional plan described in S.B. 258 of the 134th General Assembly had territory in the county in which the signer resides; **and**
- (2) The congressional district the filer seeks to represent has territory in the county in which the signer resides.¹⁷

b. SENATE DISTRICTS

On the other hand, if the state central committee of a political party is based on Senate districts, boards are prohibited from invalidating a signature on a declaration of candidacy and petition or nominating petition filed by a person seeking nomination for the office of state central committee of a political party on the ground that the signer does not reside in the district the filer seeks to represent so long as the filer seeks nomination for the office of member of the state central committee of a political party to represent a Senate district and:

- (1) The Senate district in which the filer resided under the General Assembly district plan adopted by the Ohio Redistricting Commission in September 2021 had territory in the county in which the signer resides; **and**
- (2) The Senate district the filer seeks to represent has territory in the county in which the signer resides.¹⁸

V. TRANSFER OF DECLARATION OF CANDIDACY, DECLARATION OF CANDIDACY AND PETITION, NOMINATING PETITION, OR DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

Boards of elections that subsequently become aware that a filer for U.S. House, Ohio Senate, Ohio House, or state central committee of a political party who had previously filed with that board of elections, is seeking to represent a district for which a different board of election is the appropriate office to process the filing, are required to promptly transfer the filing to the appropriate board of elections.¹⁹ A transferring board must do all of the following:

¹⁶ Section 4(F) of H.B. 93.

¹⁷ Section 4(D)(4) of H.B. 93.

¹⁸ Section 4(D)(5) of H.B. 93.

¹⁹ Section 4(E) of H.B. 93.

- (1) Notify its county prosecutor that it may have a petition that needs to be transferred to another county and how the board was notified by the filer seeking to represent a different district than the one in which they originally filed;
- (2) Notify via electronic mail the Director and Deputy Director of the different board of elections that should receive the filing and the Elections Division (via election@OhioSoS.gov);
- (3) Scan the declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate and any additional relevant documentation and send to the different board of elections via electronic mail;
- (4) Send the declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate and any additional relevant documentation via trackable delivery service to the different board of elections; and
- (5) Notify the candidate that the board that the declaration of candidacy, declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate was originally filed with transferred the filing to the appropriate board of elections for verification and certification.

Each board of elections director must share this Directive with its legal counsel, the county prosecuting attorney, and voter registration system and voting equipment vendors as soon as possible. If you have any questions regarding this Directive, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,


Frank LaRose
Ohio Secretary of State

Addendum to Declaration of Candidacy, Nominating Petition, or Declaration of Intent to be a Write-in Candidate
For District Office
For State Senator or State Representative

To be filed with the Board of Elections of the most populous county or part county of the district not later than 4 p.m. on February 22, 2022.

Sub. H.B. 93 of the 134th General Assembly

Addendum to Filing

I, _____, the undersigned, hereby declare under penalty of election falsification that
Name of Candidate
my **current** voting residence address is _____, _____, Ohio
Street Number and Address, if any, (or rural route and number) City or Village

Zip Code

I, _____, the undersigned, hereby declare under penalty of election falsification that
Name of Candidate
my **former** voting residence address was _____, _____, Ohio
Street Number and Address, if any, (or rural route and number) City or Village

Zip Code

I further declare that I desire to be a candidate for nomination to the office of _____
Office
as a member of the _____ Party from the _____ District.
Political Party District Number

Dated this _____ day of _____, _____
Day Month Year

Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

Notification to Election Official of District Sought For District Office

For Representative to Congress

To be filed with the Board of Elections of the most populous county or part county of the district no later than:

For partisan candidates: 4:00 p.m. on March 4, 2022

For independent candidates: 4:00 p.m. on May 2, 2022.

Sub. H.B. No. 93 of the 134th General Assembly

Statement of District

I, _____, the undersigned, hereby notify election officials that I desire to be a
Name of Candidate
candidate for nomination to the office of Representative to Congress from the _____ District.
District Number

I previously sought office in the _____ District.
District Number

I further declare that the district I sought to represent under the congressional district plan described in S.B. 258 of the 134th General Assembly had territory in the county in which I reside and that the district I seek to represent has territory in the county in which I reside.

Dated this _____ day of _____, _____.
Day Month Year
Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

County Populations and Filing Locations

Ohio Senate Districts

As Passed by Ohio Redistricting Commission on September 15, 2021

#	County	2020 Census Population	2020 Census Population %	County to File Petitions
SD 1	Defiance	38,286	10.94%	
	Fulton	42,713	12.20%	
	Hancock (part)	63,694	18.20%	* Filing county
	Henry	27,662	7.90%	
	Mercer	42,528	12.15%	
	Paulding	18,806	5.37%	
	Putnam	34,451	9.84%	
	Van Wert	28,931	8.27%	
	Wyandot (part)	15,851	4.53%	
	Williams	37,102	10.60%	
SD 2	Erie	75,622	21.72%	
	Hancock (part)	11,226	3.22%	
	Lucas (part)	88,653	25.47%	
	Ottawa	40,364	11.60%	
	Wood	132,248	37.99%	* Filing county
SD 3	Franklin (part)	346,752	100.00%	* Filing county
SD 4	Butler (part)	368,937	100.00%	* Filing county
SD 5	Butler (part)	21,420	5.92%	
	Darke (part)	15,437	4.27%	
	Miami	108,774	30.07%	
	Montgomery (part)	175,118	48.41%	* Filing county
	Preble	40,999	11.33%	
SD 6	Montgomery (part)	362,191	100.00%	* Filing county
SD 7	Hamilton (part)	116,286	32.43%	
	Warren	242,337	67.57%	* Filing county
SD 8	Hamilton (part)	342,514	100.00%	* Filing county
SD 9	Hamilton (part)	371,839	100.00%	* Filing county

County Populations and Filing Locations

Ohio Senate Districts

As Passed by Ohio Redistricting Commission on September 15, 2021

#	County	2020 Census Population	2020 Census Population %	County to File Petitions
SD 10	Clark	136,001	39.10%	
	Greene	167,966	48.30%	* Filing county
	Madison	43,824	12.60%	
SD 11	Lucas (part)	342,626	100.00%	* Filing county
SD 12	Allen	102,206	29.30%	* Filing county
	Auglaize	46,422	13.31%	
	Champaign	38,714	11.10%	
	Darke (part)	36,444	10.45%	
	Hardin	30,696	8.80%	
	Logan	46,150	13.23%	
	Shelby	48,230	13.82%	
SD 13	Huron	58,565	15.76%	
	Lorain	312,964	84.24%	* Filing county
SD 14	Adams	27,477	7.77%	
	Brown	43,676	12.35%	
	Clermont	208,601	58.97%	* Filing county
	Scioto	74,008	20.92%	
SD 15	Franklin (part)	347,161	100.00%	* Filing county
SD 16	Franklin (part)	278,538	81.61%	* Filing county
	Union	62,784	18.39%	
SD 17	Clinton	42,018	11.96%	
	Fayette	28,951	8.24%	
	Gallia	29,220	8.32%	
	Highland	43,317	12.33%	
	Jackson	32,653	9.29%	
	Lawrence	58,240	16.57%	
	Pike	27,088	7.71%	
	Ross	77,093	21.94%	* Filing county
	Vinton	12,800	3.64%	

**County Populations and Filing Locations
Ohio Senate Districts**

As Passed by Ohio Redistricting Commission on September 15, 2021

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
SD	18	Ashtabula	97,574	26.07%	
		Geauga (part)	44,060	11.77%	
		Lake	232,603	62.15%	* Filing county
SD	19	Delaware	214,124	62.72%	* Filing county
		Holmes (part)	29,600	8.67%	
		Knox	62,721	18.37%	
		Morrow	34,950	10.24%	
SD	20	Fairfield	158,921	43.26%	* Filing county
		Hocking	28,050	7.64%	
		Perry	35,408	9.64%	
		Pickaway	58,539	15.94%	
		Muskingum	86,410	23.52%	
SD	21	Cuyahoga (part)	371,335	100.00%	* Filing county
SD	22	Ashland	52,447	14.91%	
		Medina	182,470	51.87%	* Filing county
		Wayne	116,894	33.23%	
SD	23	Cuyahoga (part)	372,878	100.00%	* Filing county
SD	24	Cuyahoga (part)	372,031	100.00%	* Filing county
SD	25	Franklin (part)	351,356	100.00%	* Filing county
SD	26	Crawford	42,025	11.93%	
		Marion	65,359	18.55%	
		Richland	124,936	35.46%	* Filing county
		Sandusky	58,896	16.72%	
		Seneca	55,069	15.63%	
		Wyandot (part)	6,049	1.72%	

**County Populations and Filing Locations
Ohio Senate Districts**

As Passed by Ohio Redistricting Commission on September 15, 2021

#	County	2020 Census Population	2020 Census Population %	County to File Petitions
SD 27	Cuyahoga (part)	148,573	39.93%	
	Geauga (part)	51,337	13.80%	
	Summit (part)	172,151	46.27%	* Filing county
SD 28	Summit (part)	368,277	100.00%	* Filing county
SD 29	Stark (part)	354,275	100.00%	* Filing county
SD 30	Athens	62,431	16.86%	
	Belmont	66,497	17.95%	* Filing county
	Guernsey	38,438	10.38%	
	Harrison	14,483	3.91%	
	Jefferson	65,249	17.62%	
	Meigs	22,210	6.00%	
	Monroe	13,385	3.61%	
	Morgan	13,802	3.73%	
	Noble	14,115	3.81%	
	Washington	59,771	16.14%	
SD 31	Coshocton	36,612	10.66%	
	Holmes (part)	14,623	4.26%	
	Licking	178,519	51.96%	* Filing county
	Stark (part)	20,578	5.99%	
	Tuscarawas	93,263	27.14%	
SD 32	Portage	161,791	44.48%	
	Trumbull	201,977	55.52%	* Filing county
SD 33	Carroll	26,721	7.48%	
	Columbiana	101,877	28.52%	
	Mahoning	228,614	64.00%	* Filing county

**County Populations and Filing Locations
Ohio Senate Districts**

As Passed by Ohio Redistricting Commission on January 22, 2022

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
SD	1	Defiance	38,286	10.97%	
		Fulton	42,713	12.24%	
		Hancock (part)	63,694	18.25%	* Filing county
		Hardin	30,696	8.80%	
		Henry	27,662	7.93%	
		Logan (part)	10,722	3.07%	
		Paulding	18,806	5.39%	
		Putnam	34,451	9.87%	
		Van Wert	28,931	8.29%	
		Wyandot (part)	15,851	4.54%	
		Williams	37,102	10.63%	
SD	2	Erie (part)	52,492	14.75%	
		Hancock (part)	11,226	3.16%	
		Huron (part)	33,714	9.48%	
		Lucas (part)	88,653	24.92%	
		Ottawa (part)	37,454	10.53%	
		Wood	132,248	37.17%	* Filing county
SD	3	Franklin (part)	350,746	100.00%	* Filing county
SD	4	Butler (part)	368,937	100.00%	* Filing county
SD	5	Butler (part)	21,420	5.92%	
		Darke (part)	15,437	4.27%	
		Miami	108,774	30.07%	
		Montgomery (part)	175,118	48.41%	* Filing county
		Preble	40,999	11.33%	
SD	6	Montgomery (part)	362,191	100.00%	* Filing county
SD	7	Hamilton (part)	123,894	33.83%	
		Warren	242,337	66.17%	* Filing county
SD	8	Hamilton (part)	348,642	100.00%	* Filing county

County Populations and Filing Locations
Ohio Senate Districts
As Passed by Ohio Redistricting Commission on January 22, 2022

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
SD	9	Hamilton (part)	358,103	100.00%	* Filing county
SD	10	Clark	136,001	39.10%	
		Greene	167,966	48.30%	* Filing county
		Madison	43,824	12.60%	
SD	11	Lucas (part)	342,626	100.00%	* Filing county
SD	12	Allen	102,206	29.20%	* Filing county
		Auglaize	46,422	13.26%	
		Champaign	38,714	11.06%	
		Darke (part)	36,444	10.41%	
		Logan (part)	35,428	10.12%	
		Mercer	42,528	12.15%	
		Shelby	48,230	13.78%	
SD	13	Erie	23,130	6.41%	
		Huron	24,851	6.88%	
		Lorain	312,964	86.71%	* Filing county
SD	14	Adams	27,477	7.77%	
		Brown	43,676	12.35%	
		Clermont	208,601	58.97%	* Filing county
		Scioto	74,008	20.92%	
SD	15	Franklin (part)	340,784	100.00%	* Filing county
SD	16	Franklin (part)	284,349	80.91%	* Filing county
		Union	62,784	19.09%	
SD	17	Clinton	42,018	11.96%	
		Fayette	28,951	8.24%	
		Gallia	29,220	8.32%	
		Highland	43,317	12.33%	
		Jackson	32,653	9.29%	
		Lawrence	58,240	16.57%	

County Populations and Filing Locations
Ohio Senate Districts
As Passed by Ohio Redistricting Commission on January 22, 2022

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
		Pike	27,088	7.71%	
		Ross	77,093	21.94%	* Filing county
		Vinton	12,800	3.64%	
SD	18	Ashtabula	97,574	26.07%	
		Geauga (part)	44,060	11.77%	
		Lake	232,603	62.15%	* Filing county
SD	19	Delaware	214,124	62.72%	* Filing county
		Holmes (part)	29,600	8.67%	
		Knox	62,721	18.37%	
		Morrow	34,950	10.24%	
SD	20	Fairfield	158,921	43.26%	* Filing county
		Hocking	28,050	7.64%	
		Perry	35,408	9.64%	
		Pickaway	58,539	15.94%	
		Muskingum	86,410	23.52%	
SD	21	Cuyahoga (part)	372,824	100.00%	* Filing county
SD	22	Ashland	52,447	14.91%	
		Medina	182,470	51.87%	* Filing county
		Wayne	116,894	33.23%	
SD	23	Cuyahoga (part)	374,941	100.00%	* Filing county
SD	24	Cuyahoga (part)	367,945	100.00%	* Filing county
SD	25	Franklin (part)	347,928	100.00%	* Filing county
SD	26	Crawford	42,025	11.83%	
		Marion	65,359	18.40%	
		Ottawa (part)	2,910	0.82%	
		Richland	124,936	35.17%	* Filing county

County Populations and Filing Locations
Ohio Senate Districts
As Passed by Ohio Redistricting Commission on January 22, 2022

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
		Sandusky	58,896	16.58%	
		Seneca	55,069	15.50%	
		Wyandot (part)	6,049	1.70%	
SD	27	Cuyahoga (part)	149,107	40.02%	
		Geauga (part)	51,337	13.78%	
		Summit (part)	172,158	46.20%	* Filing county
SD	28	Summit (part)	368,270	100.00%	* Filing county
SD	29	Stark (part)	354,275	100.00%	* Filing county
SD	30	Athens	62,431	16.86%	
		Belmont	66,497	17.95%	* Filing county
		Guernsey	38,438	10.38%	
		Harrison	14,483	3.91%	
		Jefferson	65,249	17.62%	
		Meigs	22,210	6.00%	
		Monroe	13,385	3.61%	
		Morgan	13,802	3.73%	
		Noble	14,115	3.81%	
		Washington	59,771	16.14%	
SD	31	Coshocton	36,612	10.66%	
		Holmes (part)	14,623	4.26%	
		Licking	178,519	51.96%	* Filing county
		Stark (part)	20,578	5.99%	
		Tuscarawas	93,263	27.14%	
SD	32	Portage	161,791	44.48%	
		Trumbull	201,977	55.52%	* Filing county
SD	33	Carroll	26,721	7.48%	
		Columbiana	101,877	28.52%	
		Mahoning	228,614	64.00%	* Filing county

**County Populations and Filing Locations
Ohio House Districts**

As Passed by Ohio Redistricting Commission on September 15, 2021

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
HD	1	Franklin	115,498	100.0%	* Filing county
HD	2	Franklin	117,559	100.0%	* Filing county
HD	3	Franklin	114,104	100.0%	* Filing county
HD	4	Franklin	114,500	100.0%	* Filing county
HD	5	Franklin	116,735	100.0%	* Filing county
HD	6	Franklin	115,517	100.0%	* Filing county
HD	7	Franklin	115,170	100.0%	* Filing county
HD	8	Franklin	115,189	100.0%	* Filing county
HD	9	Franklin	120,997	100.0%	* Filing county
HD	10	Franklin	113,326	100.0%	* Filing county
HD	11	Franklin	114,236	100.0%	* Filing county
HD	12	Franklin	50,976	44.8%	
		Union	62,784	55.2%	* Filing county
HD	13	Cuyahoga	124,554	100.0%	* Filing county
HD	14	Cuyahoga	125,064	100.0%	* Filing county
HD	15	Cuyahoga	125,088	100.0%	* Filing county
HD	16	Cuyahoga	121,879	100.0%	* Filing county
HD	17	Cuyahoga	124,819	100.0%	* Filing county
HD	18	Cuyahoga	123,226	100.0%	* Filing county

**County Populations and Filing Locations
Ohio House Districts**

As Passed by Ohio Redistricting Commission on September 15, 2021

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
HD	19	Cuyahoga	124,679	100.0%	* Filing county
HD	20	Cuyahoga	125,098	100.0%	* Filing county
HD	21	Cuyahoga	122,023	100.0%	* Filing county
HD	22	Cuyahoga	124,633	100.0%	* Filing county
HD	23	Cuyahoga	23,754	19.3%	
		Geauga	51,337	41.8%	* Filing county
		Summit	47,684	38.8%	
HD	24	Hamilton	123,469	100.0%	* Filing county
HD	25	Hamilton	123,568	100.0%	* Filing county
HD	26	Hamilton	124,802	100.0%	* Filing county
HD	27	Hamilton	116,286	100.0%	* Filing county
HD	28	Hamilton	114,050	100.0%	* Filing county
HD	29	Hamilton	114,653	100.0%	* Filing county
HD	30	Hamilton	113,811	100.0%	* Filing county
HD	31	Summit	124,467	100.0%	* Filing county
HD	32	Summit	122,679	100.0%	* Filing county
HD	33	Summit	123,791	100.0%	* Filing county
HD	34	Summit	121,807	100.0%	* Filing county
HD	35	Montgomery	121,171	100.0%	* Filing county

**County Populations and Filing Locations
Ohio House Districts**

As Passed by Ohio Redistricting Commission on September 15, 2021

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
HD	36	Montgomery	114,991	100.0%	* Filing county
HD	37	Montgomery	125,125	100.0%	* Filing county
HD	38	Montgomery	122,075	100.0%	* Filing county
HD	39	Butler	21,420	18.4%	
		Montgomery	53,947	46.4%	* Filing county
		Preble	40,999	35.2%	
HD	40	Lucas	113,280	100.0%	* Filing county
HD	41	Lucas	113,996	100.0%	* Filing county
HD	42	Lucas	115,350	100.0%	* Filing county
HD	43	Lucas	88,653	76.6%	* Filing county
		Hancock	11,226	9.7%	
		Wood	15,925	13.8%	
HD	44	Butler	123,473	100.0%	* Filing county
HD	45	Butler	123,472	100.0%	* Filing county
HD	46	Butler	121,992	100.0%	* Filing county
HD	47	Stark	115,745	100.0%	* Filing county
HD	48	Stark	113,975	100.0%	* Filing county
HD	49	Stark	124,555	100.0%	* Filing county
HD	50	Stark	20,578	18.1%	
		Tuscarawas	93,263	81.9%	* Filing county
HD	51	Lorain	125,115	100.0%	* Filing county

**County Populations and Filing Locations
Ohio House Districts**

As Passed by Ohio Redistricting Commission on September 15, 2021

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
HD	52	Lorain	124,642	100.0%	* Filing county
HD	53	Huron	58,565	48.1%	
		Lorain	63,207	51.9%	* Filing county
HD	54	Warren	121,704	100.0%	* Filing county
HD	55	Warren	120,633	100.0%	* Filing county
HD	56	Lake	124,454	100.0%	* Filing county
HD	57	Ashtabula	16,522	13.3%	
		Lake	108,149	86.7%	* Filing county
HD	58	Mahoning	116,292	100.0%	* Filing county
HD	59	Columbiana	10,783	8.8%	
		Mahoning	112,322	91.2%	* Filing county
HD	60	Delaware	113,964	100.0%	* Filing county
HD	61	Delaware	100,160	88.0%	* Filing county
		Morrow	13,700	12.0%	
HD	62	Clermont	124,425	100.0%	* Filing county
HD	63	Brown	29,368	25.9%	
		Clermont	84,176	74.1%	* Filing county
HD	64	Trumbull	124,731	100.0%	* Filing county
HD	65	Portage	39,779	34.0%	
		Trumbull	77,246	66.0%	* Filing county
HD	66	Medina	116,342	100.0%	* Filing county

**County Populations and Filing Locations
Ohio House Districts**

As Passed by Ohio Redistricting Commission on September 15, 2021

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
HD	67	Ashland	52,447	44.2%	
		Medina	66,128	55.8%	* Filing county
HD	68	Licking	115,385	100.0%	* Filing county
HD	69	Coshocton	36,612	32.0%	
		Holmes	14,623	12.8%	
		Licking	63,134	55.2%	* Filing county
HD	70	Greene	116,643	100.0%	* Filing county
HD	71	Clark	19,879	17.3%	
		Greene	51,323	44.6%	* Filing county
		Madison	43,824	38.1%	
HD	72	Portage	122,012	100.0%	* Filing county
HD	73	Fairfield	123,971	100.0%	* Filing county
HD	74	Fairfield	34,950	28.8%	
		Hocking	28,050	23.1%	
		Pickaway	58,539	48.2%	* Filing county
HD	75	Clark	116,122	100.0%	* Filing county
HD	76	Wood	116,323	100.0%	* Filing county
HD	77	Richland	124,936	100.0%	* Filing county
HD	78	Wayne	116,894	100.0%	* Filing county
HD	79	Carroll	26,721	22.7%	
		Columbiana	91,094	77.3%	* Filing county
HD	80	Darke	15,437	12.4%	
		Miami	108,774	87.6%	* Filing county

**County Populations and Filing Locations
Ohio House Districts**

As Passed by Ohio Redistricting Commission on September 15, 2021

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
HD	81	Defiance	6,010	5.3%	
		Fulton	42,713	37.6%	* Filing county
		Henry	27,662	24.4%	
		Williams	37,102	32.7%	
HD	82	Defiance	32,276	26.3%	
		Mercer	42,528	34.7%	* Filing county
		Paulding	18,806	15.3%	
		Van Wert	28,931	23.6%	
HD	83	Hancock	63,694	55.9%	* Filing county
		Putnam	34,451	30.2%	
		Wyandot	15,851	13.9%	
HD	84	Auglaize	34,142	28.7%	
		Darke	36,444	30.7%	
		Shelby	48,230	40.6%	* Filing county
HD	85	Champaign	38,714	33.5%	
		Hardin	30,696	26.6%	
		Logan	46,150	39.9%	* Filing county
HD	86	Allen	102,206	89.3%	* Filing county
		Auglaize	12,280	10.7%	
HD	87	Crawford	42,025	37.0%	
		Marion	65,359	57.6%	* Filing county
		Wyandot	6,049	5.3%	
HD	88	Sandusky	58,896	51.7%	* Filing county
		Seneca	55,069	48.3%	
HD	89	Erie	75,622	65.2%	* Filing county
		Ottawa	40,364	34.8%	

**County Populations and Filing Locations
Ohio House Districts**

As Passed by Ohio Redistricting Commission on September 15, 2021

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
HD	90	Adams	27,477	23.7%	
		Brown	14,308	12.4%	
		Scioto	74,008	63.9%	* Filing county
HD	91	Clinton	42,018	36.8%	
		Fayette	28,951	25.3%	
		Highland	43,317	37.9%	* Filing county
HD	92	Gallia	29,220	24.5%	
		Ross	77,093	64.7%	* Filing county
		Vinton	12,800	10.7%	
HD	93	Jackson	32,653	27.7%	
		Lawrence	58,240	49.4%	* Filing county
		Pike	27,088	23.0%	
HD	94	Athens	62,431	51.1%	* Filing county
		Meigs	22,210	18.2%	
		Morgan	13,802	11.3%	
		Washington	23,688	19.4%	
HD	95	Belmont	20,908	16.9%	
		Guernsey	38,438	31.0%	* Filing county
		Harrison	14,483	11.7%	
		Noble	14,115	11.4%	
		Washington	36,083	29.1%	
HD	96	Belmont	45,589	36.7%	
		Jefferson	65,249	52.5%	* Filing county
		Monroe	13,385	10.8%	
HD	97	Muskingum	86,410	70.9%	* Filing county
		Perry	35,408	29.1%	

County Populations and Filing Locations

Ohio House Districts

As Passed by Ohio Redistricting Commission on September 15, 2021

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
HD	98	Holmes	29,600	26.1%	
		Knox	62,721	55.2%	* Filing county
		Morrow	21,250	18.7%	
HD	99	Ashtabula	81,052	64.8%	* Filing county
		Geauga	44,060	35.2%	

**County Populations and Filing Locations
Ohio House Districts**

As Passed by Ohio Redistricting Commission on January 22, 2022

District	County	2020 Census Population	2020 Census Population %	County to File Petitions
1	Franklin	113,426	100%	*Filing County
2	Franklin	113,423	100%	*Filing County
3	Franklin	113,935	100%	*Filing County
4	Franklin	113,292	100%	*Filing County
5	Franklin	114,607	100%	*Filing County
6	Franklin	117,140	100%	*Filing County
7	Franklin	118,578	100%	*Filing County
8	Franklin	116,036	100%	*Filing County
9	Franklin	113,314	100%	*Filing County
10	Franklin	122,847	100%	*Filing County
11	Franklin	116,233	100%	*Filing County
12	Franklin	50,976	45%	
	Union	62,784	55%	*Filing County
13	Cuyahoga	125,080	100%	*Filing County
14	Cuyahoga	123,343	100%	*Filing County
15	Cuyahoga	124,886	100%	*Filing County
16	Cuyahoga	124,466	100%	*Filing County
17	Cuyahoga	120,136	100%	*Filing County
18	Cuyahoga	124,926	100%	*Filing County
19	Cuyahoga	124,679	100%	*Filing County
20	Cuyahoga	124,935	100%	*Filing County
21	Cuyahoga	123,674	100%	*Filing County
22	Cuyahoga	124,471	100%	*Filing County
23	Cuyahoga	24,221	20%	
	Geauga	51,337	42%	*Filing County
	Summit	47,684	39%	
24	Hamilton	122,543	100%	*Filing County

**County Populations and Filing Locations
Ohio House Districts**

As Passed by Ohio Redistricting Commission on January 22, 2022

District	County	2020 Census Population	2020 Census Population %	County to File Petitions
25	Hamilton	120,544	100%	*Filing County
26	Hamilton	115,016	100%	*Filing County
27	Hamilton	123,894	100%	*Filing County
28	Hamilton	120,869	100%	*Filing County
29	Hamilton	113,611	100%	*Filing County
30	Hamilton	114,162	100%	*Filing County
31	Summit	124,384	100%	*Filing County
32	Summit	119,235	100%	*Filing County
33	Summit	124,651	100%	*Filing County
34	Summit	124,474	100%	*Filing County
35	Montgomery	121,171	100%	*Filing County
36	Montgomery	114,991	100%	*Filing County
37	Montgomery	125,125	100%	*Filing County
38	Montgomery	122,075	100%	*Filing County
39	Butler	21,420	18%	
	Montgomery	53,947	46%	*Filing County
	Preble	40,999	35%	
40	Lucas	113,280	100%	*Filing County
41	Lucas	113,996	100%	*Filing County
42	Lucas	115,350	100%	*Filing County
43	Lucas	88,653	77%	*Filing County
	Hancock	11,226	10%	
	Wood	15,925	14%	
44	Butler	123,473	100%	*Filing County
45	Butler	123,472	100%	*Filing County

County Populations and Filing Locations
Ohio House Districts
As Passed by Ohio Redistricting Commission on January 22, 2022

District	County	2020 Census Population	2020 Census Population %	County to File Petitions
46	Butler	121,992	100%	*Filing County
47	Stark	115,745	100%	*Filing County
48	Stark	113,975	100%	*Filing County
49	Stark	124,555	100%	*Filing County
50	Stark	20,578	18%	
	Tuscarawas	93,263	82%	*Filing County
51	Lorain	123,149	100%	*Filing County
52	Lorain	123,593	100%	*Filing County
53	Huron	24,851	21.76%	
	Lorain	66,222	58%	*Filing County
	Erie	23,130	20.25%	
54	Warren	121,704	100%	*Filing County
55	Warren	120,633	100%	*Filing County
56	Lake	124,454	100%	*Filing County
57	Ashtabula	16,522	13%	
	Lake	108,149	87%	*Filing County
58	Mahoning	116,292	100%	*Filing County
59	Columbiana	10,783	9%	
	Mahoning	112,322	91%	*Filing County
60	Delaware	113,964	100%	*Filing County
61	Delaware	100,160	88%	*Filing County
	Morrow	13,700	12%	

**County Populations and Filing Locations
Ohio House Districts**

As Passed by Ohio Redistricting Commission on January 22, 2022

District	County	2020 Census Population	2020 Census Population %	County to File Petitions
62	Clermont	124,425	100%	*Filing County
63	Brown	29,368	26%	
	Clermont	84,176	74%	*Filing County
64	Trumbull	124,731	100%	*Filing County
65	Portage	39,779	34%	
	Trumbull	77,246	66%	*Filing County
66	Medina	116,342	100%	*Filing County
67	Ashland	52,447	44%	
	Medina	66,128	56%	*Filing County
68	Licking	115,385	100%	*Filing County
69	Coshocton	36,612	32%	
	Holmes	14,623	13%	
	Licking	63,134	55%	*Filing County
70	Greene	116,643	100%	*Filing County
71	Clark	19,879	17%	
	Greene	51,323	45%	*Filing County
	Madison	43,824	38%	
72	Portage	122,012	100%	*Filing County
73	Fairfield	123,971	100%	*Filing County
74	Fairfield	34,950	29%	
	Hocking	28,050	23%	

County Populations and Filing Locations
Ohio House Districts
As Passed by Ohio Redistricting Commission on January 22, 2022

District	County	2020 Census Population	2020 Census Population %	County to File Petitions
	Pickaway	58,539	48%	*Filing County
75	Clark	116,122	100%	*Filing County
76	Wood	116,323	100%	*Filing County
77	Richland	124,936	100%	*Filing County
78	Wayne	116,894	100%	*Filing County
79	Carroll	26,721	23%	
	Columbiana	91,094	77%	*Filing County
80	Darke	15,437	12%	
	Miami	108,774	88%	*Filing County
81	Defiance	6,010	5%	
	Fulton	42,713	38%	*Filing County
	Henry	27,662	24%	
	Williams	37,102	33%	
82	Defiance	32,276	28%	
	Paulding	18,806	16%	
	Van Wert	28,931	25%	
	Putnam	34,451	30%	*Filing County
83	Hancock	63,694	53%	*Filing County
	Hardin	30,696	25%	
	Wyandot	15,851	13%	

County Populations and Filing Locations
Ohio House Districts
As Passed by Ohio Redistricting Commission on January 22, 2022

District	County	2020 Census Population	2020 Census Population %	County to File Petitions
	Logan	10,722	9%	
84	Auglaize	35,341	31%	
	Darke	36,444	32%	
	Mercer	42,528	37%	*Filing County
85	Champaign	38,714	32%	
	Shelby	48,230	39%	*Filing County
	Logan	35,428	29%	
86	Allen	102,206	90%	*Filing County
	Auglaize	11,081	10%	
87	Crawford	42,025	37%	
	Marion	65,359	58%	*Filing County
	Wyandot	6,049	5%	
88	Sandusky	58,896	50%	*Filing County
	Seneca	55,069	47%	
	Ottawa	2,910	2%	
89	Erie	52,492	42%	*Filing County
	Ottawa	37,454	30%	
	Huron	33,714	27%	
90	Adams	27,477	24%	
	Brown	14,308	12%	
	Scioto	74,008	64%	*Filing County

County Populations and Filing Locations
Ohio House Districts
As Passed by Ohio Redistricting Commission on January 22, 2022

District	County	2020 Census Population	2020 Census Population %	County to File Petitions
91	Clinton	42,018	37%	
	Fayette	28,951	25%	
	Highland	43,317	38%	*Filing County
92	Gallia	29,220	25%	
	Ross	77,093	65%	*Filing County
	Vinton	12,800	11%	
93	Jackson	32,653	28%	
	Lawrence	58,240	49%	*Filing County
	Pike	27,088	23%	
94	Athens	62,431	51%	*Filing County
	Meigs	22,210	18%	
	Morgan	13,802	11%	
	Washington	23,688	19%	
95	Belmont	20,908	17%	
	Guernsey	38,438	31%	*Filing County
	Harrison	14,483	12%	
	Noble	14,115	11%	
	Washington	36,083	29%	
96	Belmont	45,589	37%	
	Jefferson	65,249	53%	*Filing County
	Monroe	13,385	11%	
97	Muskingum	86,410	71%	*Filing County
	Perry	35,408	29%	

County Populations and Filing Locations
Ohio House Districts
As Passed by Ohio Redistricting Commission on January 22, 2022

District	County	2020 Census Population	2020 Census Population %	County to File Petitions
98	Holmes	29,600	26%	
	Knox	62,721	55%	*Filing County
	Morrow	21,250	19%	
99	Ashtabula	81,052	65%	*Filing County
	Geauga	44,060	35%	

County Populations and Filing Locations
Ohio Congressional Districts
Pursuant to S.B. 258 of the 134th General Assembly

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
CD	1	Hamilton (part)	544,293	69.2%	* Filing county
		Warren	242,337	30.8%	
CD	2	Adams	27,477	3.5%	* Filing county
		Brown	43,676	5.6%	
		Clermont	208,601	26.5%	
		Gallia	29,220	3.7%	
		Hamilton (part)	119,668	15.2%	
		Highland	43,317	5.5%	
		Hocking	28,050	3.6%	
		Jackson	32,653	4.2%	
		Lawrence	58,240	7.4%	
		Meigs	22,210	2.8%	
		Pike	27,088	3.4%	
		Ross (part)	59,622	7.6%	
		Scioto	74,008	9.4%	
		Vinton	12,800	1.6%	
CD	3	Franklin (part)	786,630	100.0%	* Filing county
CD	4	Allen	102,206	13.0%	* Filing county
		Auglaize	46,422	5.9%	
		Champaign	38,714	4.9%	
		Delaware	214,124	27.2%	
		Hardin	30,696	3.9%	
		Logan	46,150	5.9%	
		Marion	65,359	8.3%	
		Morrow	34,950	4.4%	
		Richland	124,936	15.9%	
		Shelby (part)	20,289	2.6%	
		Union	62,784	8.0%	

County Populations and Filing Locations
Ohio Congressional Districts
Pursuant to S.B. 258 of the 134th General Assembly

	#	County	2020 Census Population	2020 Census Population %	County to File Petitions
CD	5	Crawford	42,025	5.3%	
		Hancock	74,920	9.5%	
		Huron	58,565	7.4%	
		Lorain (part)	311,893	39.6%	* Filing county
		Mercer	42,528	5.4%	
		Paulding	18,806	2.4%	
		Putnam	34,451	4.4%	
		Seneca	55,069	7.0%	
		Van Wert	28,931	3.7%	
		Wyandot	21,900	2.8%	
		Wood (part)	97,542	12.4%	
CD	6	Belmont	66,497	8.5%	
		Carroll	26,721	3.4%	
		Columbiana	101,877	13.0%	
		Harrison	14,483	1.8%	
		Jefferson	65,249	8.3%	
		Mahoning	228,614	29.1%	* Filing county
		Monroe	13,385	1.7%	
		Noble	14,115	1.8%	
		Trumbull	201,977	25.7%	
		Washington (part)	53,711	6.8%	
CD	7	Ashland	52,447	6.7%	
		Holmes (part)	26,175	3.3%	
		Stark	374,853	47.7%	* Filing county
		Summit (part)	216,261	27.5%	
		Wayne	116,894	14.9%	
CD	8	Butler	390,357	49.6%	* Filing county
		Darke	51,881	6.6%	
		Hamilton (part)	166,678	21.2%	
		Miami	108,774	13.8%	
		Preble	40,999	5.2%	
		Shelby (part)	27,941	3.6%	

County Populations and Filing Locations
Ohio Congressional Districts
Pursuant to S.B. 258 of the 134th General Assembly

#	County	2020 Census Population	2020 Census Population %	County to File Petitions
CD 9	Defiance	38,286	4.9%	
	Erie	75,622	9.6%	
	Fulton	42,713	5.4%	
	Henry	27,662	3.5%	
	Lucas	431,279	54.8%	* Filing county
	Ottawa	40,364	5.1%	
	Sandusky	58,896	7.5%	
	Williams	37,102	4.7%	
	Wood (part)	34,706	4.4%	
CD 10	Clark (part)	81,355	10.3%	
	Greene	167,966	21.4%	
	Montgomery	537,309	68.3%	* Filing county
CD 11	Cuyahoga (part)	786,630	100.0%	* Filing county
CD 12	Athens	62,431	7.9%	
	Coshocton	36,612	4.7%	
	Fairfield (part)	154,917	19.7%	
	Guernsey	38,438	4.9%	
	Holmes (part)	18,048	2.3%	
	Knox	62,721	8.0%	
	Licking	178,519	22.7%	* Filing county
	Morgan	13,802	1.8%	
	Muskingum	86,410	11.0%	
Perry	35,408	4.5%		
Tuscarawas	93,263	11.9%		
Washington (part)	6,060	0.8%		
CD 13	Cuyahoga (part)	278,922	35.5%	
	Lorain (part)	1,071	0.1%	
	Medina	182,470	23.2%	
	Summit (part)	324,167	41.2%	* Filing county

County Populations and Filing Locations
Ohio Congressional Districts
Pursuant to S.B. 258 of the 134th General Assembly

#	County	2020 Census Population	2020 Census Population %	County to File Petitions
CD 14	Ashtabula	97,574	12.4%	
	Cuyahoga (part)	199,265	25.3%	
	Geauga	95,397	12.1%	
	Lake	232,603	29.6%	* Filing county
	Portage	161,791	20.6%	
CD 15	Clark (part)	54,646	6.9%	
	Clinton	42,018	5.3%	
	Fairfield (part)	4,004	0.5%	
	Fayette	28,951	3.7%	
	Franklin (part)	537,177	68.3%	* Filing county
	Madison	43,824	5.6%	
	Pickaway	58,539	7.4%	
	Ross (part)	17,471	2.2%	

DIRECTIVE 2022-04 – Updated Election Official Manual

RELEASED: February 2, 2022

SUMMARY

- *Directive 2022-04* informs boards of elections that replacement permanent Directives for all chapters of the Ohio Election Official Manual (EOM) have been issued.
- Some chapters had substantive changes; others were simply renumbered. The Cuyahoga County Board of Elections (CCBOE) reviewed the EOM during the public comment period in January and submitted feedback.
- There are now 18 chapters in the EOM, consisting of Directives 2022-05 through 2022-21. All Directives that constituted the previous version of the EOM have been rescinded.
- All boards of elections' members, directors, deputy directors, and staff are strongly encouraged to review the new Directives and bookmark the EOM in their web browsers so that each person may easily access and use it on a regular basis.



DIRECTIVE 2022-04

February 2, 2022

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

Re: Updated Election Official Manual

BACKGROUND

Consistent with our goals of continuing to provide clear and uniform instructions for all boards of elections and continual improvement in election administration, I am issuing replacement permanent Directives for all chapters of the Ohio Election Official Manual (“EOM”). Some chapters had substantive changes, others were simply renumbered in the process. The chapters with substantive changes were previously published as draft Directives on the Secretary of State’s website and were available for public comment.¹

The previous Directives that constitute these eight chapters are hereby rescinded. All Directives no longer in effect are archived on the Secretary of State’s website.²

INSTRUCTIONS

The following updated permanent Directives, and the corresponding chapters of the EOM, are hereby issued and in full, immediate effect:

Directive 2022-05	Chapter 1	Introduction
Directive 2022-06	Chapter 2	Board of Elections Organization and Operations
Directive 2022-07	Chapter 3	Security
Directive 2022-08	Chapter 4	Voter Registration
Directive 2022-09	Chapter 5	Ballots
Directive 2022-10	Chapter 6	Precincts, Polling Locations, and Precinct Election Officials
Directive 2022-11	Chapter 7	Absentee Voting
Directive 2022-12	Chapter 8	Provisional Voting
Directive 2022-13	Chapter 9	Election Day Voting
Directive 2022-14	Chapter 10	Canvassing the Vote
Directive 2022-15	Chapter 11	Post-Election Activities

¹ [R.C. 3501.053\(A\)](#).

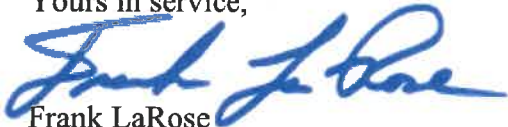
² [R.C. 3501.053\(B\)](#).

Directive 2022-16	Chapter 12	Voting Systems
Directive 2022-17	Chapter 13	Petitions
Directive 2022-18	Chapter 14	Candidates
Directive 2022-19	Chapter 15	Political Parties
Directive 2022-20	Chapter 16	Statewide Initiative and Referendum
Directive 2022-21	Chapter 17	Miscellaneous Duties
	Chapter 18	Resources

All boards of elections' members, directors, deputy directors, and staff are strongly encouraged to review the new Directives and bookmark the EOM in their web browsers so that each person may easily access and use it on a regular basis. With links to relevant supporting documentation (e.g., statutes, court decisions, etc.) and regular updates, the electronic format of the EOM is designed for ease of use and is less likely to become an outdated resource as compared to a printed hardcopy. The EOM is available at: <https://www.ohiosos.gov/elections/elections-officials/rules/>.

If you have any questions concerning this Directive, or any EOM-related Directives, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,



Frank LaRose
Ohio Secretary of State

RELEASED: February 7, 2022

SUMMARY

- *Directive 2022-22* provides instructions on the examination and verification of signatures for candidate positions filed with the Secretary of State (SOS) for the 2022 Primary Election.
- Instructions in this Directive apply to every candidate's petition received by the Cuyahoga County Board of Elections (CCBOE).
- Examination and verification of signatures and the return of certification forms must be completed by **Monday, Feb. 14, 2022 by 4 p.m.**
- The Directive details how to handle a part-petition that belongs to another county and the process for returning both the original part-petitions and electronically scanned versions of these same part-petitions.

VERIFYING THE VALIDITY OF PART-PETITIONS AND SIGNATURES

The CCBOE must process all new, valid voter registrations, and changes of names and addresses to existing registrations received by the board or the SOS as of the date the petition was filed with the SOS before verifying the signatures on the part-petitions. These registrations are effective as of the date the petition was filed with the SOS.

For the purposes of updating *voter-initiated activity*, the CCBOE must verify **all** petition signatures. In [Chapter 13 of the updated Election Official Manual](#), it states that boards must check and verify each signature on an otherwise valid part-petition even if the candidate meets the required number of signatures to gain ballot access.

PART-PETITION BELONGING TO ANOTHER COUNTY

If the CCBOE receives a part-petition with a majority of signatures from another county, it may not determine the validity of that part-petition or review the signatures contained on it. Instead, it must promptly follow the steps outlined in *Directive 2022-22*, which includes contacting the Director or Deputy Director at the other county and forwarding a scanned copy of the part-petition(s).

SCANNING THE PART-PETITIONS

After the CCBOE finishes checking the signatures on the part-petitions, it must electronically scan each part-petition. A copy of the scanned images – one for each candidate, e.g., each delegate – must be uploaded to the SOS's SharePoint site. The CCBOE must retain an electronic copy of the images for its records.

FULFILLING PUBLIC RECORDS REQUESTS

The CCBOE may receive public records requests for copies of part-petitions. It should consult with its county prosecuting attorney before rejecting, fulfilling, or responding to any public records request.

CERTIFICATION & RETURN OF PETITIONS

As soon as the CCBOE finishes verifying the signatures on its part-petitions, it must complete and submit electronically the certification form provided with the Directive. The certification form must be signed by both the Director and Deputy Director and timestamped.

After submitting the certification forms, the CCBOE must promptly return the original part-petitions to the SOS via trackable delivery method. **All original part-petitions must be received by the SOS Office no later than Friday, February 18, 2022.**



DIRECTIVE 2022-22

February 7, 2022

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

Re: Examination and Verification of Candidate Petitions Filed with the Secretary of State's Office

SUMMARY

This Directive provides instructions on the examination and verification of signatures for candidate petitions filed with the Ohio Secretary of State for the 2022 Primary Election. In lieu of issuing a separate directive with each candidate's petition, this Directive applies to each petition filed with the Ohio Secretary of State's Office and transmitted to county boards of elections for review.

The examination and verification of signatures must be complete, and the certification forms returned to the Secretary of State's Office by **4:00 p.m. on Monday, February 14, 2022.**¹ County boards of elections are encouraged to return certification forms as soon as possible.

The original part-petitions must be shipped via trackable delivery method no later than **Monday, February 14, 2022.** The part-petitions must be received by the Secretary of State's Office by **Friday, February 18, 2022.**

VERIFYING THE VALIDITY OF PART-PETITIONS AND SIGNATURES

Please carefully read this Directive and Chapter 13 ("[Petitions](#)," [Directive 2022-17](#)) of the Election Official Manual before the board examines the petitions sent to your county.

Each board of elections must process all new, valid voter registrations, and changes of names and addresses to existing registrations received by the board or the Secretary of State's Office as of the date the petition was filed with the Secretary of State before verifying the signatures on the part-petitions. These registrations are effective as of the date the petition was filed with the Secretary of State.²

For the purposes of updating *voter-initiated activity*, the board must:

1. Verify all petition signatures;
2. Electronically record the board's decisions on the validity or invalidity of each signature on the voter registration record and track for duplicate signatures; and
3. Ensure that the voter registration record is updated with voter-initiated activity credit if the signature is valid.

The board must review each candidate's petitions independently of other candidates' petitions.

¹ 78 days before the primary election, as required by [R.C. 3513.05](#).

² [R.C. 3501.38\(A\)](#), *State ex rel. Oster vs. Lorain Cty. Bd. of Elections*, 93 Ohio St. 3d 480 (2001).

PART-PETITION BELONGING TO ANOTHER COUNTY

If a board receives a part-petition with a majority of signatures from another county, that board of elections may not determine the validity of that part-petition or review the signatures contained on it. Instead, it must promptly follow the steps below, complete the following two spreadsheets, and return them in the envelopes provided when all part-petitions are returned to the Secretary of State's Office:

1. Part-Petitions Sent Spreadsheet (Original Part-Petition(s)), and
2. Part-Petitions Received Spreadsheet (Emailed Part-Petition(s)).

If a board of elections receives a part-petition(s) that belongs to another county:

1. Contact the Director or Deputy Director at the other county board by phone to notify them that your board will be forwarding a scanned copy of a part-petition(s).
2. Log the transfer of the part-petition(s) being sent on the "Part-Petitions Sent" spreadsheet.
3. Send the copy of the part-petition(s) via email to the Director and Deputy Director.
4. Return the original part-petition(s) with the "Part-Petitions Sent" spreadsheet in the envelope provided and marked as such. When the board returns its checked part-petitions to the Secretary of State's Office, place this envelope on top of the checked part-petitions so it can be easily located and retrieved from the box.

If a board receives a copy of a part-petition from another county:

1. Log the part-petition(s) that the board received on the "Part-Petitions Received" spreadsheet.
2. Process the part-petition(s).
3. Return the emailed part-petition(s) with the "Part-Petitions Received" spreadsheet in the envelope provided and marked as such. When the board returns its checked part-petitions to the Secretary of State's Office, place this envelope on top of the checked part-petitions so it can be easily located and retrieved from the box.

Note: Even if a board does not email a copy of a part-petition(s) to another county and/or does not receive a copy of a part-petition from another county, the board must enter the county name and mark the box (X) in the top right hand corner of the spreadsheet and place it in the correct envelope. When the board returns its checked part-petitions to the Secretary of State's Office, place both envelopes on top of the checked part-petitions so they can be easily located and retrieved from the box.

SCANNING THE PART-PETITIONS

After the board of elections finishes checking the signatures on the part-petitions, the board must electronically scan each part-petition. A copy of the scanned images – one for each candidate, e.g. each delegate – must be uploaded to the Secretary of State's SharePoint site (using the instructions accompanying this Directive). Each board must retain an electronic copy of the images for the board's records.

FULFILLING PUBLIC RECORDS REQUESTS

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

CERTIFICATION & RETURN OF PETITIONS

As soon as the board of elections finishes verifying the signatures on the part-petitions, the board must:

1. Complete and submit the certification form electronically by clicking the “submit” button on the bottom of the form;
2. Verify that the form received a timestamp;
3. Print and save a copy of the complete certification form containing the timestamp;
4. Have the Director and Deputy Director sign the timestamped certification form; and
5. Upload the signed certification form to the SharePoint site.³

Immediately contact this Office at 1-614-466-2585, if upon submitting the form via Elect Collect the board does not receive a timestamp. All certification forms and scanned images of petitions must be submitted by 4:00 p.m. on Monday, February 14, 2022.

After submitting the certification forms, county boards of elections must promptly return the original part-petitions to the Secretary of State’s Office, Elections Division, 22 North Fourth Street, Columbus, Ohio 43215-3668 via trackable delivery method. **All original part-petitions must be received by the Secretary of State’s Office no later than Friday, February 18, 2022.**

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

Yours in service,



Frank LaRose
Ohio Secretary of State

³ If a board has not appointed a Deputy Director or Director, then the Board Chairperson or a board member of the opposite party, respectively, must sign the certification forms.



CERTIFICATION FORM 2022 Statewide Candidate Filing

On behalf of the _____ County Board of Elections, I hereby certify that the numbers of valid and invalid signatures on the part-petitions for the candidates listed below are as follows:

Candidate _____	
1. Number of valid part-petitions	_____
2. Number of valid signatures on valid part-petitions	_____
3. Number of invalid signatures on valid part-petitions	_____
4. Number of invalid part-petitions	_____
5. Number of signatures on invalid part-petitions	_____
6. Total number of part-petitions received (valid & invalid)	0
7. Total number of signatures on part-petitions (valid & invalid)	0

Scanning Attestation

All part-petitions provided to the board of elections have been scanned and the scanned files uploaded to the SharePoint site? _____

Part-Petition(s) Sent and Received

Were any part-petitions described above **sent** to another county board of elections? *If yes, enter the county to which the parts were sent and the quantity.* **Yes** **No**

Were any part-petitions described above **received** from another county board of elections? *If yes, enter the county to which from which the parts were received and the quantity.* **Yes** **No**

Director's Signature: _____ Date: _____

Click on the submit button below to send your data electronically.

This signed certification form must be uploaded to SharePoint along with the scanned part-petitions for each candidate no later than 4:00 p.m. on February 14, 2022. The board must upload all signed certification forms to SharePoint as one document.

Please keep a copy of your completed Certification Form for your files.

Almost Done!

Name

Phone

E Mail

*Enter (111) 222-3333 as
1112223333*

*Enter a valid email address
e.g. name@somewhere.com*



**2022 Statewide Candidate Petitions
Part-Petitions and Signature Manifest**

County	Total Part-Petitions	Total Signatures
Adams	37	474
Allen	59	759
Ashland	47	446
Ashtabula	59	762
Athens	88	511
Auglaize	49	444
Belmont	39	280
Brown	44	298
Butler	262	2,326
Carroll	33	245
Champaign	49	529
Clark	110	818
Clermont	164	1,208
Clinton	84	808
Columbiana	45	491
Coshocton	21	187
Crawford	32	410
Cuyahoga	572	7,199
Darke	62	566
Defiance	27	200
Delaware	245	2,060
Erie	60	875
Fairfield	125	1,065
Fayette	52	623
Franklin	1,015	10,677
Fulton	20	195
Gallia	42	543
Geauga	110	1,266
Greene	160	1,337
Guernsey	39	306
Hamilton	471	5,945
Hancock	53	661
Hardin	52	572
Harrison	28	370
Henry	22	301
Highland	44	402
Hocking	54	322
Holmes	33	240
Huron	32	278
Jackson	28	182
Jefferson	35	279
Knox	104	1,063



2022 Statewide Candidate Petitions Part-Petitions and Signature Manifest

County	Total Part-Petitions	Total Signatures
Lake	174	2,213
Lawrence	24	250
Licking	174	1,455
Logan	67	683
Lorain	173	1,471
Lucas	112	1,352
Madison	71	561
Mahoning	119	1,494
Marion	54	548
Medina	148	1,109
Meigs	34	509
Mercer	59	957
Miami	77	553
Monroe	24	336
Montgomery	257	2,554
Morgan	30	541
Morrow	52	473
Muskingum	53	601
Noble	24	129
Ottawa	35	288
Paulding	16	197
Perry	31	149
Pickaway	93	706
Pike	17	80
Portage	118	1,174
Preble	52	429
Putnam	28	277
Richland	77	731
Ross	126	1,021
Sandusky	42	313
Scioto	28	279
Seneca	31	112
Shelby	53	489
Stark	126	969
Summit	250	2,760
Trumbull	97	1,028
Tuscarawas	74	799
Union	116	947
Vanwert	12	64
Vinton	16	77
Warren	306	2,974
Washington	47	530



**2022 Statewide Candidate Petitions
Part-Petitions and Signature Manifest**

County	Total Part-Petitions	Total Signatures
Wayne	97	782
Williams	16	163
Wood	69	412
Wyandot	28	249
Total	8,434	84,311

2022 Candidate Petition Examination (Directive 2022-22)

Part-Petitions sent to Other Counties (Scanned copy provided via email)

County Name:	No Part-Petitions Sent					
Part-Petition Number (upper-right hand corner)	Name of Candidate on Petition	County Name on Part-petition	County Name Part-petition Sent To	Date Sent	Confirmation of Receipt (Yes or No)	

Instructions for Upload Files to SOS

1. Select this link to access the board's document transfer via <https://ohiosos.sharepoint.com/sites/boe/Documents>;
2. Log in to the site using board's SOS Username and Password - (this is the same password used to login to your SOS email account);

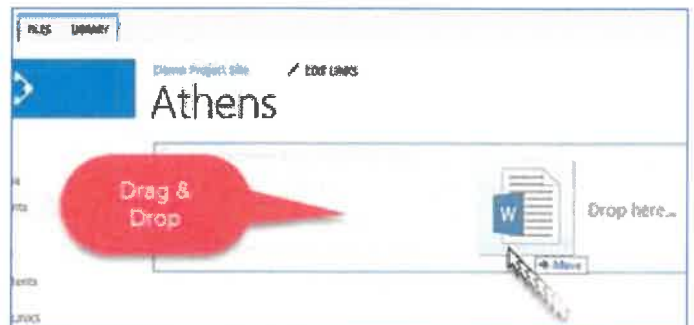
Example:

Username: athens@sos.state.oh.us
Password: (password used for SOS email)

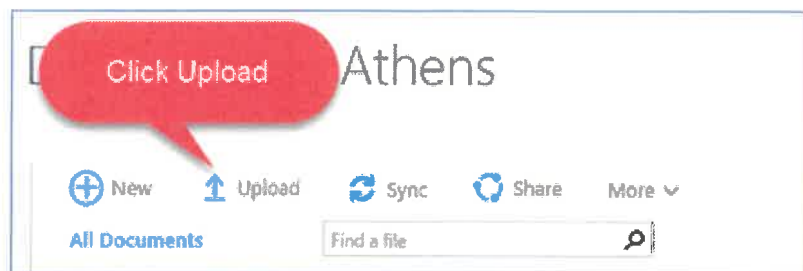
Note: If you do not know the password for this account, please contact your Director or Deputy Director for this information.

3. The board will only be able to view a folder with its county name (Example: Athens);
4. Select the folder to open.
5. Create a folder called **"2020 Statewide Candidate Petitions."**
6. Open the folder.
7. The board must upload the scanned part-petitions and the signed certification forms into the folder created by one of the following methods:

- a. **Drag & Drop** the file: Drag the file to your county's folder into the area "Drag the file here to upload."



- b. Or select the **"Upload"** button and then the "Files" option. Locate and select the file to upload and select the "Open" button to place the files in the folder.



8. Confirm that the files appear in the folder. No other action is necessary as the SOS staff will be notified the file was uploaded.

If you need assistance using this service, please contact SOS Help Desk at 1-614-466-8467.

Agenda Item #3

Agenda Item #3:

Approval to outsource the printing and mailing of Vote-by-Mail ballots for the May 3, 2022, Primary Election

Agenda Item #4



Michael C. O'Malley
CUYAHOGA COUNTY PROSECUTOR

December 20, 2021

VIA ELECTRONIC MAIL

Adam Mazur
3987 E. 52nd Street, Down
Newburgh Hts, Ohio 44105
polishlaundry@gmail.com

VIA REGULAR US MAIL

Ken Nehez
Cindy Nehez
3636 Washington Park Blvd
Newburgh Hts, Ohio 44105

RE: Void Petition for Recall Election of the Mayor of Newburgh Heights

Committee of Petitioners,

I write as counsel for the Cuyahoga County Board of Elections ("BOE") having received a document titled "Petition to Recall Trevor Elkins" as Mayor of the Village of Newburgh Heights.

The BOE is also in receipt of the enclosed legal opinion from the Law Director of the Village of Newburgh Heights. The opinion establishes that the Village of Newburgh Heights is a statutory village that is not organized under a charter. The legal opinion is primarily founded upon the Supreme Court of Ohio decision in *State ex rel. Lockhart v. Boberek*, 45 Ohio St. 2d 292 (1976) to advise that the authority relied on for the petition does not apply to unchartered villages. Specifically, the Supreme Court held as follows:

The clear meaning of R. C. 705.91 is that the provisions of R. C. 705.92 go into effect only to the extent that they have been adopted by the voters of a municipal corporation as part of a home-rule charter. Thus, *R. C. 705.92 can have no application to a non-chartered village such as Valley View. Removal of officials in non-chartered villages is governed by R. C. 733.34 through 733.39; in municipal corporations, generally, by R. C. 733.72 through 733.77; and in the state, municipalities and counties by R. C. 3.07 through 3.10. No provision for a recall is contained in any of those statutes.*

Lockhart at 294 (emphasis added). Accordingly, the document purporting to be a petition to recall the Mayor of the Village of Newburgh Heights is a nullity, and the Board of Elections is taking no action on the submission. Specifically, the BOE will not review, and conveys no determination concerning, the form or the sufficiency and validity of the signatures contained the materials submitted, and the BOE will not schedule an election on the question.

Very truly yours

Mark R. Musson
Assistant Prosecuting Attorney

cc: Cuyahoga County Board of Elections
Law Director, Village of Newburgh Heights

Enclosure

NICOLA, GUDBRANSON & COOPER, LLC

ATTORNEYS AND COUNSELLORS

LANDMARK OFFICE TOWERS
REPUBLIC BUILDING, SUITE 1400
25 WEST PROSPECT AVENUE
CLEVELAND, OHIO 44115-1048
216/621-7227
Fax 216/621-3999
www.nicola.com

Direct e-mail: mcconville@nicola.com

MEMORANDUM

TO: Cuyahoga County Board of Elections
Attn: Mr. Brent Lawler

CC: Mayor Trevor Elkins
Members of Council

FROM: Luke F. McConville, Esq.

DATE: December 17, 2021

RE: Invalid Recall Petition in the Village of Newburgh Heights

FACTS

On December 8, 2021, a recall petition (the "Petition") was filed by residents of the Village of Newburgh Heights with the Cuyahoga County Board of Elections. The Petition seeks to recall Newburgh Heights Mayor Trevor Elkins.

The Village of Newburgh Heights is a non-chartered statutory village under Ohio law. The Ohio Secretary of State has certified the results of the 2020 Federal Census determining that Newburgh Heights has a population of 1,862 and remains a village pursuant to Ohio law.

LAW AND ANALYSIS

There is no right of recall of an elected official for a non-chartered statutory village. State ex rel. Lockhart v. Boberek (1976), 45 Ohio St.2d 292. In Lockhart, the Ohio Supreme Court stated in its Syllabus:

The provisions of R.C. 705.92, permitting recall of the elective officers of a municipal corporation, go into effect only to the extent that they have been adopted by the voters as part of a home-rule charter. (R.C. 705.91 and 705.92 construed.)

For purposes of this analysis, it is necessary to understand the difference between charter and non-charter municipalities in connection with their authority to adopt recall as part of their governing structure. The Ohio Constitution creates a framework for a municipality to adopt a charter and thereby define their own governmental structure. Ohio Const. art XVIII, §7. It is well established under Ohio law that a charter municipality has the authority to provide for the recall of its elected officials. State ex rel. Hackley v. Edmonds (1948), 150 Ohio St. 203, 80 N.E.2d 769 (Syllabus Para. 1). The Court in Hackley stated:

Section 7 of Article XVIII of the Constitution of Ohio vests in a municipality adopting a charter pursuant thereto the power to prescribe the manner of selecting the members of its council, to fix the terms of such members, and to so restrict the tenure of office of such members as to make such tenure dependent upon the will of the electors.

A non-charter municipality, on the other hand, is bound by the governmental structure established by statutory law. Village of Wintersville v. Argo Sales Co. (1973), 35 Ohio St.2d 148, 299 N.E.2d 269. In particular, Ohio Constitution art. XVIII, §2 provides that:

General laws shall be passed to provide for the incorporation and government of cities and villages, and additional laws may also be passed for the government of municipalities adopting the same; but no such additional law shall become operative in any municipality until it shall have been submitted to the electors thereof, and affirmed by a majority of those voting thereon, under regulations to be established by law.

Thus, the Ohio Constitution allows for two categories of statutory municipal governments: the form established by general laws and the optional forms of government which may be adopted by the electors of a municipality. *1989 Ohio Ap.*

Atty. Gen 2-212 (Ohio AG), 1989 WL 455395. The general laws establishing statutory forms of government for non-charter villages and cities are found at R.C. Chapters 731 and 733. Three additional forms of government may be adopted by the electors of a municipality pursuant to R.C. Chapter 705. The provisions of Chapter 705 were expressly adopted as “additional laws” pursuant to Ohio Constitution art XVIII, §2. *1989 Ohio Ap. Atty. Gen 2-212 (Ohio AG), 1989 WL 455395*, referring to 1913 Ohio Laws 767 (H.B. 522, passed April 28, 1913.)

Since the Village of Newburgh Heights is a statutory village, has no charter, and has never adopted one of the optional statutory plans of government set forth in R.C. 704.41 to 705.86, the recall provisions set forth in R.C. 705.91 and 705.92 do not apply to it. *1989 Ohio Ap. Atty. Gen 2-212 (Ohio AG), 1989 WL 455395.* The recall provisions set forth in R.C. 705.91 and R.C. 705.92 do not even apply to a chartered municipality unless the electors of that municipality have so elected.

The procedure set forth in R.C. 705.91 for the adoption of the recall procedures of R.C. 705.92 applies only to cities exercising one of the optional statutory plans of government set forth in R.C. 705.41 to 705.86 and has no application to a charter municipality which chooses to incorporate statutory recall procedures into its charter pursuant to Ohio Const. art XVIII, §§7, 8 and 9.

Id., at Syllabus Paragraph 2.

There is no mechanism under Ohio law to recall elected officials of a non-chartered, statutory village. R.C. Chapters 731 and 733; *Lockhart*. In this instance, since Revised Code Sections 705.91 and 705.92 do not apply to the Village of Newburgh Heights (since it is a non-chartered statutory village) and since there is no mechanism under Ohio law to recall elected officials of a non-chartered, statutory village, the Petition is void *ab initio* and is of no legal effect.

The fact that the Federal Census determined that the population of Newburgh Heights is less than 2,000 has no impact whatsoever on the analysis set forth herein. The Federal Census confirms that Newburgh Heights is a village.

LFM

January 14, 2021

Mark R. Musson, Esq.
Assistant Prosecuting Attorney – Civil Division
Cuyahoga County Prosecutor Michael O’Malley’s Office
The Justice Center, Courts Tower
1200 Ontario Street, 8th Floor
Cleveland, Ohio 44113

Re: Petition to Recall Trevor Elkins

Dear Mr. Musson,

I am writing on behalf of my clients, the Petitioners’ Committee for the Petition to Recall Trevor Elkins (the Mayor of Newburgh Heights). That Recall Petition was recently filed with the Cuyahoga County Board of Elections. I am in receipt of your December 20, 2021, letter to the members of the Petitioners’ Committee: Adam Mazur, Ken Nehez, and Cindy Nehez.

Your December 20, 2021, letter and the memorandum attached to it are accurate and correct interpretations of the language of the *prior* version of R.C. 705.92, but disregard the amendments to R.C. 705.92 that were made by the Ohio General Assembly in H.B. 463 (131st G.A), effective April 6, 2017. I respectfully ask that you reconsider your opinion to the Cuyahoga County Board of Elections in light of the 2017 statutory changes to R.C. 705.92.

Mr. McConville correctly notes in his December 17, 2021, memorandum that “[a] non-charter municipality . . . is bound by the governmental structure established by statutory law.” Prior to 2017, R.C. 705.92’s general language that “any elective officer of a municipal corporation may be removed from office” by recall was interpreted in light of R.C. 705.91 to apply only to charter municipalities. However, from 2017 on, “the governmental structure established by statutory law” has provided that the right to use R.C. 705.92’s procedure to remove “any elective officer of a municipal corporation” applies “[n]otwithstanding . . . any other provisions in the Revised Code to the contrary.”

1. State ex rel. Lockhart v. Boberek interpreted R.C. 705.92 in light of R.C. 705.91

In *State ex rel. Lockhart v. Boberek* (1976), the Ohio Supreme Court interpreted R.C. 705.92 as applying only to charter municipalities – and not to non-charter municipalities. At the time, nothing in R.C. 705.92 precluded reliance on other provisions of the Revised Code to limit the application of R.C. 705.92. At the time, the first sentence of R.C. 705.92 merely stated: “Any elective officer of a municipal corporation may be removed from office by the qualified voters of such municipal corporation.” R.C. 705.92 then proceeded to describe the recall process.

R.C. 705.91 stated (and still states) that regarding charter plans, “Section 705.92 of the Revised Code shall be submitted, with each such plan, to the electors of the municipal corporation as prescribed in section 705.03 of the Revised Code, and shall go into effect and form a part of any such plan of government only to the extent to which such section has been adopted under section 705.03 of the Revised Code.”

Thus, the *Lockhart v. Boberek* court concluded that “[t]he clear meaning of R.C. 705.91 is that the provisions of R.C. 705.92 go into effect only to the extent that they have been adopted by the voters of a municipal corporation as part of a home-rule charter.”

The authorities following *State ex rel. Lockhart v. Boberek* (1976) that were cited in your letter and in the attachment to your letter all predated 2017, and interpreted the language of R.C. 705.92 in light of R.C. 705.91.

2. Since 2017, the provisions of R.C. 705.92 are no longer limited by R.C. 705.91.

In 2017, the General Assembly changed the law to prevent R.C. 705.91 – or any other provision of the Revised Code – from making the language of R.C. 705.92 ineffective in non-charter municipalities. The General Assembly accomplished this by adding the following underlined language to the first sentence of R.C. 705.92:

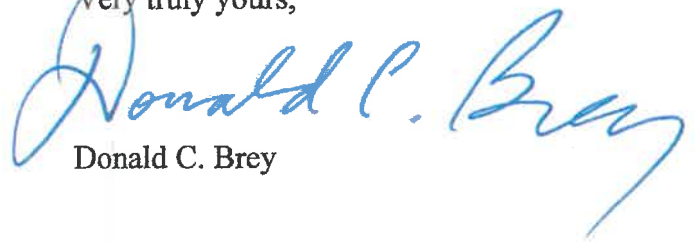
“Notwithstanding Section 38 of Article II, Ohio Constitution, or any other provisions in the Revised Code to the contrary, any elective officer of a municipal corporation may be removed from office by the qualified voters of such municipal corporation.”

Since nothing in R.C. 705.92 limits “any elective officer” to charter municipalities, and since the General Assembly has now expressly prohibited relying on “any other provisions of the Revised Code to the contrary” to so limit it, your December 20, 2021, opinion letter is in error as to the scope of the *current* statute, and the citizens of the Village of Newburgh Heights have the right to recall their mayor, pursuant to the current version of R.C. 705.92.

Mark R. Musson, Esq.
Re: Petition to Recall Trevor Elkins
January 14, 2022
Page 3

Thus, I respectfully request that you reconsider your opinion in light of this 2017 statutory change, and that you advise your client, the Cuyahoga County Board of Elections to review and (if there are sufficient valid signatures) to certify the Petition to Recall Trevor Elkins.

Very truly yours,

A handwritten signature in blue ink that reads "Donald C. Brey". The signature is written in a cursive style with a large initial "D".

Donald C. Brey

Nicola, Gudbranson & Cooper, LLC

ATTORNEYS AT LAW

RICHARD A. COOPER
JOHN D. SAYRE
TIMOTHY D. CARNAHAN
MATTHEW T. FITZSIMMONS
L. JAMES JULIANO, JR.
JAMES H. GROVE
RICHARD G. WITKOWSKI
JAMES R. CHRISZT
ARTHUR L. CLEMENTS, III
MICHAEL E. CICERO
BRUCE L. WATERHOUSE, JR.
MICHAEL J. BERTSCH
BRENDA L. WOLFF
BECKY M. SCHEIMAN
KATHLEEN E. GEE
LUKE F. MCCONVILLE
KAREN GABRIEL MOSS
BRADLEY L. ORTMAN
R. CHRISTOPHER YINGLING
NICHOLAS J. DERTOUZOS
BENJAMIN J. COOPER
AMY BERMAN HAMILTON
MATTHEW M. STANLEY
JOHN B. MOENK

Landmark Office Towers
Republic Building, Suite 1400
25 West Prospect Avenue
Cleveland, OH 44115

Phone: 216-621-7227
Fax: 216-621-3999

www.nicola.com

ROBERT N. GUDBRANSON
(RETIRED SENIOR PARTNER)

K. V. NICOLA
(1906-1994)

February 10, 2022

Direct Email: mconville@nicola.com

Cuyahoga County Board of Elections
2925 Euclid Avenue
Cleveland, OH 44115
Attn: Mary Bejjani, Clerk

Re: Recall Petition/Village of Newburgh Heights

Dear Ms. Bejjani:

The Village of Newburgh Heights provides this letter to supplement its Memorandum dated December 17, 2021.

Ohio Constitution Article XVIII, Section 2 states:

“General laws shall be passed to provide for the incorporation and government of cities and villages; and additional laws may also be passed for the government of municipalities adopting the same; but no such additional law shall become operative in any municipality until it shall have been submitted to the electors thereof, and affirmed by a majority of those voting thereon, under regulations to be established by law.” (Emphasis added.)

In reference to Ohio Constitution Article XVIII, Section 2, AG Opinion 2-212 states:

Thus, there are two categories of statutory municipal governments: the form established by general laws and the optional forms of government which may be adopted by the electors of the municipality.

The general laws providing statutory forms of government for non-charter villages and cities are found at Chapters 731 and 733.

Three additional forms of statutory government which may be adopted by the electors of a municipality are provided in R.C. Chapter 705.

AG Opinion 2-212 further states: “The provisions of R.C. Chapter 705 were expressly adopted as ‘additional laws’ pursuant to Ohio Constitution Article XVIII, Section 2.” The AG notes that this was for the purpose of providing optional forms of government. Those optional forms are the: Commission, Manager and Federal plans of government. Each of these plans, established and provided for under Chapter 705 (entitled “Plans of Government”) is distinct from the general statutory plan of government found in R.C. Chapter 731 and 733. Each of those plans under 705 – Commission, Manager and Federal – must be adopted by the electors of a municipality in order to be operative.

The Village of Newburgh Heights is a non-chartered statutory Village operating under the general statutory plan as set forth in Revised Code Chapters 731 and 733. Stated simply, R.C. Chapter 705 has NO APPLICATION to the Village of Newburgh Heights. The AG in Opinion 2-212 states: “No provision for recall is included in the general statutory form of government for either a village or a city.” This remains true today.

This dichotomy between the general statutory plan municipality on the one hand, and the optional statutory plan municipality on the other hand, is not only set forth in the Ohio Constitution, but is set forth in Chapter 705 itself. In particular, Chapter 705.04 is applicable. That section states in pertinent part as follows:

If, the proposition of adopting a plan of government submitted as provided by sections 705.01 to 705.03, of the Revised Code is approved by a majority of those voting thereon, such plan, together with any of the supplementary propositions approved by a majority of the electors voting thereon, shall be the charter of the municipal corporation. When so adopted, Sections 705.01 to 705.92, inclusive, of the Revised Code shall go into effect immediately, insofar as they apply to the nomination and election of officers...
(Emphasis added.)

Commentaries under R.C. 705.04 further illustrate that the provisions of Chapter 705 have no application to a municipality that has not elected a plan of government thereunder. Baldwin’s Ohio Practice, Local Government Law, Ohio Municipal Law Section 4:15 (Gotherman & Babbitt): states:

“An optional plan takes effect when approved by a majority of the electors voting thereon, together with any supplementary propositions approved by a majority vote, and becomes a charter of the municipality. (September 2021 Update.)

Section 3:3 of the same treatise states:

“The manner of the exercise of municipal powers is fixed pursuant to Sections 2 and 7, Article XVIII of the Ohio Constitution ... The determination of the manner of exercise of municipal power is

vested in the electors of the municipal corporation. By the adoption of a charter under Section 7, by adoption of an optional form of government under Section 2, **or by failure to act, thus requiring operation under the general statutory form,** they alone determine the form of organization of their municipal government. (September 2021 Update.) (Emphasis added.)

Under the General Statutory Plan pursuant to which the Village of Newburgh Heights is organized, Chapter 733 governs removal of officers from public office. R.C. 733.34 through 733.39 and/or R.C. 733.72 or R.C. 3.08 are applicable to the removal of officers. The electors of the Village of Newburgh Heights have chosen this form of government. Certification of the petition at issue before the Board of Elections would unlawfully disturb that choice.

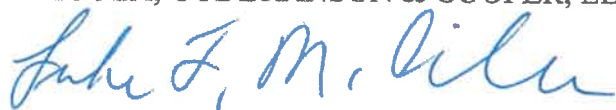
The amendments to R.C. 705.92 serve to cause those provisions to apply, notwithstanding statutory law to the contrary, to municipalities that have elected a plan of government under Chapter 705 or included references to Ohio recall procedures under their charter. Prior to the revisions in 2017, the provisions of 705.92 were not self-executing as it related to either municipalities that had adopted a plan of government under chapter 705 or any chartered municipality that approved charter language authorizing recall “pursuant to Ohio law.” This raised the question as to whether an additional election had to be held to adopt the provisions of 705.92 in those instances. The state legislature clarified that by its revisions in 2017, indicating that no such additional election was needed. However, without the electorate indicating its choice to adopt a chartered form of government (by adoption of charter or approval of a plan of government that functions as a charter) Chapter 705 is inapplicable.

Chapter 705 is an additional law under Ohio Constitution Article XVIII Section 2, and has no application to a general statutory plan government. The holding by the Ohio Supreme Court in *Lockhart v. Boberek* remains good law. Any change made to the language of 705.92 was irrelevant to Newburgh Heights since it has no application. Had the Ohio General Assembly intended to apply recall provisions to general statutory plan municipalities, in light of *Lockhart v. Boberek*, AG OP 2-212, and the current commentaries on home rule, then it would have done so explicitly in Chapter 733.

Thank you for your attention to this matter.

Sincerely,

NICOLA, GUDBRANSON & COOPER, LLC



Luke F. McConville

Newburgh Heights Supplemental Authorities

Luke McConville <mconville@nicola.com>

Thu 2/10/2022 3:24 PM

To: Mary L. Bejjani <mbejjani@cuyahogacounty.gov>

Cc: Donald C. Brey <DBrey@isaacwiles.com>

Mary -- Attached please find legal authorities in support of my correspondence dated February 10, 2022, for consideration by the Cuyahoga County Board of Elections. Please confirm receipt.

Thank you.

Sincerely,

Luke McConville

Luke F. McConville
Attorney at Law

25 West Prospect Avenue
Suite 1400
Cleveland, OH 44115
(216) 621-7227
mconville@nicola.com

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1989 Ohio Op. Atty. Gen. 2-212 (Ohio A.G.), 1989 Ohio Op. Atty. Gen. No. 89-050, 1989 WL 455395

Office of the Attorney General

State of Ohio
Opinion No. 89-050
July 25, 1989

***1 SYLLABUS:**

1. When an amendment to a municipal charter, adopted pursuant to Ohio Const. art. XVIII, §§ 7 and 9, provides for the recall of elected municipal officers and further directs that “the procedure for such recall shall be that provided by the laws of the State of Ohio,” the amendment incorporates only the provisions of R.C. 705.92.
2. The procedure set forth in R.C. 705.91 for the adoption of the recall procedures of R.C. 705.92 applies only to cities exercising one of the optional statutory plans of government set forth in R.C. 705.41 to 705.86 and has no application to a charter municipality which chooses to incorporate statutory recall procedures into its charter pursuant to Ohio Const. art. XVIII, §§ 7, 8 and 9.

The Honorable William F. Schenck
Greene County Prosecuting Attorney
45 N. Detroit Street
Xenia, Ohio 45385

Dear Prosecutor Schenck:

I have before me your request regarding whether the charter of the City of Fairborn effectively provides a procedure for the recall of members of city council. You describe the issues which give rise to your question as follows:

[T]he citizens of the City of Fairborn, on November 8, 1988 approved an amendment to the city charter, proposed by a group of citizens, by adding Section 2.07(d) to the Charter, which reads as follows:

“2.07(d) Recall. Any member of Council may be removed from office before the expiration of his term by the qualified voters of the city. The procedure for such recall shall be that provided by the laws of the State of Ohio.”

....

From our review of the statutes, the only section which deals with recall of municipal officers is Ohio Revised Code Section 705.92. However, in reading Ohio Revised Code Section 705.92 in conjunction with 705.91, it is apparent that Section 705.92 of the Revised Code shall be submitted, with each plan of government, provided in Section 705.41 to 705.86 to the electors of the municipal corporation as prescribed in Section 705.03 of the Revised Code and shall go into effect and form a part of any such plan of government only to the extent to which such section has been adopted under Section 705.03 of the Revised Code.

The amendment to the charter of the City of Fairborn was not adopted under Section 705.03 of the Ohio Revised Code, but was adopted pursuant to the provisions of Article XVIII, Section 9, of the Ohio Constitution.

You question the effect of the language of the charter amendment, which incorporates the procedure provided by the laws of Ohio, because the only procedure for recall in the Revised Code appears to require adoption by a procedure other than that used by the city. In light of these expressed concerns, I have rephrased the specific question presented by your letter as follows:

When an amendment to a municipal charter, adopted pursuant to Ohio Const. art. XVIII, §§ 7 and 9, provides for the recall of elected municipal officers and further directs that “the procedure for such recall shall be that provided by the laws of the State of Ohio,” which, if any, provisions of the Revised Code are thereby incorporated into such charter?¹

*2 In order to answer this question, it is necessary to understand the difference between charter and non-charter municipalities with respect to their authority to adopt recall as part of their governing structure. Charter municipalities may define their own governmental structure. Ohio Const. art. XVIII, § 7 (“[a]ny municipality may frame and adopt or amend a charter for its government and may, subject to the provisions of section 3 of this article, exercise thereunder all powers of local self-government”). The constitution further establishes specific procedures for framing and adopting a charter, Ohio Const. art. XVIII, § 8, and for amending it, Ohio Const. art. XVIII, § 9. These procedures, along with any provisions of the municipal charter itself which do not conflict, are “not only mandatory, but they are also exclusive, that is, they are controlling as against any statutory enactment or departure therefrom.” *Switzer v. State ex rel. Silvey*, 103 Ohio St. 306, 314, 133 N.E. 552, 554 (1921). It has long been established that municipalities have the authority to provide for the recall of elected officials in a properly adopted municipal charter. In *State ex rel. Hackley v. Edmonds*, 150 Ohio St. 203, 80 N.E.2d 769 (1948) (syllabus, paragraph one), the court held:

Section 7 of Article XVIII of the Constitution of Ohio vests in a municipality adopting a charter pursuant thereto the power to prescribe the manner of selecting the members of its council, to fix the terms of such members, and to so restrict the tenure of office of such members as to make such tenure dependent upon the will of the electors.

In comparison, non-charter municipalities are bound by the governmental structures established in statutes by the General Assembly. Ohio Const. art. XVIII, § 2 provides that:

General laws shall be passed to provide for the incorporation and government of cities and villages; and additional laws may also be passed for the government of municipalities adopting the same; but no such additional law shall become operative in any municipality until it shall have been submitted to the electors thereof, and affirmed by a majority of those voting thereon, under regulations to be established by law.

See *Village of Wintersville v. Argo Sales Co.*, 35 Ohio St.2d 148, 299 N.E.2d 269 (1973) (syllabus, paragraph one) (“municipality which has not adopted a charter ... must, in the passage of legislation, follow the procedure prescribed by statutes enacted pursuant to the mandate of Section 2 of Article XVIII”). Thus, there are two categories of statutory municipal governments: the form established by general laws and the optional forms of government which may be adopted by the electors of the municipality. The general laws providing statutory forms of government for non-charter villages and cities are found at R.C. Chapters 731 and 733. Three additional forms of statutory government which may be adopted by the electors of a municipality are provided in R.C. Chapter 705.² The provisions of R.C. Chapter 705 were expressly adopted as “additional laws” pursuant to Ohio Const. art. XVIII, § 2. See 1913 Ohio Laws 767 (H.B. 522, passed April 28, 1913) (enacting the predecessor of current R.C. Chapter 705 “to provide optional plans of government for municipalities and permitting the adoption thereof by popular vote in accordance with article XVIII, section 2, of the constitution of Ohio”).³

*3 No provision for recall is included in the general statutory form of government for either a village or a city. See R.C. Chapters 731 and 733. See generally *State ex rel. Lockhart v. Boberek*, 45 Ohio St.2d 292, 294, 345 N.E.2d 71, 72 (1976) (“[r]emoval of officials in non-chartered villages is governed by R.C. 733.34 through 733.39; in municipal corporations, generally, by R.C. 733.72 through 733.77.... No provision for a recall is contained in any of those statutes”). A recall provision is provided, however, for municipalities choosing one of the statutory-option plans of government. R.C. 705.92 describes in detail the procedures for the petition, setting and holding the election, nomination of candidates to succeed the officer who is the subject of the recall, the ballots, and several additional matters. Unlike the other components of the statutory-option plans, the recall procedures of R.C. 705.92 do not go into effect automatically as part of the chosen plan. R.C. 705.91 provides:

All laws pertaining to the initiative and referendum in municipal corporations shall apply to and become a part of each plan of government provided in sections 705.41 to 705.86, inclusive, of the Revised Code. Section 705.92 of the Revised Code shall

be submitted, with each such plan, to the electors of the municipal corporation as prescribed in section 705.03 of the Revised Code, and shall go into effect and form a part of any such plan of government only to the extent to which such section has been adopted under section 705.03 of the Revised Code. (Emphasis added.)

From this brief review, it can be seen that R.C. 705.91 establishes R.C. 705.03 as the mandatory and exclusive procedure for making recall part of a statutory-option plan of government. Charter municipalities may not use the procedures of R.C. 705.91 to establish or add a recall provision as part of their charter-described plans of government. Switzer, *supra* (syllabus, paragraphs one through three) (constitutional procedures for charter amendments are exclusive; R.C. Chapter 705 provisions for adoption of optional plans by referendum vote inapplicable to charter municipalities). Nonetheless, charter municipalities have constitutional authority, independent of R.C. 705.91, to enact recall procedures as part of their plan of government. Hackley, *supra* (syllabus, paragraph one). It does not follow, therefore, that a charter municipality, acting pursuant to its constitutional authority, is prohibited by R.C. 705.91 from adopting the same recall procedure that is available to municipalities with statutory-option plans.

The first sentence of Fairborn Charter art. II, § 2.07(d) establishes the recall as a part of Fairborn's charter government: "Any member of Council may be removed from office before the expiration of his term by the qualified voters." The framers of the amendment had no need to look to statutes for either the authority to add such a provision to the charter or the procedure for adding it, as both are derived from the Ohio Constitution and the charter itself. Ohio Const. art. XVIII, §§ 7, 8, 9; Fairborn Charter art. II, § 2.06 (ballots for charter amendments) and art. IX, § 9.03 (procedure for charter amendments). Thus, the words of the second sentence of Fairborn Charter, art. II, § 2.07(d), "the procedure for such recall shall be that provided by the laws of the State of Ohio," clearly were intended to incorporate only such statutory provisions as describe how to conduct a recall.

*4 In the current Revised Code, procedures for recall are found only in R.C. 705.92. R.C. 705.91 contains no such procedures; rather, it describes a method of adopting recall procedures. It is beyond question that the framers of the charter amendment could have copied the procedures of R.C. 705.92 verbatim into the text of the amendment. The language of incorporation is equally effective for this purpose. I see no reason to interpret the words "as provided in the laws of the State of Ohio" as incorporating additional provisions of the Revised Code, which are neither intended nor necessary to accomplish the purpose of the amendment. See generally *Hayslip v. Akron*, 21 Ohio App.3d 165, 166, 486 N.E.2d 1160, 1162 (Summit County 1984) ("[i]n interpreting a city charter provision, the general principles of statutory construction will be applied ... [t]he objective is to give effect to the intention behind the provision ... [f]urther, in construing a charter provision, a court should be guided by common sense and reason, giving each word some meaning") (citations omitted). I note additionally that when provisions of the Revised Code are incorporated into city charters, they must be interpreted within the context of the charter rather than of the Revised Code. *State ex rel. Rose v. Ryan*, 119 Ohio App. 363, 370, 200 N.E.2d 668, 674 (Franklin County 1963) (citing *Reed v. City of Youngstown*, 173 Ohio St. 265, 181 N.E.2d 700 (1962)) ("a charter can, and in practice many do, adopt and incorporate substantial portions of the state statutes.... As applied to municipal affairs the statute then derives its efficiency as law from the charter and not from the authority of the General Assembly"). See also *Fraternal Order of Police Youngstown Lodge No. 28 v. Hunter*, 49 Ohio App.2d 185, 189, 360 N.E.2d 708, 711 (Mahoning County 1975), cert. denied, 424 U.S. 977 (1976); *State ex rel. Hauck v. Bachrach*, 107 Ohio App. 71, 76, 152 N.E.2d 311, 315 (Hamilton County 1958), aff'd, 168 Ohio St. 268, 153 N.E.2d 671 (1958); *State ex rel. Horvath v. Haber*, 102 Ohio App. 425, 429, 128 N.E.2d 865, 868 (Cuyahoga County 1955) (incorporation of R.C. 3503.11 into city charter did not require incorporation of definitions applicable to R.C. 3503.11 found elsewhere in the Code). Thus, when R.C. 705.92 is incorporated into the Fairborn Charter because it provides the procedures for recall, it is no longer dependent upon the other statutes in R.C. Chapter 705 for its effectiveness.

Therefore, it is my opinion and you are hereby advised that:

1. When an amendment to a municipal charter, adopted pursuant to Ohio Const. art. XVIII, §§ 7 and 9, provides for the recall of elected municipal officers and further directs that "the procedure for such recall shall be that provided by the laws of the State of Ohio," the amendment incorporates only the provisions of R.C. 705.92.

2. The procedure set forth in R.C. 705.91 for the adoption of the recall procedures of R.C. 705.92 applies only to cities exercising one of the optional statutory plans of government set forth in R.C. 705.41 to 705.86 and has no application to a charter municipality which chooses to incorporate statutory recall procedures into its charter pursuant to Ohio Const. art. XVIII, §§ 7, 8 and 9.

Respectfully,

*5 Anthony J. Celebrezze Jr.
Attorney General

Footnotes

- 1 I note that although the answer to this question involves interpretation of a municipal charter provision governing a purely municipal election matter, the duty of the board of elections to accept and examine any recall petitions presented for filing depends upon whether or not the recall procedures of R.C. 705.92 have been incorporated into the Fairborn Charter. See R.C. 705.92(A) (“[a] petition ... shall be filed with the board of elections.... The form, sufficiency, and regularity of any such petition shall be determined as provided in the general election laws”); R.C. 3501.11(K) (“board of elections ... shall: (K) Review, examine, and certify the sufficiency and validity of petitions”); see also *State ex rel. Rose v. Ryan*, 119 Ohio App. 363, 374-376, 200 N.E.2d 668, 678 (Franklin County 1963) (the provisions of R.C. Title XXXV “quite clearly and wisely” require a county board of elections to conduct a municipal election whenever authorized to do so). Since, pursuant to R.C. 309.09, you are required to advise the county board of elections I find that I may properly respond to your request. R.C. 109.14 (attorney general shall advise county prosecutor with respect to statutory duties). See also 1988 Op. Att’y Gen. No. 88-008 (attorney general may advise requestors only to the extent of their duties).
- 2 The optional statutory plans of government are the commission plan, R.C. 705.41-.48, the city manager plan, R.C. 705.51-.60, and the federal plan, R.C. 705.71-.86.
- 3 I note that except for recodification, most of the provisions of R.C. Chapter 705 have not changed significantly since their enactment in 1913. In particular, R.C. 705.91 and R.C. 705.92 are nearly identical to their predecessor statutes in the General Code. See 1913 Ohio Laws at 784-86.
1989 Ohio Op. Atty. Gen. 2-212 (Ohio A.G.), 1989 Ohio Op. Atty. Gen. No. 89-050, 1989 WL 455395

Oh. Mun. L. § 3:3

Baldwin's Ohio Practice, Local Government Law--Municipal September 2021 Update
John E. Gotherman^a, Harold W. Babbitt^b and, James F. Lang^c

Part I. Text

A. Municipal Organization and Administration

Chapter 3. Powers and Functions

I. Municipal Powers Generally

§ 3:3. Exercise of powers

(A) *In general, manner of exercise.*

The manner of the exercise of municipal powers is fixed pursuant to Sections 2 and 7, Article XVIII of the Ohio Constitution, and not by Section 3 of the same article.¹ The determination of the manner of exercise of municipal power is vested in the electors of the municipal corporation.² By the adoption of a charter under Section 7, by the adoption of an optional form of government under Section 2, or by failure so to act, thus requiring operation under the general statutory form, they alone determine the form of organization of their municipal government.³ The manner of the exercise of the substantive powers granted by the home rule amendment has received further clarification. The sale of real estate has been held to be a power of local self-government.⁴

The legislature under Section 2, Article XVIII of the Ohio Constitution has the power to prescribe procedures to be followed by noncharter municipalities in exercising substantive powers.

A power must be exercised in behalf of the public generally and for a public purpose. What constitutes a public purpose is the province initially of the legislative body of the municipality, and, unless manifestly unreasonable or arbitrary, its determination will not be disturbed by the courts.⁵ The legislative power is exercised by the legislative authority of the municipality, ordinarily called the council,⁶ or in commission plan municipalities, the commissioners.⁷ The manner of the exercise of municipal power is prescribed by the Constitution, charter, statute, or ordinance. In exercising proprietary powers it may, in the absence of statutory prohibition, operate in the same manner and to the same extent as private corporations in the same field.⁸ The plan of organization and the distribution of functions are discussed more fully later.⁹

(B) *Territorial limits.*

Powers conferred by the home rule amendment to the Constitution cannot be exercised beyond the territorial limits of the corporation, and no municipal powers can be exercised extraterritorially except pursuant to statutory authorization.¹⁰

McDonald v. Columbus¹¹ demonstrates that it is only the exercise of the police power by a municipal corporation that is restricted to the area within its territorial limits by the provisions of Section 3, Article XVIII of the Ohio Constitution; thus no constitutional barrier exists to the exercise of municipal power to provide parks and recreational facilities outside its territorial limits.

Footnotes

- a General Counsel to the Ohio Municipal League; General Counsel and Secretary/Treasurer of the Ohio Municipal Attorneys Association
- b Calfee, Halter & Griswold LLP, retired
- c Calfee, Halter & Griswold LLP
- 1 Morris v. Roseman, 162 Ohio St. 447, 55 Ohio Op. 255, 123 N.E.2d 419 (1954).
- 2 RC 705.04.
- 3 State ex rel. Lentz v. Edwards, 90 Ohio St. 305, 107 N.E. 768 (1914); State ex rel. Frankenstein v. Hillenbrand, 100 Ohio St. 339, 126 N.E. 309 (1919); Fitzgerald v. City of Cleveland, 88 Ohio St. 338, 103 N.E. 512 (1913); State ex rel. Bailey v. George, 92 Ohio St. 344, 110 N.E. 951 (1915); Reutener v. City of Cleveland, 107 Ohio St. 117, 1 Ohio L. Abs. 262, 141 N.E. 27 (1923); State ex rel. Hackley v. Edmonds, 150 Ohio St. 203, 37 Ohio Op. 474, 80 N.E.2d 769 (1948).
- 4 Babin v. City of Ashland, 160 Ohio St. 328, 52 Ohio Op. 212, 116 N.E.2d 580 (1953); State ex rel. Leach v. Redick, 168 Ohio St. 543, 7 Ohio Op. 2d 422, 157 N.E.2d 106 (1959); Morris v. Roseman, 162 Ohio St. 447, 55 Ohio Op. 255, 123 N.E.2d 419 (1954); State ex rel. Sun Oil Co. v. City of Euclid, 164 Ohio St. 265, 58 Ohio Op. 25, 130 N.E.2d 336 (1955); State ex rel. Bruestle v. Rich, 159 Ohio St. 13, 50 Ohio Op. 6, 110 N.E.2d 778 (1953); State ex rel. Gordon v. Rhodes, 158 Ohio St. 129, 48 Ohio Op. 64, 107 N.E.2d 206 (1952).
- 5 State ex rel. Gordon v. Rhodes, 156 Ohio St. 81, 45 Ohio Op. 93, 100 N.E.2d 225 (1951).
- 6 Board of Com'rs of Hamilton County v. State, 50 Ohio St. 653, 35 N.E. 887 (1893).
- 7 Flotron v. Barringer, 94 Ohio St. 185, 113 N.E. 830 (1916).
- 8 State ex rel. White v. City of Cleveland, 125 Ohio St. 230, 181 N.E. 24, 86 A.L.R. 1172 (1932).
- 9 See Ch 4, Plans of Government.
- 10 Prudential Co-op. Realty Co. v. City of Youngstown, 118 Ohio St. 204, 6 Ohio L. Abs. 175, 160 N.E. 695 (1928); Indian Hill v. Ellis, 144 Ohio Misc.2d 31, 878 N.E.2d 81, 2007-Ohio-6465 (Clermont County Mun. 2007).
- 11 McDonald v. City of Columbus, 12 Ohio App. 2d 150, 41 Ohio Op. 2d 228, 231 N.E.2d 319 (10th Dist. Franklin County 1967).

Oh. Mun. L. § 4:15

Baldwin's Ohio Practice, Local Government Law--Municipal September 2021 Update
John E. Gotherman^a, Harold W. Babbitt^b and, James F. Lang^c

Part I. Text

A. Municipal Organization and Administration

Chapter 4. Plans of Government

III. Optional Statutory Plans for Cities and Villages

§ 4:15. Adoption of optional statutory plan, effect

(A) Procedure for adoption.

Provision is made that the adoption of one of the optional forms of governmental organization may be proposed by the legislative authority of any municipal corporation, or by the electors therein, by filing a petition in the manner prescribed by law for the submission of initiative petitions.¹

(B) Effective date.

An optional plan takes effect when approved by a majority of the electors voting thereon,² together with any supplementary propositions approved by a majority vote, and becomes the charter of the municipality.³

Upon adoption of the plan the statutes relating to the nomination and election of officers thereunder go into immediate effect, and the statutes in other respects become effective on the first day of January next following the regular municipal election.⁴ Existing officers, except legislative, are continued in office until the legislative authority elected under the statutes provides by ordinance for the performance of the duties of such officers, whereupon the terms of all such officers shall expire and their offices be abolished.⁵

(C) Effect of adoption.

Powers conferred on and duties imposed upon any office or department in force on August 9, 1913, if such office is abolished, are then exercised and discharged by the officer, board, or department upon which corresponding functions, powers, and duties are imposed.⁶ Contracts or bonds executed or authorized prior to adoption of one of the optional plans are not thereby impaired, but the enforcement of such contract or bond must be exercised by the office, board, or department upon which such power, function, or duties are conferred or imposed upon the abolition of the office, board, or department previously charged with such duty.⁷

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Footnotes

§ 4:15. Adoption of optional statutory plan, effect, Oh. Mun. L. § 4:15

- a General Counsel to the Ohio Municipal League; General Counsel and Secretary/Treasurer of the Ohio Municipal Attorneys Association
- b Calfee, Halter & Griswold LLP, retired
- c Calfee, Halter & Griswold LLP
- 1 RC 705.07.
- 2 RC 705.07.
- 3 RC 705.04.
- 4 RC 705.04.
- 5 RC 705.04.
- 6 RC 705.29.
- 7 RC 705.29.

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Baldwin's Ohio Revised Code Annotated
Title VII. Municipal Corporations
Chapter 705. Plans of Government (Refs & Annos)
Adoption of Plan

R.C. § 705.04

705.04 Adoption of plan

Currentness

If, the proposition of adopting a plan of government submitted as provided by sections 705.01 to 705.03, inclusive, of the Revised Code, is approved by a majority of those voting thereon, such plan, together with any of the supplementary propositions approved by a majority of the electors voting thereon, shall be the charter of such municipal corporation. When so adopted, sections 705.01 to 705.92, inclusive, of the Revised Code shall go into effect immediately, insofar as they apply to the nomination and election of officers provided for in such sections, and in all other respects such sections shall go into effect upon the first day of January following the next regular municipal election. All officers of any plan of government superseded by adoption of a plan provided in such sections, except members of the legislative authority, shall continue in office and in the performance of their duties until the legislative authority elected under such sections provides by ordinances for the performance of the duties of such officers, whereupon the terms of all such officers shall expire and their offices be abolished.

CREDIT(S)

(1953 H 1, eff. 10-1-53; GC 3515-4)

R.C. § 705.04, OH ST § 705.04

Current through File 71 of the 134th General Assembly (2021-2022).

BEFORE THE CUYAHOGA COUNTY BOARD OF ELECTIONS

RE: FEBRUARY 1, 2022, PETITION TO RECALL TREVOR ELKINS

PETITIONERS' MEMORANDUM RE PRINCIPLES OF STATUTORY INTERPRETATION

The key issue regarding the validity (or invalidity) of the Recall Petition filed herein on February 1, 2022, is whether or not R.C. 705.92, as amended in 2017, gives citizens of statutory municipalities the right to petition for a recall election.

In other words, the dispute is about how to interpret the statute.

In answering this question, the Board should be guided by the following rules of statutory interpretation.

A. Unambiguous Statutes Are To Be Followed, Not Interpreted.

- *State v. Kreischer*, 109 Ohio St.3d 391, 2006-Ohio-2706, ¶12:

“Statutory interpretation involves an examination of the words used by the legislature in a statute, and when the General Assembly has plainly and unambiguously conveyed its legislative intent, there is nothing for a court to interpret or construe, therefore, the court applies the law as written.”

- *State v. Waddell* (1995), 71 Ohio St.3d 630, 631:

“To properly construe this statute, we must first look at the express wording of the statute . . . Courts must give effect to the words of a statute and may not modify an unambiguous statute by deleting words used or inserting words not used. . . . Simply stated, ‘an unambiguous statute means what it says.’” [citations omitted]

Since 2017, the current version of R.C. 705.92 has stated that the right to remove an elective officer of a municipal corporation from office by a recall petition under the procedure set forth in that statute, applies “notwithstanding Section 38 of Article II, Ohio Constitution, or any other provisions in the Revised Code to the contrary.”

The General Assembly has unambiguously stated that nothing in R.C. 705.91 or any other provisions in the Revised Code limit Petitioners' right to have a recall election in a statutory municipality. Thus, this expression of legislative intent is to be followed, not interpreted.

B. All The Words Of The Statute Art To Be Given Effect.

- *In re Andrew*, 119 Ohio St.3d 556, 2008-Ohio-4791, ¶6

“[I]f possible, the court should give meaning to every word in every act. . . . [W]ords in statutes should not be construed to be redundant, nor should any words be ignored.” [citations omitted.]

- *In re Collier* (Athens Cty. App. 1993), 85 Ohio App.3d 232, 236-237

“Courts do not have the authority to ignore the plain and unambiguous language of a statute under the guise of statutory interpretation, but must give effect to the words used In other words, courts may not delete words or insert words not used.” [citations omitted.]

Thus, the words “notwithstanding Section 38 of Article II, Ohio Constitution, or any other provisions in the Revised Code to the contrary” may not be treated as meaningless verbiage, but must be given effect.

C. When A Statute Is Amended, It Is Presumed That A Change In The Law Is Intended.

- *State ex rel. Cleveland Elec. Illuminating Co. v. City of Euclid* (1959), 169 Ohio St. 476, 479 (see, also *State v. Wilson* (1997), 77 Ohio St.3d 334, 336.)

“[I]t is a basic presumption in statutory construction that the General Assembly is not presumed to do a vain or useless thing, and that when language is inserted in a statute it is inserted to accomplish some definite purpose.”

- *State ex rel. Kelly v. Judges of Cleveland Municipal Court* (Cuyahoga Cty. App. 1965), 1 Ohio App.2d 558, 563

“It is a well established principle of law that when an existing statute is amended or repealed and a new and different statute is adopted by the Legislature, it is presumed that the Legislature intended to

change the effect and operation of the law to the extent of the change in the language of the state.” [citations omitted.]

Lockhart v. Boberek (1976), 45 Ohio St. 292 and the cases following *Lockhart* interpreted the prior version of R.C. 705.92 – not the current version. In 2017, the General Assembly repealed the former version and enacted an amended version of R.C. 705.92.

Thus, the rules of statutory interpretation require that R.C. 705.02 be given a new and different interpretation than that which applied to the pre-2017 version of the statute.

D. If Statutes Are Truly Irreconcilable, The Most Recently Amended Statute Prevails.

R.C. 1.52 states:

“(A) If statutes enacted at the same or different sessions of the legislature are irreconcilable, the statute latest in date of enactment prevails.

(B) If amendments to the same statute are enacted at the same or different sessions of the legislature, one amendment without reference to another, the amendments are to be harmonized, if possible, so that effect may be given to each. If the amendments are substantively irreconcilable, the latest in date of enactment prevails. The fact that a later amendment restates language deleted by an earlier amendment, or fails to include language inserted by an earlier amendment, does not of itself make the amendments irreconcilable. Amendments are irreconcilable only when changes made by each cannot reasonably be put into simultaneous operation.”

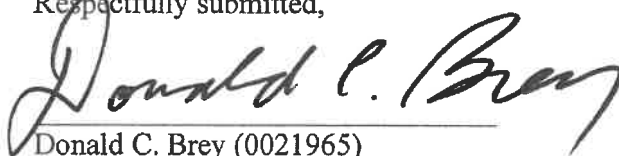
Petitioners do not believe that R.C. 705.91 and R.C. 705.92 are irreconcilable. R.C. 705.91 still says that the provisions of R.C. 705.92 become part of a charter only if adopted separately from the vote on the charter, per R.C. 705.03. Since R.C. 705.92 is now the general law, the vote on including or not including the recall provision in the charter is now an “opt-out” vote rather than an “opt-in” vote. But the practical operation of R.C. 705.91 is unchanged.

But even if R.C. 705.91 and R.C. 705.92 *were* irreconcilable, the changes to R.C. 705.92 would prevail as having been made more recently than any changes to R.C. 705.91.

Petitioners merely ask the Board to apply the law as written – not as it used to be written. As currently written, the right to petition for a recall under R.C. 705.92 is not limited by any other statute.

Therefore, Petitioners respectfully request that the Board review and (if there are sufficient valid signatures) to certify the Petition to Recall Trevor Elkins.

Respectfully submitted,

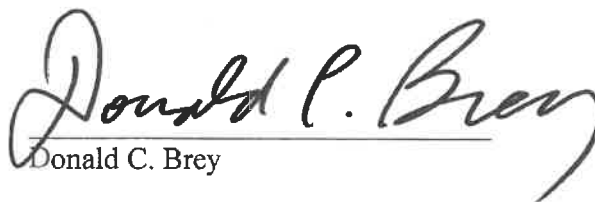


Donald C. Brey (0021965)
ISAAC WILES & BURKHOLDER LLC
Two Miranova Place, Suite 700
Columbus, Ohio 43215
Tel: 614-221-2121; Fax: 614-365-9516
dbrey@isaacwiles.com

Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the forgoing was served on this 10th day of February by e-mail upon Mark R. Musson at MMusson@prosecutor.cuyahogacounty.us and upon Luke McConville at mcconville@nicola.com .



Donald C. Brey

BEFORE THE CUYAHOGA COUNTY BOARD OF ELECTIONS

RE: FEBRUARY 1, 2022, PETITION TO RECALL TREVOR ELKINS

PETITIONERS' SUPPLEMENTAL DOCUMENTS

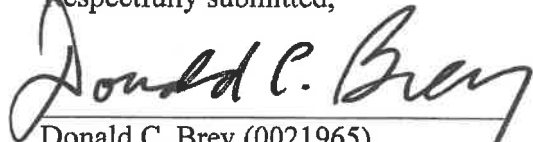
Petitioners understand that the Board of Elections has received and will consider the correspondence attached to this Board's hearing notice, to wit,

- December 17, 2021, Memorandum of Mr. McConville;
- December 20, 2021, Letter of Mr. Musson; and
- January 14, 2021 [sic], Letter of Mr. Brey; and,
- February 1, 2022, Petition to Recall Trever Elkins.

In addition, Petitioners submit the following documents, copies of which are attached hereto, for the Board's consideration:

1. The current version of R.C. 705.92.
2. The prior version of R.C. 705.92
3. The excerpts from HB 463 (131st G.A.) reflecting the 2017 changes to R.C. 705.92
4. R.C. 705.91
5. R.C. 705.03

Respectfully submitted,

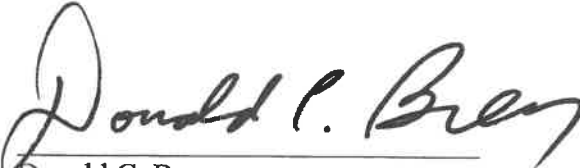


Donald C. Brey (0021965)
ISAAC WILES & BURKHOLDER LLC
Two Miranova Place, Suite 700
Columbus, Ohio 43215
Tel: 614-221-2121; Fax: 614-365-9516
dbrey@isaacwiles.com

Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the forgoing was served on this 10th day of February by e-mail upon Mark R. Musson at MMusson@prosecutor.cuyahogacounty.us and upon Luke McConville at mcconville@nicola.com .


Donald C. Brey



Ohio Revised Code

Section 705.92 Procedure for removal of elective officer by recall.

Effective: April 6, 2017

Legislation: House Bill 463 - 131st General Assembly

Notwithstanding Section 38 of Article II, Ohio Constitution, or any other provisions in the Revised Code to the contrary, any elective officer of a municipal corporation may be removed from office by the qualified voters of such municipal corporation. The procedure to effect such removal shall be:

(A) A petition signed by qualified electors equal in number to at least fifteen per cent of the total votes cast at the most recent regular municipal election, and demanding the election of a successor to the person sought to be removed, shall be filed with the board of elections. A petition shall contain the required number of valid signatures upon submission to the board of elections. A petition is not valid after ninety days from the date of the first signature. A petition shall contain a general statement in not more than two hundred words of the grounds upon which the removal of the person is sought. The form, sufficiency, and regularity of any such petition shall be determined as provided in the general election laws.

(B) If the petition is sufficient, and if the person whose removal is sought does not resign within five days after the sufficiency of the petition has been determined, an election shall be held at the next primary or general election occurring more than ninety days from the date of the finding of the sufficiency of the petition. The election authorities shall publish notice and make all arrangements for holding the election, which shall be conducted and the result thereof returned and declared in all respects as are the results of regular municipal elections.

(C) The nomination of candidates to succeed each officer sought to be removed shall be made, without the intervention of a primary election, by filing with the election authorities, at least twenty days before the such special election, a petition proposing a person for each such office, signed by electors equal in number to ten per cent of the total votes cast at the most recent regular municipal election for the head of the ticket.

(D) The ballots at the recall election shall, with respect to each person whose removal is sought, submit the question: "Shall (name of person) be removed from the office of (name of office) by





recall?"

Immediately following each such question, there shall be printed on the ballots, the two propositions in the order set forth:

"For the recall of (name of person)."

"Against the recall of (name of person)."

Immediately to the left of the proposition shall be placed a square in which the electors may vote for either of the propositions.

Under each of the questions shall be placed the names of candidates to fill the vacancy. The name of the officer whose removal is sought shall not appear on the ballot as a candidate to succeed the officer's self.

In any recall election, if a majority of the votes cast on the question of removal are affirmative, the person whose removal is sought shall be removed from office upon the announcement of the official canvass of that election, and the candidate receiving the plurality of the votes cast for candidates for that office shall be declared elected. The successor of any person so removed shall hold office during the unexpired term of the successor's predecessor. The question of the removal of any officer shall not be submitted to the electors until such officer has served for at least one year of the term during which the officer is sought to be recalled. The method of removal provided in this section, is in addition to other methods of removal as are provided by law. If, at any such recall election, the incumbent whose removal is sought is not recalled, the incumbent shall be repaid the incumbent's actual and legitimate expenses for the election from the treasury of the municipal corporation, but such sum shall not exceed fifty per cent of the sum that the incumbent is by law permitted to expend as a candidate at any regular municipal election.



FORMER VERSION

Ohio Revised Code

Section 705.92 Procedure for removal of elective officer by recall.

Effective: August 22, 1995

Legislation: House Bill 99 - 121st General Assembly

Any elective officer of a municipal corporation may be removed from office by the qualified voters of such municipal corporation. The procedure to effect such removal shall be:

(A) A petition signed by qualified electors equal in number to at least fifteen per cent of the total votes cast at the most recent regular municipal election, and demanding the election of a successor to the person sought to be removed, shall be filed with the board of elections. Such petition shall contain a general statement in not more than two hundred words of the grounds upon which the removal of such person is sought. The form, sufficiency, and regularity of any such petition shall be determined as provided in the general election laws.

(B) If the petition is sufficient, and if the person whose removal is sought does not resign within five days after the sufficiency of the petition has been determined, the legislative shall thereupon order and fix a day for holding an election to determine the question of the removal of the elective officer, and for the selection of a successor to each officer named in said petition. Such election shall be held not less than thirty nor more than forty days from the time of the finding of the sufficiency of such petition. The election authorities shall publish notice and make all arrangements for holding such election, which shall be conducted and the result thereof returned and declared in all respects as are the results of regular municipal elections.

(C) The nomination of candidates to succeed each officer sought to be removed shall be made, without the intervention of a primary election, by filing with the election authorities, at least twenty days prior to such special election, a petition proposing a person for each such office, signed by electors equal in number to ten per cent of the total votes cast at the most recent regular municipal election for the head of the ticket.

(D) The ballots at such recall election shall, with respect to each person whose removal is sought, submit the question: "Shall (name of person) be removed from the office of (name of office) by recall?"





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DOCUMENT #284195

Immediately following each such question, there shall be printed on the ballots, the two propositions in the order set forth:

"For the recall of (name of person)."

"Against the recall of (name of person)."

Immediately to the left of the proposition shall be placed a square in which the electors may vote for either of such propositions.

Under each of such questions shall be placed the names of candidates to fill the vacancy. The name of the officer whose removal is sought shall not appear on the ballot as a candidate to succeed the officer's self.

In any such election, if a majority of the votes cast on the question of removal are affirmative, the person whose removal is sought shall be removed from office upon the announcement of the official canvass of that election, and the candidate receiving the plurality of the votes cast for candidates for that office shall be declared elected. The successor of any person so removed shall hold office during the unexpired term of the successor's predecessor. The question of the removal of any officer shall not be submitted to the electors until such officer has served for at least one year of the term during which he is sought to be recalled. The method of removal provided in this section, is in addition to such other methods as are provided by law. If, at any such recall election, the incumbent whose removal is sought is not recalled, the incumbent shall be repaid the incumbent's actual and legitimate expenses for such election from the treasury of the municipal corporation, but such sum shall not exceed fifty per cent of the sum that the incumbent is by law permitted to expend as a candidate at any regular municipal election.

AN ACT

To amend sections 307.94, 307.95, 323.47, 705.92, 1303.01, 1303.05, 1303.14, 1303.18, 1303.35, 1303.401, 1303.56, 1303.57, 1303.59, 1303.67, 1303.69, 1304.01, 1304.17, 1304.18, 1304.22, 1304.27, 1304.32, 1304.35, 1349.21, 1739.05, 2308.02, 2308.03, 2327.02, 2329.071, 2329.152, 2329.17, 2329.211, 2329.311, 2329.52, 3109.172, 3501.11, 3501.38, 3501.39, 3735.67, 3735.671, 4112.02, 4112.05, 4112.08, 4112.09, 4112.14, and 5709.87, to enact new section 1303.70 and sections 1751.84, 2308.031, 3901.88, 3923.84, and 4112.024, and to repeal section 1303.70 of the Revised Code relative to the Ohio Uniform Commercial Code, real property foreclosure and escrow transactions, certain partial property tax exemptions, and local ballot initiatives; to require the coverage of autism services; to reimburse child abuse and child neglect regional prevention council members for expenses and prohibit conflicts of interest; and to amend the statutory procedure for recalling certain municipal officials to include a deadline for filing a petition for recall.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 307.94, 307.95, 323.47, 705.92, 1303.01, 1303.05, 1303.14, 1303.18, 1303.35, 1303.401, 1303.56, 1303.57, 1303.59, 1303.67, 1303.69, 1304.01, 1304.17, 1304.18, 1304.22, 1304.27, 1304.32, 1304.35, 1349.21, 1739.05, 2308.02, 2308.03, 2327.02, 2329.071, 2329.152, 2329.17, 2329.211, 2329.311, 2329.52, 3109.172, 3501.11, 3501.38, 3501.39, 3735.67, 3735.671, 4112.02, 4112.05, 4112.08, 4112.09, 4112.14, and 5709.87 be amended and new section 1303.70 and sections 1751.84, 2308.031, 3923.84, 3901.88, and 4112.024 of the Revised Code be enacted to read as follows:

Sec. 307.94. Electors of a county, equal in number to ten per cent of the number who voted for governor in the county at the most recent gubernatorial election, may file, not later than one hundred ~~ten-fifteen~~ days before the date of a general election, a petition with the board of county commissioners asking that the question of the adoption of a county charter in the form attached to the petition be submitted to the electors of the county. The petition shall be available for public inspection at the offices of the county commissioners during regular business hours until four p.m. of the one hundred eleventh day before the election, at which time the board shall, by resolution, certify the petition to the board of elections of the county for submission to the electors of the county, unless the signatures are insufficient or the petitions otherwise invalid, at the next general election.

Such electors may, in the alternative not later than the one hundred thirtieth day before the date of a general election, file such a petition with the board of elections of the county. In such case



tax year but that have not been paid on or before the date of sale.

(2) The county treasurer may estimate the amount in division (B)(1)(a) of this section before the confirmation of sale or an amended entry confirming the sale is filed. If the county treasurer's estimate exceeds the amount in division (B)(1)(a) of this section, the ~~plaintiff judgment creditor~~ may request that the county treasurer refund that excess to holders of the next lien interests according to the confirmation of sale or, if all liens are satisfied, that the treasurer remit that excess to the court for distribution. If the actual amount exceeds the county treasurer's estimate, the officer who conducted the sale shall certify the amount of the excess to the treasurer, who shall enter that amount on the real and public utility property tax duplicate opposite the property; the amount of the excess shall be payable at the next succeeding date prescribed for payment of taxes in section 323.12 of the Revised Code.

If the ~~plaintiff judgment creditor~~ in an action that results in a sale in accordance with division (B) of this section is the real estate's purchaser, the ~~officer who conducted the sale court~~ shall not ~~deduct~~ order a deduction for the taxes, assessments, interest, and penalties, the lien for which attaches before the date of sale but that are not yet determined, assessed, and levied from the proceeds of the sale ~~or election~~, unless such deduction is approved by that purchaser. The officer who conducted the sale shall certify ~~any that~~ such amount was not paid from the proceeds to the county treasurer, who shall enter that amount on the real and public utility property tax duplicate opposite the property; this amount shall be payable at the next succeeding date prescribed for payment of taxes in section 323.12 of the Revised Code.

Taxes, assessments, interest, and penalties that are not paid on the date of that sale, including any amount that becomes due and payable after the date of the sale, continue to be a lien on the property as provided under section 323.11 of the Revised Code.

(3) The amounts described in division (B)(1) of this section shall not be discharged out of the proceeds of a judicial sale, but shall instead be deemed to be satisfied and extinguished upon confirmation of sale, if both of the following conditions apply:

(a) The real estate is sold pursuant to a foreclosure proceeding other than a tax foreclosure proceeding initiated by the county treasurer under section 323.25, sections 323.65 to 323.79, or Chapter 5721. of the Revised Code.

(b) A county land reutilization corporation organized under Chapter 1724. of the Revised Code is both the purchaser of the real estate and the judgment creditor or assignee of all rights, title, and interest in the judgment arising from the foreclosure proceeding.

Sec. 705.92. Any Notwithstanding Section 38 of Article II, Ohio Constitution, or any other provisions in the Revised Code to the contrary, any elective officer of a municipal corporation may be removed from office by the qualified voters of such municipal corporation. The procedure to effect such removal shall be:

(A) A petition signed by qualified electors equal in number to at least fifteen per cent of the total votes cast at the most recent regular municipal election, and demanding the election of a successor to the person sought to be removed, shall be filed with the board of elections. Such A petition shall contain the required number of valid signatures upon submission to the board of elections. A petition is not valid after ninety days from the date of the first signature. A petition shall contain a general statement in not more than two hundred words of the grounds upon which the

removal of ~~such~~ the person is sought. The form, sufficiency, and regularity of any such petition shall be determined as provided in the general election laws.

(B) If the petition is sufficient, and if the person whose removal is sought does not resign within five days after the sufficiency of the petition has been determined, ~~the legislative shall thereupon order and fix a day for holding an election to determine the question of the removal of the elective officer, and for the selection of a successor to each officer named in said petition. Such election shall be held not less than thirty nor more than forty days from the time at the next primary or general election occurring more than ninety days from the date of the finding of the sufficiency of such~~ the petition. The election authorities shall publish notice and make all arrangements for holding ~~such~~ the election, which shall be conducted and the result thereof returned and declared in all respects as are the results of regular municipal elections.

(C) The nomination of candidates to succeed each officer sought to be removed shall be made, without the intervention of a primary election, by filing with the election authorities, at least twenty days ~~prior to~~ before ~~the~~ such special election, a petition proposing a person for each such office, signed by electors equal in number to ten per cent of the total votes cast at the most recent regular municipal election for the head of the ticket.

(D) The ballots at ~~such~~ the recall election shall, with respect to each person whose removal is sought, submit the question: "Shall (name of person) be removed from the office of (name of office) by recall?"

Immediately following each such question, there shall be printed on the ballots, the two propositions in the order set forth:

"For the recall of (name of person)."

"Against the recall of (name of person)."

Immediately to the left of the proposition shall be placed a square in which the electors may vote for either of ~~such~~ the propositions.

Under each of ~~such~~ the questions shall be placed the names of candidates to fill the vacancy. The name of the officer whose removal is sought shall not appear on the ballot as a candidate to succeed the officer's self.

In any ~~such~~ recall election, if a majority of the votes cast on the question of removal are affirmative, the person whose removal is sought shall be removed from office upon the announcement of the official canvass of that election, and the candidate receiving the plurality of the votes cast for candidates for that office shall be declared elected. The successor of any person so removed shall hold office during the unexpired term of the successor's predecessor. The question of the removal of any officer shall not be submitted to the electors until such officer has served for at least one year of the term during which ~~he~~ the officer is sought to be recalled. The method of removal provided in this section, is in addition to ~~such~~ other methods of removal as are provided by law. If, at any such recall election, the incumbent whose removal is sought is not recalled, the incumbent shall be repaid the incumbent's actual and legitimate expenses for ~~such~~ the election from the treasury of the municipal corporation, but such sum shall not exceed fifty per cent of the sum that the incumbent is by law permitted to expend as a candidate at any regular municipal election.

Sec. 1303.01. (A) As used in this chapter, unless the context otherwise requires:

(1) "Acceptor" means a drawee who has accepted a draft.

the deficiency shall be collected as otherwise provided for the collection of delinquent real property taxes.

SECTION 2. That existing sections 307.94, 307.95, 323.47, 705.92, 1303.01, 1303.05, 1303.14, 1303.18, 1303.35, 1303.401, 1303.56, 1303.57, 1303.59, 1303.67, 1303.69, 1304.01, 1304.17, 1304.18, 1304.22, 1304.27, 1304.32, 1304.35, 1349.21, 1739.05, 2308.02, 2308.03, 2327.02, 2329.071, 2329.152, 2329.17, 2329.211, 2329.311, 2329.52, 3109.172, 3501.11, 3501.38, 3501.39, 3735.67, 3735.671, 4112.02, 4112.05, 4112.08, 4112.09, 4112.14, and 5709.87 and section 1303.70 of the Revised Code are hereby repealed.

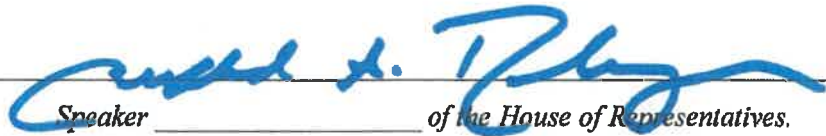
SECTION 3. (A) The amendment by this act of sections 3735.67 and 3735.671 of the Revised Code applies to applications for exemption that have been filed but not yet granted, or are filed, on or after the effective date of this act.

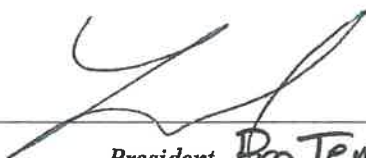
(B) The amendment by this act of section 5709.87 of the Revised Code applies to certifications made and orders issued under that section on or after the effective date of this act.

SECTION 4. Section 1739.05 of the Revised Code is presented in this act as a composite of the section as amended by Am. Sub. H.B. 64, Sub. H.B. 116, and Sub. S.B. 129, all of the 131st General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.

SECTION 5. Sections 1739.05 and 1751.84 of the Revised Code, as amended or enacted by this act, apply only to policies, contracts, and agreements that are delivered, issued for delivery, or renewed in this state on or after January 1, 2018. Section 3923.84 of the Revised Code, as enacted by this act, applies only to policies of sickness and accident insurance issued for delivery or renewed in this state on or after January 1, 2018.

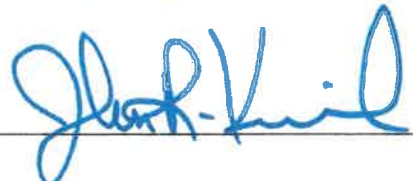
SECTION 6. It is the intent of the General Assembly to implement a two-year moratorium on any new health care mandates impacting individual and group health insurance plans that are not subject to the "Employee Retirement Income Security Act of 1974," 29 U.S.C. 1001, et seq. Further, it is the intent of the General Assembly to develop potential tax credits that offset additional employer costs associated with health care mandates.


Speaker _____ of the House of Representatives.


President Pro Tempore of the Senate.

Passed December 8, 2016

Approved 1-4, 2017



Governor.



The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Mark C. Flanders

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 5
day of January, A. D. 2017.

John H. ...

Secretary of State.

File No. 171

Effective Date April 6, 2017



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COMMISSION
DOCUMENT #256374

Ohio Revised Code

Section 705.91 Initiative and referendum applicable to each plan.

Effective: October 1, 1953

Legislation: House Bill 1 - 100th General Assembly

All laws pertaining to the initiative and referendum in municipal corporations shall apply to and become a part of each plan of government provided in sections 705.41 to 705.86, inclusive, of the Revised Code. Section 705.92 of the Revised Code shall be submitted, with each such plan, to the electors of the municipal corporation as prescribed in section 705.03 of the Revised Code, and shall go into effect and form a part of any such plan of government only to the extent to which such section has been adopted under section 705.03 of the Revised Code.





Ohio Revised Code

Section 705.03 Form of ballot in submitting question of organizing under plan.

Effective: August 22, 1995

Legislation: House Bill 99 - 121st General Assembly

In submitting to the electors of any municipal corporation the question of organizing under any one of the plans of government provided in sections 705.41 to 705.86, inclusive, of the Revised Code, the board of elections shall have printed on the ballots the following question:

"Shall the (name the plan) plan of government, as provided in chapter _____ section _____ of the Revised Code be adopted?" Immediately following such question there shall be printed on the ballots the following propositions in the order here set forth:

"For the adoption of the (_____) plan."

"Against the adoption of the (_____) plan."

When the question is on the adoption of the federal plan of government there shall also be submitted the question: "For councilmen-at-large," and "For councilmen-by-wards."

There shall also be printed on the ballots at any such election the following supplementary proposition:

"For the adoption of the recall;"

"Against the adoption of the recall."

Immediately to the left of each of the propositions shall be placed a square in which the electors may vote for or against any such propositions.

At least thirty days prior to any such election, the board shall mail a copy of the proposed plan of government and the supplementary propositions to each elector of the municipal corporation whose name appears on the pollbooks or registration books of the last general election, and each such copy





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DOCUMENT #247843

shall contain, on the front cover thereof, a facsimile ballot and the date and hours of the election.

Any elector may, at least forty days prior to such election, file with such board a written argument of not more than three hundred words, for or against any proposed plan of government or for or against any other proposition submitted, and, upon payment of the cost of printing, the board shall have such written argument printed and a copy thereof mailed with the copy of the proposed plan to each elector, or otherwise distributed to every voter as far as practicable.

Agenda Item #5

Resignations from Elected Office

1. Justin Berns, Beachwood City Council, Member of Council¹
2. Joshua Mintz, Beachwood Board of Education, Member²
3. Tom Lahiff, Brooklyn Heights Village Council, Member of Council³
4. Maureen Fallon Adler, Fairview Park City Council, Ward 3⁴
5. Tina Stafford-Marbury, Maple Heights Board of Education, Member⁵
6. Marie Gallo, Parma Heights City Council, Member of Council at Large⁶
7. Kim Thomas, Richmond Heights City Council, Ward 1⁷
8. Kimberly H. Edwards, Warrensville Heights City Council, Ward 7⁸

Appointments to Elected Office

1. Josephine Chan, Beachwood Board of Education, Member
2. Ray Berzins, Brooklyn Heights Village Council, Member of Council
3. Dorin Jackson, Fairview Park Board of Education, Member⁹
4. Robert E. Goff, Highland Heights City Council, Ward 4¹⁰
5. Sherria Granger, Maple Heights Board of Education, Member¹¹
6. Angela Arnold, Orange Board of Education, Member¹²
7. Sue Durichko, Parma Heights City Council, Member of Council at Large
8. Thomas Clark, Strongsville City Council, Ward 3¹³

¹ Mr. Berns was elected Mayor at the Nov. 2021 election. Term ends 12-31-2023; no special election required.

² Mr. Mintz was elected to Beachwood City Council at the Nov. 2021 election. Term ends 12-31-2023; no special election required.

³ Term ends 12-31-2023; no special election required.

⁴ *Ibid.*

⁵ **Term ends 12-31-2025; special election required Nov. 7, 2023 to fill the remaining two years of the term.**

⁶ Ms. Gallo was elected Mayor at the Nov. 2021 election. Term ends 12-31-2023; no special election required.

⁷ Ms. Thomas was elected Mayor at the Nov. 2021 election. Term ends 12-31-2023; no special election required.

⁸ Term ends 12-31-2025; no special election required pursuant to City Charter.

⁹ **Dorin Jackson fills a seat left vacant after no petition was filed for the Nov. 2021 General Election. Term ends 12-31-2025; special election required Nov. 7, 2023 to fill the remaining two years of the term.**

¹⁰ Resignation of Ann D'Amico acknowledged at the Dec. 8, 2021 Meeting. Term ends 12-31-2023; no special election required.

¹¹ **Term ends 12-31-2025; special election required Nov. 7, 2023 to fill the remaining two years of the term.**

¹² Vacancy Acknowledged 1-11-2022. Term ends 12-31-2023; no special election required.

¹³ *Ibid.*

CITY OF
Beachwood

December 31, 2021

To the City of Beachwood Law Department:

This letter will serve as my resignation from the elected office of Council, City of Beachwood, effective at the end of December 31, 2021. I am resigning due to the fact that I have been elected Mayor of the City of Beachwood and will assume that position as of January 1, 2022. Please file this resignation letter where necessary and appropriate for official purposes.

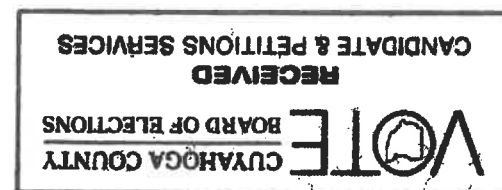
Sincerely,



Justin Berns

Cc: Stewart Hastings, Law Director
Dana Canzone, Human Resources Administrator

'22 JAN 12 10:35



December 9, 2021

Dr. Robert Hardis
Beachwood City School District
24601 Fairmount Boulevard
Beachwood, OH 44122

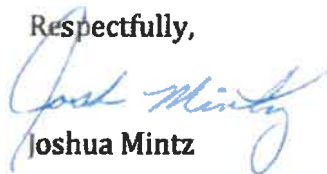
Dear Dr. Hardis,

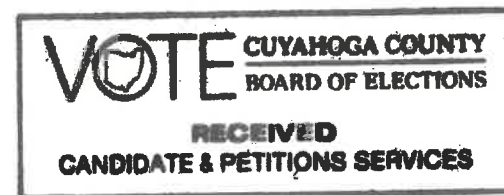
This letter is to inform you that I hereby resign from Beachwood City Schools Board of Education, effective 11:59 p.m., January 2, 2022.

I am grateful for the opportunity to serve as a board member for the past ten years. I want the best for our students, staff and parents and hope to remain a part of this district as I transition to City Council.

It has been an honor to serve our schools and I thank the residents for the opportunity to have done so.

Respectfully,


Joshua Mintz



'22 JAN 13 AM 2:56

December 21, 2021

Mr. Jerry Dowling

Law Director

Village of Brooklyn Hts

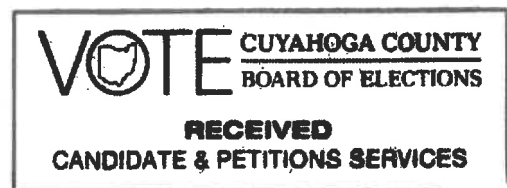
In compliance with the charter for the Village of Brooklyn Hts, I formally vacate my council seat effective January 1, 2022.



Tom Lahiff

Councilman-at-Large

'22 JAN 10 PM 2:38



December 13, 2021

Dear City Council,

On January 17, 2022, I will be moving out of Fairview Park. I will serve as Ward 3 council person up until that date. Tonight, I want to announce my resignation that will take effect January 17. I have enjoyed the opportunity to serve Fairview Park. I feel that I should continue to serve on Council until I move. This time will allow council to advertise and to encourage good people to apply. As we are restructuring Ward 3, I thought it best for me to serve up until my move date. Thank you for the opportunity to work with all of you.

Gratefully yours,



Maureen Fallon Adler

'22 JAN 20 PM 1:22



2022 School Board Seat

Tina Marbury <marbury.tym1@yahoo.com>

Thu 1/6/2022 3:21 PM

To: kj.beverly@mapleschools.com <kj.beverly@mapleschools.com>; charlie.keenan@mapleschools.com <charlie.keenan@mapleschools.com>; rosalind.moore@mapleschools.com <rosalind.moore@mapleschools.com>

Cc: wendall.garth@mapleschools.com <wendall.garth@mapleschools.com>; jalen.brown@mapleschools.com <jalen.brown@mapleschools.com>; Brent Lawler <blawler@cuyahogacounty.gov>; Cory Milne <cmilne@cuyahogacounty.gov>

Dear Ms. Beverly,

On November 3, 2021, I was elected to sit on the Maple Heights City School Board. I ran my campaign as I do with every thing I do; with high standards of morals and integrity. I am honored to have been elected. It goes without saying that you can not please everyone and some may not be satisfied with electoral outcomes. My answer to that would be to take the seat and perform the duties for which I were elected. I must, however, express how difficult that may be based on the recent unprofessional and negative behaviors of current sitting board member, Mr. Jalen Brown and running opponent, Ms. Sherria Granger. In an unrelated political matter to which they have no first hand or accurate knowledge, they have involved themselves in a campaign of bullying and intimidation against me. They are encouraging residents to bring this behavior to the floor of the school board meetings. It appears they recently joined a Maple Heights social media group known for their negativism. The comments submitted to some of the post (see attachments) encourages disruption to the board meetings. It is unconscionable that anyone, especially a sitting board member would instigate this behavior on any level. Certainly increased attendance at these meetings are a desired outcome and would increase parent and resident knowledge of our plans and successes. However, this is not the desired outcome Mr. Brown and Ms. Granger are promoting based on the comments and actions.

Recent intimating encounters to me and my family in person, on social media and telephonically has led me to deep thought and family discussions while remaining secluded and silent. I have been harassed and physically threatened on my social media pages and calls have been made to me and my family. Additionally, I have had strangers lurking outside of my home for extended periods of times and knocking on my door asking for me or random named people. Assistance in the mobilization of unhinged characters is very dangerous during these times. All threats are to be taken seriously. It is a known fact that I am a champion for our city and our schools. I have been to board meetings speaking out and offering solutions to issues or concerns for our youth. I stand tall and unwavering in my commitment to speak up for our youth. However, for the safety of my family and to alleviate potential disruption to the school board meetings, I am resigning from my elected seat to the Maple Heights School Board effective immediately. I will, however, continue to be involved on behalf of our children from the other side of the table. Again, I am honored and appreciate the opportunity to sit at the table. I Pray for the continued success of the Board in it's dedication and commitment for the betterment of our youth.

Sincerely,

Mrs. Tina Stafford-Marbury

22 JAN 6 4:31 PM

December 13, 2021

Clerk of Council
City of Parma Heights
6281 Pearl Road
Parma Heights, Ohio 44130

RE: Resignation from the Office of At-Large Council Representative.

Dear Ms. Reason,

I would like to inform you that I am resigning from my office as the At-Large Council representative in the City of Parma Heights, effective December 31, 2021 at 11:59 PM.

I am resigning from this position so that I can assume the full four-year term of the office of Mayor that begins on January 1, 2021.

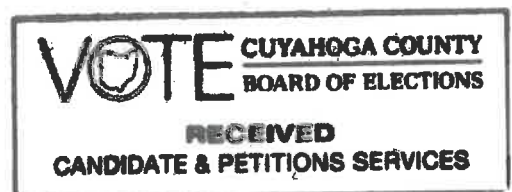
I am providing a two week notice of resignation so that Council can begin the initial process for filling the vacancy in the office of At-Large Council Representative.

Very truly yours,



Marie Gallo
President of Council

CC: Mayor Byrne
Members of Council



122 JAN 12 2021



Kim A. Thomas, Mayor
26789 Highland Road
Richmond Heights, Ohio 44143-1429
P: 216.486.2474 F: 216.383.6320
richmondheightsohio.org

January 14, 2022

Cuyahoga County Board of Elections
2925 Euclid Avenue
Cleveland, OH 44115

Re: Resignation of Ward 1 Council seat for the City of Richmond Heights

To whom it may concern,

I, Mayor Kim A. Thomas, am resigning my Ward 1 Council seat with the City of Richmond Heights effective January 1, 2022, and since being elected the current Mayor for the City.

Respectfully submitted,

Kim A. Thomas
Mayor

Cc: Jazmyn Stover
Kathy Gamber, Human Resources Manager
Tom DiLellio, Interim Finance Director



January 14, 2022

City of Warrensville Heights, Council Office
Council President Anderson
4743 Richmond Road
Warrensville Heights, OH 44128

Re: Resignation, Ward 7 Council Member

Council President Anderson,

It is with a heavy heart that I submit my resignation as Ward 7 City Council Member, as of this evening, Friday, January 14, 2022. It has truly been an honor and a privilege to serve the constituents of Warrensville Heights and especially those of Ward 7. My service to this community came from my heart and soul. Literally, as a lifelong member of this community, it has been a job that was near and dear to my heart and has allowed me over the years to help the constituents of Warrensville Heights. I will be forever grateful for this privilege and all that I have learned over the years. The relationships that I've developed with my colleagues, the administration, the residents, the many businesses and elected officials throughout this city, county, and state, thank you! Thank you for trusting me with this responsibility and opportunity for over 20 years.

Please accept this resignation and know that I am always a phone call away. I am forever indebted to this community, and I will always do what I can to support the advancement of our citizens here in the Friendly City of Warrensville Heights.

Warmest regards,

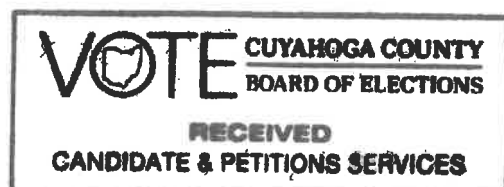


Kimberly H. Edwards
Former, City Council Member

cc:

Council Members
Amber Joyner, Council Clerk
Mayor, Bradley D. Sellers

2022 JAN 26 PM 2:46



OATH OF OFFICE OF BOARD MEMBER

I, JOSEPHINE CHAN, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Ohio; and that I will faithfully and impartially discharge my duties as Board of Education member in and for the said Beachwood City School District, Cuyahoga County, Ohio; to the best of my ability, and in accordance with the laws now in effect and hereafter to be enacted, during my continuance in said office and until my successor is chosen and qualified.


Josephine Chan

Sworn to and subscribed before me this 26th day of January, 2022


Michele E. Mills, Treasurer

'22 JAN 26 04:02



OATH OF OFFICE

Rev. Code, Secs. 3.22, 25; 733.68

BOND OF _____

Re

Dayton Legal Blank, Inc., Form No. 36007

The State of Ohio, Cuyahoga County, ss.

I, RAY BERZINS do solemnly swear, that I will support the Constitution of the United States and the Constitution of the State of Ohio, and will faithfully, honestly and impartially discharge the duties of the office of Councilman of the Village of Brooklyn Heights in Cuyahoga County, Ohio.

Sworn to before me, and signed in my presence, this _____ day of _____

January

20 22

Janice M. Press
Clerk of Courts
Albion

KNOW ALL MEN BY THESE P

as sureties, are held and firmly bound unto _____ in _____

to the payment of which, well and to out heirs, executors and administrators, .

WITNESS our hands, this _____

THE CONDITION of this obligati

was on the _____ day of _____

in the County of _____

_____ year _____ commencing on _____

until his successor is elected or appointe

NOW, IF THE SAID _____

shall faithfully perform the duties of the of of said Village according to law; th to be and remain in full force and virtue

The above Bond with Sureties ther

this _____ day of _____

BOND OF

AS

OF THE VILLAGE OF

County,

20

State of Ohio.

\$

20

Filed

Clerk

Recorded in Record of Officers Bonds

Page

No.

22 FEB 2 AM 8:57

1. Here write "Mayor," or "Clerk," or other office held, "appointed."
2. If a Mayor's Bond, efface the word "me" and insert "the Court"
3. If a Mayor's Bond, efface the word "Mayor" and insert "Clerk"

Re: For Review: Draft Board of Education Member Contact List

Michele Mills <mm@beachwoodschoools.org>

Wed 1/26/2022 3:50 PM

To: Cory Milne <cmilne@cuyahogacounty.gov>

Cc: Cory Milne <ccmilne11@gmail.com>; Brent Lawler <blawler@cuyahogacounty.gov>

Hi Cory,

My board appointed Dr. Josephine Chan to the board at its 1/24/22 meeting

24109 Woodway Road

Beachwood, OH 44122

216-235-1129

email address: jchan@beachwoodschoools.org

2022 JAN 26 PM4:02

Let me know if you need any other information. Thanks

Michele

On Thu, Jan 13, 2022 at 8:36 AM Cory Milne <cmilne@cuyahogacounty.gov> wrote:

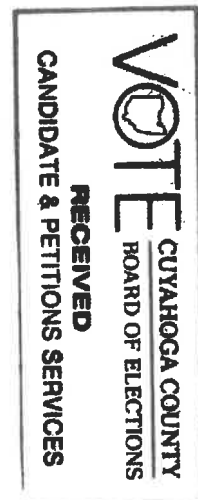
Hi Michele,

Update and resignation received. Thanks for the info!

Cory C. Milne, Supervisor

Candidate & Petition Services Dept.

Phone: 216-443-3230 | www.443vote.gov



From: Michele Mills <mm@beachwoodschoools.org>

Sent: Wednesday, January 12, 2022 4:56 PM

To: Cory Milne <cmilne@cuyahogacounty.gov>

Cc: Cory Milne <ccmilne11@gmail.com>; Brent Lawler <blawler@cuyahogacounty.gov>

Subject: Re: For Review: Draft Board of Education Member Contact List

See attached letter of resignation for Joshua Mintz.

His replacement will be appointed at the 1/24 board meeting.

Michele Mills

On Wed, Jan 5, 2022 at 1:03 PM Cory Milne <cmilne@cuyahogacounty.gov> wrote:

Dear School District Treasurers,

The Board of Elections is required to keep and have available an up-to-date list of elected officials for internal and public use. And now, it's time we ask your help in finalizing our files.



Fairview Park City School District

21620 Mastick Rd. • Fairview Park, OH 44126 / P: (440) 331-5500 • F: (440) 356-3545

Keith Ahearn, Superintendent • Rob Showalter, Treasurer

Board Member Oath of Office

Before beginning his or her duties, a member shall take the oath of office, which may be administered by the treasurer, any member of the board, member of the General Assembly, judge of a court or any notary public (Revised Code Section 3313.10, 147.07, 3.24).

Following is suggested oath, but other oaths may be used:

Do you solemnly swear that you will support the Constitution of the United States and the Constitution of the state of Ohio; and that you will faithfully and impartially discharge your duties as members of the board of education of the Fairview Park City School District, Cuyahoga County, Ohio, to the best of your ability, and in accordance with the laws now in effect and hereafter to be enacted, during your continuance in said office, and until your successor is elected and qualified?

The answer is: "I do."



Dorin Jackson, Board Member



Rob Showalter, Treasurer



Date

'22 JAN 19 PM 12:48



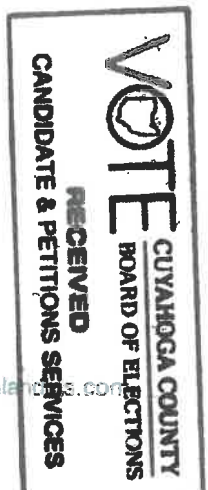
Chuck Brunello, Jr.
Mayor/Safety Director

OATH OF OFFICE

I, Robert E. Goff, do hereby solemnly swear that I will support the Constitution of the United States, the Constitution and laws of the State of Ohio, and that I will uphold the Charter and all of the laws of this municipality, and that I will faithfully, honestly and impartially discharge the duties of Council Representative of Highland Heights, Ohio, during my continuance in said office, as I shall answer to God.

SWORN TO BEFORE ME AND SUBSCRIBED in my presence this
11th day of January 2022.

Mayor Chuck Brunello, Jr.
City of Highland Heights



22 JAN 13 4:22 PM



Maple Heights Board of Education
Wendall C. Garth, President
Jalen Brown, Vice President
Alonzo Blackwell
Sherria Granger
Rosalind Moore

Dr. Charles T. Keenan, Superintendent
Kathy Jo Beverly, Treasurer

Maple Heights City Schools

5740 Lawn Avenue
Maple Heights, Ohio 44137



Board of Education Oath of Office – New Board Member

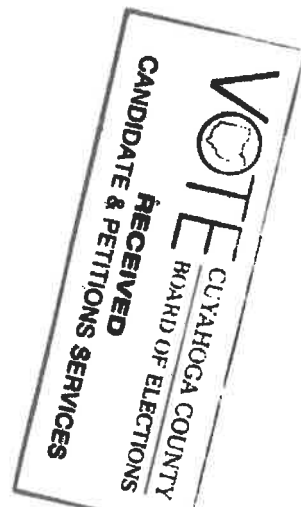
Do you, Sherria Granger, solemnly swear that you will support the Constitution of the United States and the Constitution of the state of Ohio; and that you will faithfully and impartially discharge your duties as a member of the board of education of the Maple Heights City School District, Cuyahoga County, Ohio, to the best of your ability, and in accordance with the laws now in effect and hereafter to be enacted, during your continuance in said office, and until your successor is elected and qualified?

The answer is: "I do."

X 
Sherria Granger

Sworn to before me and signed in my presence this 24th day of January, 2022.

X 
Kathy Jo Beverly, Treasurer



22 JAN 25 PM 12:06



To Learn. To Lead. To Make a Difference.™

Oath of Office

Orange City School District Board of Education

Term of Office: January 10, 2022, through December 31, 2023

January 19, 2022

I, Angela Arnold, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Ohio and that I will faithfully and impartially discharge my duties as School Board member, in and for the said Orange City School District, Cuyahoga County, Ohio, to the best of my ability, and in accordance with the laws now in effect and hereafter to be enacted, during my continuance in said office and until my successor is chosen and qualified.

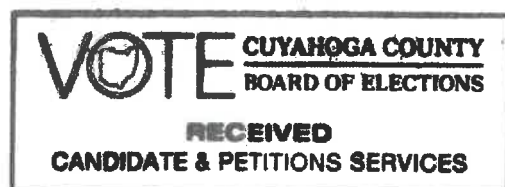
A handwritten signature in black ink, appearing to read "Angela Arnold", written over a horizontal line.

Angela Arnold, Member

Sworn to before me and signed in my presence, this 19th day of January 2022.

A handwritten signature in blue ink, appearing to read "Todd Puster", written over a horizontal line.

Todd Puster, Treasurer



'22 JAN 25 AM 10:45

January 24, 2022

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

I, *Suz Durichko*, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Ohio, the Charter of the City of Parma Heights, and that I will faithfully, honestly, and impartially discharge the duties of the Council at Large for the City of Parma Heights, Ohio, during my continuance in said office.

So Help Me God



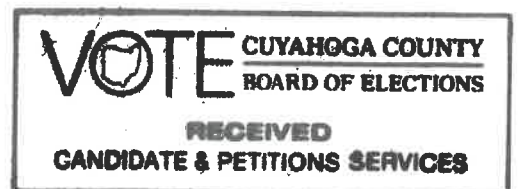
Suz Durichko

SWORN TO BEFORE ME and subscribed in my presence this 24th day of January 2022.



Marie Gallo, Mayor

'22 JAN 26 AM 9:23



OATH OF OFFICE

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

I, Thomas Clark, do solemnly swear that as a Councilmember for Ward 3 of the City of Strongsville, I will profess loyalty to and support the Constitution of the United States of America, the Constitution of the State of Ohio and its laws, and will uphold the Charter and all of the laws of the City of Strongsville.

I further swear that in all respects I will faithfully, honestly, and impartially, discharge the duties of the office of Councilmember for Ward 3 of the City of Strongsville, State of Ohio, during my continuance in said office.

[Signature]

SWORN TO BEFORE ME and subscribed in my presence this 10th day of January, in the year of Our Lord, Two Thousand Twenty-Two (2022).

[Signature]

My Commission has
no exp. date



22 JAN 26 04:11

Agenda Item #6

Letter of Intent to Retire from Elected Office (ORC 145.38)

1. Richard A. Bell, Court of Common Pleas (General Div.), term ending 1-2-2023
2. Steven E. Gall, Court of Common Pleas (General Div.), term ending 1-1-2023
3. Francine Goldberg, Court of Common Pleas (Domestic Relations Div.), term ending 1-12-2023
4. Diane M. Palos, Court of Common Pleas (Domestic Relations Div.), term ending 1-17-2023
5. Joan Synenberg, Court of Common Pleas (General Div.), Judge, term ending 1-11-2023

January 23, 2022

Cuyahoga County Board of Elections

2925 Euclid Avenue

Cleveland, Ohio 44115

Dear Ladies and Gentlemen:

Please accept this letter as written notice to the Board of Elections, as required by Ohio Revised Code Section 145.38, of my intent to retire from my present position as Judge of the Common Pleas Court term ending January 2, 2023.

Further, I plan on running for the term beginning January 3, 2023.

Sincerely,



Richard A. Bell



Steven E. Gall

8020 Tanglewood Lane
Parma, OH 44129

January 28, 2022

Cuyahoga County Board of Elections

2925 Euclid Avenue
Cleveland, OH 44115

Dear Madam or Sir:

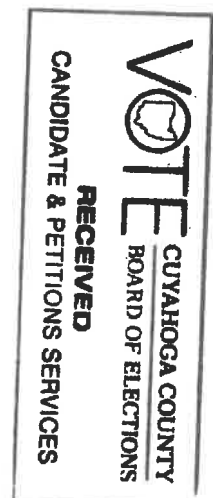
Please accept this letter as notice to the Cuyahoga County Board of Elections, as required by the Ohio Revised Code Section 145.38, of my written declaration of intent to retire before the end of my current term as Judge of the Cuyahoga County Court of Common Pleas, General Division. My current term ends January 1, 2023.

Further, I intend to run for full term commencing January 2, 2023.

Respectfully,



Steven E. Gall



JAN 31 2022 PM 1:51

4325 Churchill Blvd.
University Heights, Ohio 44118

February 2, 2022

Cuyahoga County Board of Elections
2925 Euclid Avenue
Cleveland, Ohio 44115

Dear Ladies and Gentlemen:

Please accept this letter as notice to the Cuyahoga County Board of Elections, as required by Ohio Revised Code Section 145.38, of my written declaration of intent to retire before the end of my current term as Judge of the Cuyahoga County Court of Common Pleas, Domestic Relations Division. My current term ends January 12, 2023.

Further, I intend to run for the full term commencing January 13, 2023.

Sincerely,



Francine Goldberg



FEB 2 2022 PM 2:42

**Diane M. Palos
21168 Lake Road
Rocky River, Ohio 44116**

January 26, 2022

Mr. Anthony W. Perlatti, Director
Cuyahoga County Board of Elections
2925 Euclid Avenue
Cleveland, Ohio 44115

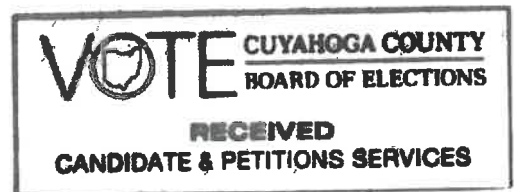
Dear Mr. Perlatti:

Please accept this letter a NOTICE to you as the Director of the Cuyahoga County Board of Elections, as set forth in O.R.C. Section 145.38, of my written declaration of intent to retire before the end of my current term as a Judge of the Cuyahoga County Court of Common Pleas, Division of Domestic Relations. My current term ends January 17, 2023, and I will retire on December 31, 2022.

Sincerely,



Diane M. Palos



JAN 27 2022 PM 12:55

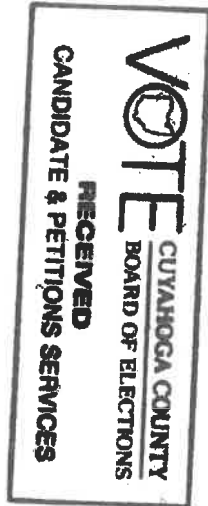
Joan Synenberg
1 Shoreby Drive
Bratenahl, Ohio 44108

'22 JAN 14 AM 10:26:06

January 10, 2022

HAND DELIVERED


Mr. Anthony W. Perlatti, Director
Cuyahoga County Board of Elections
2925 Euclid Ave.
Cleveland, Ohio 44115



Dear Mr. Perlatti,

Please accept this letter as Notice to you as the Director of the Cuyahoga County Board of Elections, as set forth in O.R.C. Section 145.38, of my written declaration of intent to retire before the end of my current term as a Judge of the Cuyahoga County Court of Common Pleas. My current term ends January 11, 2023, and I will retire on December 31, 2022.

Sincerely,


Joan Synenberg

Agenda Item #7

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Candidate and Issue Withdrawal Acknowledgment

May 3, 2022 Primary Election

Withdrawal of an Issue from the May 3, 2022 Primary Election

1. Broadview Heights Ordinance 01-2022 – Charter Tax

Withdrawal of Candidates

Office	Name	Party
Judge, Court of Common Pleas General Division FTC 1/14/23	Thomas J. Kelly	Democratic
Judge, Court of Common Pleas General Division UTE 12/31/24	Grant W. MacKay	Democratic
Judge, Court of Common Pleas General Division UTE 1/3/27	Sanford Watson	Democratic
Judge, Court of Common Pleas Domestic Relations Division FTC 1/18/23	Kira S. Krivosh	Democratic
Council Member, Cuyahoga County District 7	Bishop Chui	Democratic

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Withdrawal of Democratic County Central Committee Candidates

name_first	name_last	name_middle	city	ward	pct	notes
DANIEL	BAKA		CLEVELAND	8	N	
SALITA	BAKER		CLEVELAND	4	C	1st WD
SALITA	BAKER		CLEVELAND	4	C	2nd WD
CAROL	BOYD		CLEVELAND	7	O	
MARY	BOYLE		SHAKER HEIGHTS		A	
DON	BRYANT		North Royalton	6	C	
MARILYN	BURNS		CLEVELAND	6	N	
GEORGE	CARR		BEACHWOOD		G	
PATRICIA	CHOBY	M	CLEVELAND	6	U	
CY	COLVIN		BROOKLYN	0	D	
LORETTA	COPELAND-BANKS		CLEVELAND	2	E	
PHILIPP	CORFMAN		SHAKER HEIGHTS	0	F	
DAWN	CORRIGAN	M	INDEPENDENCE	0	A	
STEVEN	COSO		PARMA	4	A	
PATRICIA	COUSLEY	Y.	BEDFORD HEIGHTS	2	A	1st WD
PATRICIA	COUSLEY		BEDFORD HEIGHTS	2	A	2nd WD
JANA	CROSBY	S	CLEVELAND	1	L	
SCOTT	DENHAM	A.	CLEVELAND	5	O	
BETH	DERY		PEPPER PIKE	0	A	
KEITH	DEWEY	A.	LAKESIDE	4	E	
PAULA	DREYFUSS	R	PEPPER PIKE	0	C	
FRAN	DRYER		ORANGE	0	A	
JON	ECKERLE		CLEVELAND	16	I	
KIMBERLY	EDWARDS	H.	WARRENSVILLE HTS	7	A	
STEVEN	EGAR		BEACHWOOD	0	D	
CHERYL	ELLIS		EUCLID	2	A	
SARAH	FALLON		CLEVELAND	3	K	
PRISICELLA	FAYNE	N.	CLEVELAND	5	N	
VICTOR	FLUHARTY		BEDFORD	3	B	
LARRY	FREEMAN		CLEVELAND	4	E	
JEANNE	GALLAGHER	P.	ROCKY RIVER	3	A	
MARION	GARDNER	ANITA	CLEVELAND	4	K	1st WD
MARION	GARDNER	ANITA	CLEVELAND	4	K	2nd WD
GWENDOLYN	GARTH		CLEVELAND	5	L	
LOUISE	GERLAK		CLEVELAND HEIGHTS	1	B	
DELORES	GRAY	L.	CLEVELAND	5	G	
THERESA	GRUBAUGH-ALAI		BROADVIEW HEIGHTS	2	A	
STANELY	HALL		CLEVELAND	8	R	

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

ELOISE	HARDIN		OAKWOOD	2	A	
NOAH	HARSHBARGER		BROADVIEW HEIGHTS	2	B	
CRAIG	HARTMAN		STRONGSVILLE	3	A	
URSULA	HAYS	I.	STRONGSVILLE	3	C	
GRACE	HEFFERNAN		CLEVELAND	15	K	
FRANK	HENDERSHOT SR		PARMA	1	B	
ANDREW	HENDERSON		CLEVELAND	8	P	
JOHN	HENRY		CLEVELAND	17	P	
WANDA	HILL CHESTNUT	J.	CLEVELAND	6	E	
MELISSA	HOLMAN	ROSE	ROCKY RIVER	4	B	
ANITA	HOWARD		CLEVELAND	8	D	
DIANE	HOWARD		CLEVELAND	3	A	1st WD
DIANE	HOWARD		CLEVELAND	3	A	2nd WD
TOM	JACKSON		OLON	3	A	
BEATRICE	JEFFERSON		WARRENSVILLE HTS	5	B	
ANDREA	JONES	C	CLEVELAND	4	G	1st WD
ANDREA	JONES	C	CLEVELAND	4	G	2nd WD
DAWN	KAZY		CLEVELAND	16	B	
EASTER	KIRKMAN	D.	CLEVELAND	7	N	
AMY	KLING		CLEVELAND	12	A	
CHRISTOPHER	KNEBUSCH		PARMA	2	C	
RICHARD	MADAL	C	PARMA	9	A	1st WD
RICHARD	MADAL		PARMA	9	A	2nd WD
KELLY	MASON		BROADVIEW HEIGHTS	4	A	
TOM	MASTROIANI		PARMA	7	E	
VALARIE	MCCALL	J	CLEVELAND	6	B	
ROBERT	MCRAE		ROCKY RIVER	3	D	
DIANE	MERRIWEATHER	ANGELA	CLEVELAND	4	R	
WILLIAM	MESSINA		CLEVELAND	16	H	
THOMAS	MILLER	R	PARMA	4	B	
CORY	MILNE	C.	CLEVELAND	15	B	
ANDREA	MINDELL	B.	SHAKER HEIGHTS	0	L	
BRIAN	MOONEY		CLEVELAND	11	C	
FREDDIE	MOORE		CLEVELAND	10	O	
RONALD	MOTTL	M	PARMA	5	F	
ANNIE	MURRELL		CLEVELAND	7	G	
TEX	NOLAN		CLEVELAND	14	E	
KAREN	OCONNOR	L.	MAYFIELD HEIGHTS	0	D	
CAROLINE	PEAK		CLEVELAND HEIGHTS	8	E	

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

GERALDINE	PENN		CLEVELAND	8	H	
KC	PETRAITIS		CLEVELAND	17	C	
KATHERINE	PETREY	G.	CLEVELAND HEIGHTS	3	E	
ROSE	PETSCHÉ		BRECKSVILLE	0	J	
PAMELA	POE	S.	MAPLE HEIGHTS	2	B	
JOSEPH	POLLARD		CLEVELAND	6	P	
ANNIE	RAWLINSON	L.	UNIVERSITY HEIGHTS	0	B	
EDWINA	REESE	F.	BEDFORD	3	A	
JULIA	ROGERS	B.	CLEVELAND	10	L	1st WD
JULIA	ROGERS	B.	CLEVELAND	10	L	2nd WD
MICHELE	RUDOLPH		MAPLE HEIGHTS	3	A	
EUNICE	RUDOLPH-JONES		CLEVELAND	4	R	
LADON	RUFFIN		CLEVELAND	7	B	
ANASTASIA	SAKAIROUN		CLEVELAND	12	L	
CIGORNAI	SAPP	L.	CLEVELAND	8	Q	
V.	SARTIN	DAVID	BAY VILLAGE	3	C	
JABRIL	SHABAZZ	J	CLEVELAND	4	U	
CRYSTAL	SMITH		CLEVELAND	4	O	
WALTER	STEWART		WARRENSVILLE HTS	4	A	
MARTIN	SWEENEY	J	CLEVELAND	11	F	
WALLACE	TANNER		EUCLID	1	A	
ROY	THIEL	M.	BROOKLYN	0	B	
BEVERLY	TIDMORE		CLEVELAND HEIGHTS	7	U	
GREG	VITTARDI		BROADVIEW HEIGHTS	1	C	
MADÉLON	WATTS		SOUTH EUCLID	1	C	
EVA	WEBSTER	M.	OLON	3	B	
LATORYA	WITCHER	J.	CLEVELAND	14	E	

**Petitions For Board Review
May 3, 2022 Primary Election**

2.14.22 Board Meeting update 2.14.22

Issue: Candidate did not have the minimum 50 qualifying signatures

Name	District	Office	Party	Comments
Luis R. Vizcarrondao Jr.	Cuyahoga County	Council District 1	Democrat	Filed 50 signatures; 45 valid signatures; short 5 valid signatures
Cuyahoga County Democratic Central Committee				

Issue: Candidate did not indicate the municipality, ward, and/or precinct in the description of the office sought.

The Ohio SOS Election Manual Chapter 11 Petitions reads in part: The declaration or statement of candidacy signed by the prospective candidate must identify the office sought so that both the electors signing the petition and the board of elections are able to ascertain from the petition which office the candidate seeks.

Name	City-Ward-Precinct	Reason for Challenge	Secondary Reason for Challenge	Additional Comments
Gregory A. Boylan	Cleveland 7 V	Candidate did not completely list the City/Ward/Precinct	Circulator clause missing number of signatures witnessed	Missing Precinct
Willie Brown	Cleveland 6 C	Candidate did not completely list the City/Ward/Precinct		Missing City
TJ Dow	Cleveland 7 F	Candidate did not completely list the City/Ward/Precinct		Missing Precinct
Susan Grodek	Brooklyn D	Candidate did not completely list the City/Ward/Precinct		Missing City
Tahirah Mujahid	Cleveland 7 E	Candidate did not completely list the City/Ward/Precinct		Missing Precinct
Walter Patton	Cleveland 5 F	Candidate did not completely list the City/Ward/Precinct		Missing Ward/Precinct
Pamela Profusek	Strongsville 4 G	Candidate did not completely list the City/Ward/Precinct		Missing City
Ilinda Reese	Cleveland 1 P	Candidate did not completely list the City/Ward/Precinct		Missing City
Ruth Scarbro	Brooklyn G	Candidate did not completely list the City/Ward/Precinct		Missing City

Issues: Candidate listed a different municipality, ward and/or precinct than that in which they are registered.

SOS 2022 Candidate Guide – County Central Committee - Qualifications
 RESIDENCY REQUIREMENT: Must be a qualified elector residing in the election precinct, city, ward or township from which elected, as determined by the outgoing committee (R.C. 3517.02, OH Const Art. XV, §4)

Name	City-Ward-Precinct	Reason for Challenge	Secondary Reason for Challenge	Additional Comments
Naomi Bozeman	Cleveland 7 C	Candidate listed the wrong ward and/or precinct		Wrong precinct - listed "C" instead of "U"
Issues: Circulator did not complete the circulator clause completely.				
The ORC 3501.38 (E)(1) General Rules states "(E)(1) On each petition paper, the circulator shall indicate the number of signatures contained on it, and shall sign a statement made under penalty of election falsification that the circulator witnessed the affixing of every signature,..."				
Name	City-Ward-Precinct	Reason for Challenge	Secondary Reason for Challenge	Additional Comments
Marissa Clark	Lakewood 4 B	Circulator's statement was not properly completed		Circulator did not sign the circulator clause
Cheryl Eanes	Cleveland 7 P	Circulator's statement was not properly completed		Circulator's statement is blank
Brian Pondexter	Brook Park 3 C	Circulator's statement was not properly completed		Number of signatures witnessed is blank
Lisa Pointer	Cleveland 7 A	Circulator's statement was not properly completed		Circulator did not sign the circulator clause
Mary Lee Sutter	Seven Hills 2 A	Circulator's statement was not properly completed		Number of signatures witnessed is blank
Mary Taubman	Lakewood 3 G	Circulator's statement was not properly completed		Number of signatures witnessed is blank

Issue: Candidates did not have the minimum 5 qualifying signatures			
Name	City-Ward-Precinct	Reason for Challenge	Secondary Reason for Challenge
Norma Bank	Garfield Hts 1 C	Insufficient number of valid signatures	4 valid, submitted 7
Tonya Barker	Cleveland 1 G	Insufficient number of valid signatures	4 valid, submitted 11
Danielle Doza	Cleveland 17 M	Insufficient number of valid signatures	4 valid, submitted 6
Levon Foster	Cleveland 17 S	Insufficient number of valid signatures	3 valid, submitted 5
Michael Kostyac	Seven Hills 3 F	Insufficient number of valid signature	4 valid, submitted
Mary Jo Lavell	Cleveland 16 C	Insufficient number of valid signature	4 valid submitted
Carl Newman	Cleveland 4 G	Insufficient number of valid signatures	11 valid, submitted 12; mostly wro district
Dan O'Malley	Lakewood 4 I	Insufficient number of valid signature	4 valid, submitted
Joseph Pollar	Cleveland 6 I	Insufficient number of valid signature	3 valid submitted
Ana Rodriguez	Cleveland 14 I	Insufficient number of valid signature	4 valid, submitted
Lisa Schiefe	Cleveland 16 I	Insufficient number of valid signature	1 valid, submitted
Issue: Candidate did not complete the candidacy clause on their petition.			
SOS 2022 Candidate Guide – Rules Governing Petitions			
1. The Declaration or Statement of Candidacy portion of each petition paper must be completely filled out and signed by the candidate(s) before being circulated. (R.C. 3513.07, 3513.09, 3513.261)			
Name	City-Ward-Precinct	Reason for Challenge	Secondary Reason for Challenge
Juanita Brent	Cleveland 1 Q	Candidate did not sign Declaration of Candidacy	Additional Comments
James Kenney	Cleveland 17 N	Candidate did not sign Declaration of Candidacy	

Issue: Candidate dated the candidacy clause of their petition after obtaining signatures of voters.

SOS 2022 Candidate Guide – Rules Governing Petitions

1. The Declaration or Statement of Candidacy portion of each petition paper must be completely filled out and signed by the candidate(s) before being circulated. (R.C. 3513.07, 3513.09, 3513.261)

Name	City-Ward-Precinct	Reason for Challenge	Secondary Reason for Challenge	Additional Comments
Macke Bentley IV	Solon 1 B	Voters' signing dates are before the date the candidate signed the petition		
Rebecca Kempton	Cleveland 14 M	Voters' signing dates are before the date the candidate signed the petition		
Edward Kraus	Solon 6 A	Voters' signing dates are before the date the candidate signed the petition		
Kathleen Weaver	Cleveland 13 K	Voters' signing dates are before the date the candidate signed the petition		

Issue: Candidate Declaration of Candidacy was received via the USPS after the filing deadline of February 2, 2022.

Name	City-Ward-Precinct	Reason for Challenge	Secondary Reason for Challenge	Additional Comments
Gretchen Herzberger	Westlake 2 B	Petition received after statutory filing deadline		Received 2/4/2022

Petition for Board Review
Insufficient Signatures

Shayla L. Davis – Democratic County Central Committee Garfield Heights Ward 4 Precinct C

Timeline:

2/1/2022

Candidate filed a part-petition

- Valid Signatures Required: 5
- Signatures filed: 6
- Valid Signatures: 4
- Petition signatures short: 1

2/4/2022

Candidate notified by email advising petition was insufficient by one signature and encouraged her to withdraw. Two signatures, both her children, were deemed Not Genuine signatures.

Candidate was provided with a copy of the petition as well as the signatures on file with the Board of Elections regarding the not genuine signatures. See attached

Anthony B. Gamble III - petition signature does not have any qualities that match the Registration signature.

Shyaira Lashay Davis – signature is printed

RECOMMENDATION: Candidate’s petitions does not have the qualifying minimum valid signatures, and therefore should not be certified to the May 3, 2022 Primary Election.

**Declaration of Candidacy
Party Primary Election
For Member of County Central Committee**

To be filed with the Board of Elections not later than 4 p.m. of the 90th day before the primary election.

R.C. 3513.05, .07, .09, .10, .191, 3501.38, 3513.262, 3517.03.

The candidate must fill in, sign and date this declaration of candidacy before obtaining signatures on the petition. No less than 5 nor more than 15 signatures should be submitted. Each signer must be a member of the same political party as the candidate and must be a qualified elector of the political subdivision the candidate wishes to represent on the committee - that is, an elector of the precinct if the committee is elected on a precinct basis, or of the ward or township if the committee is elected on a ward or township basis.

Declaration of Candidacy

NOTE - The candidate must fill in, sign and date this declaration of candidacy before the signatures of electors are affixed.

I, SHAYLA L. DAVIS, the undersigned, hereby declare under penalty of election falsification that
Name of Candidate
my voting residence address is 10813 PENFIELD AVE, GARFIELD HTS, Ohio 44125,
Street Number and Address, if any, (or rural route and number) City or Village Zip Code
and I am a qualified elector residing in the political subdivision I wish to represent.

I further declare that I desire to be a candidate for election to the office of Member of the CUYAHOGA
County
County Central Committee as a member of the Democratic Party from:
Political Party

Note: You must fill in the blank(s) beside the appropriate bullet point that indicates the ONE political subdivision in which you reside and wish to represent as a member of a political party's county central committee.

- Precinct _____ Township of _____
- Precinct _____ City or Village of _____
- Precinct 04-C Ward 4 City or Village of GARFIELD HTS
- Ward _____ City or Village of _____
- Village of _____
- Township of _____
- County of _____

at the primary election to be held on the 3 day of May, 2022
Day Month Year

I further declare that, if elected to this office, I will qualify therefor, and that I will support and abide by the principles enunciated by the Democratic Party.
Political Party

Dated this 1 day of January, 2022
Day Month Year


Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

Petition for Candidate

This petition shall be circulated only by a member of the same political party as stated above by the candidate.

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township, set opposite our names, and members of the Democratic Party, hereby certify that SHAYLA L. DAVIS, whose declaration of candidacy is filed herewith, is in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.
Name of Candidate

FILED

Signatures on this petition should be from only one county and must be written in ink. Signatures on this petition shall be of persons who are of the same political party as stated above by the candidate.

NG
BL
DE/NG

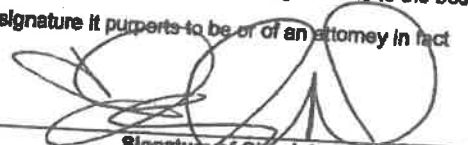
Signature	Voting Residence Street Number and Address	City, Village, or Township	County	Date of Signing
1. Anthony Gumbata	10813 Penfield Ave	Garfield Hts	Cuyahoga	1/28/22
2. Andrew Grant				
3. Kadiuk Branch	10813 Penfield Ave	Garfield Hts	Cuyahoga	1/31/22
4. Shayla Davis	10813 Penfield Ave	Garfield Hts	Cuyahoga	1/31/22
5. Adam Davis	10609 Elmwood	Garfield Hts	Cuyahoga	1/31/22
6. [Signature]	10809 Penfield Ave	Garfield Hts	Cuyahoga	1/31/22
7. [Signature]	10906 Penfield Ave	Garfield Hts	Cuyahoga	1/31/22
8.				
9.				
10.				
11.				
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14.				
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WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

Circulator Statement

Must be completed and signed by the circulator.

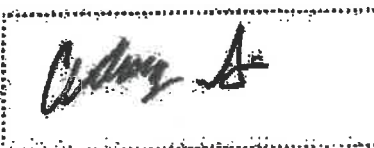
I, SHAYLA L. DAVIS, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am a member of the Democratic Party; that I am the circulator of the foregoing petition containing 6 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.


 Signature of Circulator
10813 Penfield Ave
 Permanent Residence Address
GARFIELD HTS OH 10813
 City or Village State Zip Code

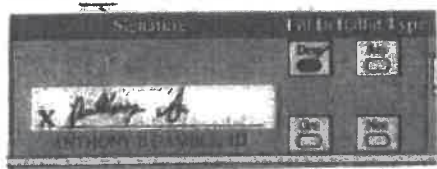
Anthony Gamble

NG
NG
at

Signature	Voting Residence Street Number and Address	City, Village, or Township	County	Date of Signing
Anthony Gumble 10813 Penfield Ave	10813 Penfield Ave	Garfield Hts	Cuyahoga	1/28/22



Registration Signature 1/20/15



Registration Signature 3/15/16

SHYAIRA DAVIS

NG
NG
NG

Kadiak Branch	10813 Penfield Ave	Garfield Hts	Cuyahoga	1/31/22
Shyaira Davis	10813 Penfield Ave	Garfield Hts	Cuyahoga	1/31/22
Shyaira Davis	10605 Elmwood	Garfield Hts	Cuyahoga	1/31/22

I hereby certify, under penalty of election falsification, that the above statements are true and correct to the best of my knowledge and belief.

Signature:

Today's date: 11/07/2017
M M D D Y Y Y Y

Provisional Envelope Signature
11/7/17

Name: SHYAIRA LASHAY DAVIS
Address: 10813 PENFIELD AVE
GARFIELD HTS 44125

Voter ID: 2468765
Precinct-Group: GAHTD4C - 01
Birth Date: 1992
Style/No: GAHTD4C01
Race/Gender: /
ID Type: Driver License
Party: DEM
D / 0063



ServerTS: 08/05/2021 10:51:05 Checked in at 08/03/2021 19:12:34 by CECELIA SKINNER

Oath Accepted: Y

Electronic Poll Book 8/13/21

3. First Name / Nombre		4. Last Name / Apellido		5. Gender / Sexo	6. Race / Raza
Garble		Anthony		B	III
4. Home Number / Street / P.O. Box / P.O. Box / P.O. Box / P.O. Box			5. City / Post Office / Ciudad / Oficina de Correos		6. Zip / Postal Code / Código Postal
10813 Denfield Ave			Garfield Heights		44125
7. Additional Rural or Mailing Address (if necessary) / Dirección Postal o Rural Adicional (si es necesario)			8. County where you live / Condado donde vive		FOR BOARD USE ONLY SEC4010 (Rev. 07/08) City, Village, Twp. Ward Precinct School Dist. Cong. Dist. Senate Dist. House Dist.
			Cuyahoga		
9. Birthdate / Fecha de Nacimiento (required) / (obligatorio)	10. Ohio Driver's License No. OR last 4 digits of Social Security No. / one form of ID required to be filled in provided at poll / No. de la licencia de conducir o último 4 dígitos del número de Seguro Social / una forma de identificación requerida para ser completada en el momento de votar		11. Phone No. (voluntary) / No. Tfn. (voluntario)		
99			(216) 990-1790		
12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street / DIRECCIÓN RESIDENCIAL ANTERIOR SI ESTÁ ACTUALIZANDO EL REGISTRO ACTUAL - Número de Casa y Calle Anterior					
Previous City or Post Office / Ciudad o Oficina de Correos			County / Condado	State / Estado	
13. Change of Name Only FORMER Legal Name / SOLO CAMBIO DE NOMBRE Nombre Legal Anterior			Former Signature / Firma Anterior		

I declare under penalty of perjury that I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of this general election.
 Declaro, bajo pena de fraude electoral, que soy ciudadano de los Estados Unidos, que he vivido en este estado durante al menos 30 días previos a las elecciones próximas y que tengo al menos 18 años de edad en el momento de las elecciones generales.

14. Your Signature / Su firma
 Date / Fecha 11 / 20 / 15
 MO DAY YR
 MES DIA AÑO

Anthony A. Garble

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GAM - GAR

Page 52 of 183



Remember: No signature. No ballot. No exceptions.

Guyahoga County Board of Elections
 March 15, 2016 Primary Election
 Poll Location: GARFIELD HEIGHTS BRANCH LIBRARY
 Precinct: GARFIELD HEIGHTS - 04 - C

Name & Address	Pre-Printed Signature	Signature	Fill In Ballot Type	Stub Number	Voter ID
GAMBLE III, ANTHONY B 10813 PENFIELD AVE Birth Year: 1997	<i>Anthony B</i>	X <i>Anthony B</i> ANTHONY B GAMBLE, III	Dem <input type="checkbox"/> Rep <input type="checkbox"/> Gen <input type="checkbox"/> Non <input type="checkbox"/>	D-0079 Stub #	2683842
GAMBLE, KEITH O 8820 MC CRACKEN BLVD Birth Year: 1967	<i>Keith O</i>	X KEITH O GAMBLE	Dem <input type="checkbox"/> Rep <input type="checkbox"/> Gen <input type="checkbox"/> Non <input type="checkbox"/>	Stub #	2372569
GAMBLE, VICTORIA L 8820 MC CRACKEN BLVD Birth Year: 1981	<i>Victoria L Gamble</i>	X VICTORIA L GAMBLE	Dem <input type="checkbox"/> Rep <input type="checkbox"/> Gen <input type="checkbox"/> Non <input type="checkbox"/>	Stub #	1929805
GARTH, ALIECIA 9102 MC CRACKEN BLVD Birth Year: 1994	<i>Aliecia Garth</i>	X <i>Aliecia Garth</i> ALIECIA GARTH	Dem <input type="checkbox"/> Rep <input type="checkbox"/> Gen <input type="checkbox"/> Non <input type="checkbox"/>	D-0146 Stub #	2575376
GARTH, ALONDA M 9100 MC CRACKEN BLVD Birth Year: 1989	<i>A. Garth</i>	X ALONDA M GARTH	Dem <input type="checkbox"/> Rep <input type="checkbox"/> Gen <input type="checkbox"/> Non <input type="checkbox"/>	Stub #	2621200

For Board Use Only - Party Page Count

Democrat Republican Non Partisan
 Green

Provisional Ballot Affirmation

Garland HS 4C



S.C. 2012.05; 2005.08; 181; 182; 183.

Full Name Required **1** First name Shyaira Middle Name _____
 Print clearly. Last name Davis Suffix _____

Date of Birth Required **2** Date of Birth _____ / 11 / 09 / 2
 M M D D Y Y Y Y

Current Ohio address Required **3** Street address (not P.O. Box) 10813 Denfield Avenue
 City/Village Garfield HS ZIP 44125

Former address Not required **4** If you do not complete this step, it will not cause your ballot to be rejected.
 Have you moved without updating your voter registration? YES NO
 Street address (not P.O. Box) _____
 City / Village _____ State _____ ZIP _____

Identification Required **5** If you do not provide identification at this time, you must go to the board of elections on or before the 7th day after this election to provide a qualifying form of identification.
 Do ONE of the following:
 • Write your full Ohio driver's license or state identification card number, or
 • Write the last four digits of your Social Security number, or
 • Check the box next to the form of identification you showed to the precinct election official.
 Your Ohio driver's license number or state identification card number _____
 Last four digits of your Social Security number _____
 Military identification card
 Current (within the last 12 months) utility bill, bank statement, government check, paycheck or other government document, other than a notice of voter registration mailed by a board of elections, that contains your name and current address
 Photo identification that was issued by the United States government or the State of Ohio, that contains your name and current address (or your former address if the identification is an Ohio driver's license or state identification card), and that has an expiration date that has not passed

Affirmation Required **6** I solemnly swear or affirm, under penalty of election falsification, that:
 • I am a citizen of the United States and will be at least 18 years of age at the time of the general election.
 • I have lived in this state for 30 days immediately preceding this election in which I am voting this ballot.
 • I am a registered voter in the precinct in which I am voting this provisional ballot.
 • I am eligible to vote in the election in which I am voting this provisional ballot.
 • I understand that, if the information I provide on this provisional ballot affirmation is not fully completed and correct, if the board of elections determines that I am not registered to vote, a resident of this precinct, or eligible to vote in this election, or if the board of elections determines that I have already voted in this election, my provisional ballot will not be counted.
 • I understand that, if I am not currently registered to vote or if I am not registered at my current address or under my current name, this form will serve as an application to register to vote or update my registration for future elections, as long as I provide all of the information required to register to vote or update my registration.
 • I understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.
 • I hereby declare, under penalty of election falsification, that the above statements are true and correct to the best of my knowledge and belief.
 Signature X [Signature]
 Today's date 11 / 07 / 20 / 17
 M M D D Y Y Y Y

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

For Office Use Only:
GA HT 04-C
 Precinct ID: GAHT04-C

Votes: 2468765 Print Operator Name: A. HUGHES
 Precinct: GAHT04-C Date/Time: 11/07/17

Counting Precinct:
GAHT04-C
 Precinct Party or Other:

08/13/2021

CUYAHOGA COUNTY, OHIO
August 3, 2021 Special Congressional Primary Election
GARFIELD HEIGHTS HIGH SCHOOL

3/16

Check-Ins

Name: BEATRICE BROOM	Voter ID	Birth Date:	Race/Gender:	Party:
Address: 5210 TURNEY RD APT 303	2052600	1949	/	NOPTY
GARFIELD HTS 44125	Precinct-Group	Style/No	ID Type	
	GAHT04C - 01	GAHT04C01	Driver License	
		D /0017		

Beatrice Broom



ServerTS: 08/05/2021 10:48:51 Checked in at 08/03/2021 Oath Accepted: Y
12:30:25 by CECELIA SKINNER

Name: MONICA ANN BROWN	Voter ID	Birth Date:	Race/Gender:	Party:
Address: 9906 MC CRACKEN BLVD	997213	1967	/	DEM
GARFIELD HTS 44125	Precinct-Group	Style/No	ID Type	
	GAHT04C - 01	GAHT04C01	Driver License	
		D /0053		

M. Brown



ServerTS: 08/05/2021 10:56:26 Checked in at 08/03/2021 Oath Accepted: Y
18:12:06 by REATHA TOLLIVER

Name: KATHRINE ANN COLLINGWOOD	Voter ID	Birth Date:	Race/Gender:	Party:
Address: 10510 S HIGHLAND AVE	2189179	1987	/	DEM
GARFIELD HTS 44125	Precinct-Group	Style/No	ID Type	
	GAHT04C - 01	GAHT04C01	Driver License	
		D /0002		

Kathrine Ann Collingwood



ServerTS: 08/05/2021 10:42:14 Checked in at 08/03/2021 Oath Accepted: Y
07:00:58 by CECELIA SKINNER

Name: MELVIN L DAVIS	Voter ID	Birth Date:	Race/Gender:	Party:
Address: 10605 ELMWOOD AVE	878717	1973	/	DEM
GARFIELD HTS 44125	Precinct-Group	Style/No	ID Type	
	GAHT04C - 01	GAHT04C01	Driver License	
		D /0038		

Melvin L Davis



ServerTS: 08/05/2021 10:44:40 Checked in at 08/03/2021 Oath Accepted: Y
16:18:55 by MARGO WILKERSON

Name: SHYAIRA LASHAY DAVIS	Voter ID	Birth Date:	Race/Gender:	Party:
Address: 10813 PENFIELD AVE	2468765	1992	/	DEM
GARFIELD HTS 44125	Precinct-Group	Style/No	ID Type	
	GAHT04C - 01	GAHT04C01	Driver License	
		D /0063		

Shyaira Lashay Davis



ServerTS: 08/05/2021 10:51:05 Checked in at 08/03/2021 Oath Accepted: Y
19:12:34 by CECELIA SKINNER



Petition for Board Review
17-year old candidate

William Yeung – Democratic County Central Committee Lakewood Ward 2 Precinct G

Issue: Candidate will not turn 18 years of age until after the May 3, 2022 election.

- Mr. Yeung birthday is May 26th.
- County Central Committee candidates are elected, not nominated, at the primary election.
- We have consulted with AP Musson and he concurs that Mr. Yeung’s age disqualifies him from constituting a “qualified elector” for purposes of this elected position.

ORC Section 3517.02 | Controlling committees of major or intermediate political party.

All members of controlling committees of a major political party shall be elected by direct vote of the members of the party, except as otherwise provided in section 3517.05 of the Revised Code. Their names shall be placed upon the official ballot, and, notwithstanding division (B) of section 3513.23 of the Revised Code, the persons receiving the highest number of votes for committee persons shall be the members of those controlling committees. **Each member of a controlling committee shall be a resident and qualified elector of the district, ward, or precinct that the member is elected to represent.** All members of controlling committees of a minor political party shall be determined in accordance with party rules.

Election Officials Manual - Election Day Voting Page 5 - 17 Year Old Voter

"Ohio law allows a 17-year-old voter who will be 18 years of age on or before the date of the next general election to vote in the primary election **solely on the nomination of candidates seeking election** and, in a presidential primary election, for Presidential convention delegates. This is because the 17-year-old voter will be eligible to vote for the nominees at the November general election."

As with every voter, a 17-year-old voter must be registered to vote and satisfy Ohio’s voter identification requirements.

Voters who are 17 years old as of the primary election are not permitted to vote on any of the following:

- State Party Central Committee
- County Party Central Committee
- Questions and Issues

Petition for Board Review
Insufficient Signatures

Shayla L. Davis – Democratic County Central Committee Garfield Heights Ward 4 Precinct C

Timeline:

2/1/2022

Candidate filed a part-petition

- Valid Signatures Required: 5
- Signatures filed: 6
- Valid Signatures: 4
- Petition signatures short: 1

2/4/2022

Candidate notified by email advising petition was insufficient by one signature and encouraged her to withdraw. Two signatures, both her children, were deemed Not Genuine signatures.

Candidate was provided with a copy of the petition as well as the signatures on file with the Board of Elections regarding the not genuine signatures. See attached

Anthony B. Gamble III - petition signature does not have any qualities that match the Registration signature.

Shyaira Lashay Davis – signature is printed

RECOMMENDATION: Candidate's petitions does not have the qualifying minimum valid signatures, and therefore should not be certified to the May 3, 2022 Primary Election.

**Declaration of Candidacy
Party Primary Election**

For Member of County Central Committee

To be filed with the Board of Elections not later than 4 p.m. of the 90th day before the primary election.

R.C. 3513.05, .07, .09, .10, .191, 3501.38, 3513.262, 3517.03.

The candidate must fill in, sign and date this declaration of candidacy before obtaining signatures on the petition. No less than 5 nor more than 15 signatures should be submitted. Each signer must be a member of the same political party as the candidate and must be a qualified elector of the political subdivision the candidate wishes to represent on the committee - that is, an elector of the precinct if the committee is elected on a precinct basis, or of the ward or township if the committee is elected on a ward or township basis.

Declaration of Candidacy

NOTE - The candidate must fill in, sign and date this declaration of candidacy before the signatures of electors are affixed.

I, SHAYLA L. DAVIS, the undersigned, hereby declare under penalty of election falsification that
Name of Candidate
my voting residence address is 10813 PENFIELD AVE, GARFIELD HTS, Ohio 44125,
Street Number and Address, if any, (or rural route and number) City or Village Zip Code
and I am a qualified elector residing in the political subdivision I wish to represent.

I further declare that I desire to be a candidate for election to the office of Member of the CUYAHOGA
County Central Committee as a member of the Democratic Party from:
Political Party County

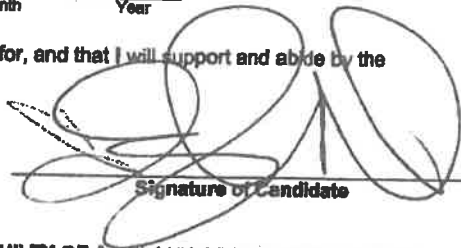
Note: You must fill in the blank(s) beside the appropriate bullet point that indicates the ONE political subdivision in which you reside and wish to represent as a member of a political party's county central committee.

- Precinct _____ Township of _____
- Precinct _____ City or Village of _____
- Precinct 04-C Ward 4 City or Village of GARFIELD HTS
- Ward _____ City or Village of _____
- Village of _____
- Township of _____
- County of _____

at the primary election to be held on the 3 day of May, 2022.
Day Month Year

I further declare that, if elected to this office, I will qualify therefor, and that I will support and abide by the principles enunciated by the Democratic Party.
Political Party

Dated this 1 day of January, 2022.
Day Month Year



Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

Petition for Candidate

This petition shall be circulated only by a member of the same political party as stated above by the candidate.

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township, set opposite our names, and members of the Democratic Party, hereby certify that SHAYLA L. DAVIS, whose declaration of candidacy is filed herewith, is in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.
Political Party Name of Candidate

10/16/2021

Signatures on this petition should be from only one county and must be written in ink. Signatures on this petition shall be of persons who are of the same political party as stated above by the candidate.

NG
BL
DE/NG


Signature	Voting Residence Street Number and Address	City, Village, or Township	County	Date of Signing
1. Anthony Gmelch	10813 Penfield Ave	Garfield HTS	Cuyahoga	1/28/22
2. Anthony Gmelch				
3. Anthony Gmelch				
4. Kadiuk Branch	10813 Penfield Ave	Garfield HTS	Cuyahoga	1/31/22
5. Shayla Davis	10813 Penfield Ave	Garfield HTS	Cuyahoga	1/31/22
6. Adam Davis	10605 Elmwood	Garfield HTS	Cuyahoga	1/31/22
7. Adam Davis	10809 Penfield Ave	Garfield HTS	Cuyahoga	1/31/22
8. Adam Davis	10906 Benfield Ave	Garfield HTS	Cuyahoga	1/31/22
9.				
10.				
11.				
12.				
13.				
14.				
15.				

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

Circulator Statement

Must be completed and signed by the circulator.

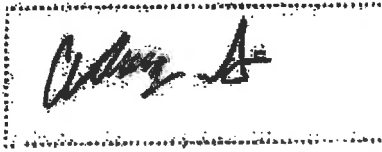
I, SHAYLA L. DAVIS, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am a member of the Democratic Party; that I am the circulator of the foregoing petition containing 6 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.


 Signature of Circulator
10813 Penfield Ave
 Permanent Residence Address
GARFIELD HTS OH 10813
 City or Village State Zip Code

Anthony Gamble

NG
02/28/22

Signature	Voting Residence Street Number and Address	City, Village, or Township	County	Date of Signing
Anthony Gamble	10813 Penfield Ave	Garfield Hts	Cuyahoga	1/28/22
Andrew Grant				



Registration Signature 11/20/15



Registration Signature 2/15/16

SHYAIRA DAVIS

NG
02/28/22

Andrew Grant	10813 Penfield Ave	Garfield Hts	Cuyahoga	11/31/22
Shyaira Davis	10813 Penfield Ave	Garfield Hts	Cuyahoga	11/31/22
Shyaira Davis	10609 Elmwood	Garfield Hts	Cuyahoga	11/31/22

I, the undersigned, under penalty of election legislation, declare the above statements are true and correct to the best of my knowledge and belief.

Signature X

Today's date: /

M M D D Y Y Y Y

Provisional Envelope Signature 11/7/17

Name: SHYAIRA LASHAY DAVIS
Address: 10813 PENFIELD AVE
GARFIELD HTS 44125

Voter ID: 2468765
Precinct-Group: GAHTD4C-01
Birth Date: 1992
Style/No: GAHTD4C01
Race/Gender: /
ID Type: Driver License
Party: DEM
D /0063



ServerTS: 08/05/2021 10:51:05 Checked in at 08/03/2021 19:12:34 by CECELIA SKINNER

Oath Accepted: Y

Electronic Poll Book 8/13/21

3. First Name / Nombre	Anthony	6	111
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4. House Number / Street / Calle / No. de Calle	10815 Den Field Ave	City or Post Office / Ciudad o Oficina de Correos	Garfield Heights	44125
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7. Additional Rural or Mailing Address (if necessary) / Dirección Postal o Rural Adicional (si es necesario)	8. County where you live / Condado donde vive	FOR BOARD USE ONLY SEC4010 (Rev. 07/08)
	Cuyahoga	City, Village, Twp.


9. Birthdate (no initials required) / Fecha de nacimiento (no iniciales necesarias)	10. Ohio driver's license No. OR last 4 digits of Social Security No. (one form of ID required to be listed or provided) / No. de licencia de conducir de Ohio o los últimos 4 dígitos del número de Seguro Social (se requiere una forma de identificación para ser listada o proporcionada)	11. Phone No. (voluntary) / No. Teléfono (voluntario)
99		(216) 990-1790

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street / DIRECCIÓN RESIDENCIAL ANTERIOR SI ESTÁ ACTUALIZANDO EL REGISTRO ACTUAL - Número de Casa y Calle Anterior	13. Change of Name Only FORMER Legal Name / SOLO CAMBIO DE NOMBRE Nombre Legal Anterior	Former Signature / Firma Anterior
---	---	-----------------------------------

Previous City or Post Office / Ciudad u Oficina de Correos	County / Condado	State / Estado

I declare under penalty of election fraud (Section 1) I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.

Declaro, bajo pena de fraude electoral, que soy ciudadano de los Estados Unidos, que he vivido en este estado durante al menos 30 días previos a las elecciones próximas y que tengo al menos 18 años de edad en el momento de las elecciones generales.

14. Your Signature / Su firma	
Date / Fecha	11 / 20 / 15
	MO DAY YR MES DIA AÑO

FOR BOARD USE ONLY SEC4010 (Rev. 07/08)
City, Village, Twp.
Word
Precinct
School Dist.
Cong. Dist.
Senate Dist.
House Dist.

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GAM - GAR

Page 52 of 183

★ Remember: No signature. No ballot. No exceptions.

Cuyahoga County Board of Elections
 March 15, 2016 Primary Election
 Poll Location: GARFIELD HEIGHTS BRANCH LIBRARY
 Precinct: GARFIELD HEIGHTS - 04 - C

Name & Address	Pre-Printed Signature	Signature	Fill in Ballot Type	Stub Number	Voter ID
GAMBLE III, ANTHONY B 10813 PENFIELD AVE Birth Year: 1997	<i>Anthony B</i>	X <i>Anthony B</i> ANTHONY B GAMBLE, III	Dem <input type="checkbox"/> Rep <input type="checkbox"/> Gen <input type="checkbox"/> Non <input type="checkbox"/>	D-0079 Stub #	2683842
GAMBLE, KEITH O 8820 MC CRACKEN BLVD Birth Year: 1967	<i>Keith O</i>	X KEITH O GAMBLE	Dem <input type="checkbox"/> Rep <input type="checkbox"/> Gen <input type="checkbox"/> Non <input type="checkbox"/>	Stub #	2372569
GAMBLE, VICTORIA L 8820 MC CRACKEN BLVD Birth Year: 1961	<i>Victoria L Gamble</i>	X VICTORIA L GAMBLE	Dem <input type="checkbox"/> Rep <input type="checkbox"/> Gen <input type="checkbox"/> Non <input type="checkbox"/>	Stub #	1929805
GARTH, ALIECIA 9102 MC CRACKEN BLVD Birth Year: 1994	<i>Aliecia Garth</i>	X <i>Aliecia Garth</i> ALIECIA GARTH	Dem <input type="checkbox"/> Rep <input type="checkbox"/> Gen <input type="checkbox"/> Non <input type="checkbox"/>	D-0146 Stub #	2675376
GARTH, ALONDA M 9100 MC CRACKEN BLVD Birth Year: 1989	<i>A. Garth</i>	X ALONDA M GARTH	Dem <input type="checkbox"/> Rep <input type="checkbox"/> Gen <input type="checkbox"/> Non <input type="checkbox"/>	Stub #	2621209

For Board Use Only - Party Page Count

Democrat _____ Republican _____ Non Partisan _____
 Green _____

Provisional Ballot Affirmation

A.C. 3023.10; 3025.10; 3.01; 3.02; 3.03

Garland HS 9C



Full Name Required

1

First name Shyaira Middle Name Last name Davis Suffix

Print clearly.

Date of Birth Required

2

Date of Birth 1/19/92

M M D D Y Y Y Y

Current Ohio address Required

3

Street address (not P.O. Box) 10813 Denfield Avenue City/Village Fairfield HS ZIP 44125

Former address Not required

4

If you do not complete this step, it will not cause your ballot to be rejected. Have you moved without updating your voter registration? YES NO [checked] Street address (not P.O. Box) City/Village State ZIP

Identification Required

5

Do ONE of the following:

- Write your full Ohio driver's license or state identification card number, or
Write the last four digits of your Social Security number, or
Check the box next to the form of identification you showed to the precinct election official.

If you do not provide identification at this time, you must go to the board of elections on or before the 7th day after this election to provide a qualifying form of identification. Your Ohio driver's license number or state identification card number Last four digits of your Social Security number Military identification card Current (within the last 12 months) utility bill, bank statement, government check, paycheck or other government document, other than a notice of voter registration mailed by a board of elections, that contains your name and current address Photo identification that was issued by the United States government or the State of Ohio, that contains your name and current address (or your former address if the identification is an Ohio driver's license or state identification card), and that has an expiration date that has not passed

Affirmation Required

6

I solemnly swear or affirm, under penalty of election falsification, that:
I am a citizen of the United States and will be at least 18 years of age at the time of the general election.
I have lived in this state for 90 days immediately preceding this election in which I am voting this ballot.
I am a registered voter in the precinct in which I am voting this provisional ballot.
I am eligible to vote in the election in which I am voting this provisional ballot.
I understand that, if the information I provide on this provisional ballot affirmation is not fully completed and correct, if the board of elections determines that I am not registered to vote, a resident of this precinct, or eligible to vote in this election, or if the board of elections determines that I have already voted in this election, my provisional ballot will not be counted.
I understand that, if I am not currently registered to vote or if I am not registered at my current address or under my current name, this form will serve as an application to register to vote or update my registration for future elections, as long as I provide all of the information required to register to vote or update my registration.
I understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.
I hereby declare, under penalty of election falsification, that the above statements are true and correct to the best of my knowledge and belief.

Signature X

[Handwritten Signature]

Today's date

11/07/2017

M M D D Y Y Y Y

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

For Office Use Only:

GA HT 04-C

Machine # 2468765 Print Operator Name: A. H. G. M. S. Date/Time: 11/9/17

Station Process:

GA HT 4C

08/13/2021

CUYAHOGA COUNTY, OHIO
August 3, 2021 Special Congressional Primary Election
GARFIELD HEIGHTS HIGH SCHOOL

3/16

Check-Ins

Name: BEATRICE BROOM	Voter ID	Birth Date:	Race/Gender:	Party:
Address: 5210 TURNEY RD APT 303 GARFIELD HTS 44125	2052600	1949	/	NOPTY
	Precinct-Group	Style/No	ID Type	
	GAHT04C - 01	GAHT04C01	Driver License	
		D /0017		

Beatrice Broom



ServerTS: 08/05/2021 10:48:51 Checked in at 08/03/2021 Oath Accepted: Y
12:30:25 by CECELIA SKINNER

Name: MONICA ANN BROWN	Voter ID	Birth Date:	Race/Gender:	Party:
Address: 9906 MC CRACKEN BLVD GARFIELD HTS 44125	997213	1967	/	DEM
	Precinct-Group	Style/No	ID Type	
	GAHT04C - 01	GAHT04C01	Driver License	
		D /0053		

M. Brown



ServerTS: 08/05/2021 10:56:26 Checked in at 08/03/2021 Oath Accepted: Y
18:12:06 by REATHA TOLLIVER

Name: KATHRINE ANN COLLINGWOOD	Voter ID	Birth Date:	Race/Gender:	Party:
Address: 10510 S HIGHLAND AVE GARFIELD HTS 44125	2189179	1987	/	DEM
	Precinct-Group	Style/No	ID Type	
	GAHT04C - 01	GAHT04C01	Driver License	
		D /0002		

Kathrine Ann Collingwood



ServerTS: 08/05/2021 10:42:14 Checked in at 08/03/2021 Oath Accepted: Y
07:00:58 by CECELIA SKINNER

Name: MELVIN L DAVIS	Voter ID	Birth Date:	Race/Gender:	Party:
Address: 10605 ELMWOOD AVE GARFIELD HTS 44125	878717	1973	/	DEM
	Precinct-Group	Style/No	ID Type	
	GAHT04C - 01	GAHT04C01	Driver License	
		D /0038		

Melvin Davis



ServerTS: 08/05/2021 10:44:40 Checked in at 08/03/2021 Oath Accepted: Y
16:18:55 by MARGO WILKERSON

Name: SHYAIRA LASHAY DAVIS	Voter ID	Birth Date:	Race/Gender:	Party:
Address: 10813 PENFIELD AVE GARFIELD HTS 44125	2468765	1992	/	DEM
	Precinct-Group	Style/No	ID Type	
	GAHT04C - 01	GAHT04C01	Driver License	
		D /0063		

Shyaira Lashay Davis



ServerTS: 08/05/2021 10:51:05 Checked in at 08/03/2021 Oath Accepted: Y
19:12:34 by CECELIA SKINNER



Petition for Board Review
17-year old candidate

William Yeung – Democratic County Central Committee Lakewood Ward 2 Precinct G

Issue: Candidate will not turn 18 years of age until after the May 3, 2022 election.

- Mr. Yeung birthday is May 26th.
- County Central Committee candidates are elected, not nominated, at the primary election.
- We have consulted with AP Musson and he concurs that Mr. Yeung’s age disqualifies him from constituting a “qualified elector” for purposes of this elected position.

ORC Section 3517.02 | Controlling committees of major or intermediate political party.

All members of controlling committees of a major political party shall be elected by direct vote of the members of the party, except as otherwise provided in section 3517.05 of the Revised Code. Their names shall be placed upon the official ballot, and, notwithstanding division (B) of section 3513.23 of the Revised Code, the persons receiving the highest number of votes for committee persons shall be the members of those controlling committees. **Each member of a controlling committee shall be a resident and qualified elector of the district, ward, or precinct that the member is elected to represent.** All members of controlling committees of a minor political party shall be determined in accordance with party rules.

Election Officials Manual - Election Day Voting Page 5 - 17 Year Old Voter

"Ohio law allows a 17-year-old voter who will be 18 years of age on or before the date of the next general election to vote in the primary election **solely on the nomination of candidates seeking election** and, in a presidential primary election, for Presidential convention delegates. This is because the 17-year-old voter will be eligible to vote for the nominees at the November general election."

As with every voter, a 17-year-old voter must be registered to vote and satisfy Ohio’s voter identification requirements.

Voters who are 17 years old as of the primary election are not permitted to vote on any of the following:

- State Party Central Committee
- County Party Central Committee
- Questions and Issues

Agenda Item #8

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Certification of Candidates to the May 3, 2022 Primary Election

Office	District	Name	Last Name	Party
County Executive	Countywide	Chris Ronayne	Ronayne	Democratic
County Executive	Countywide	Tariq Shabazz	Shabazz	Democratic
County Executive	Countywide	Lee Weingart	Weingart	Republican
Member of County Council District 1	County Council District 01	Nan A. Baker	Baker	Republican
Member of County Council District 1	County Council District 01	Patrick Kelly	Kelly	Democratic
Member of County Council District 3	County Council District 03	Martin J. Sweeney	Sweeney	Democratic
Member of County Council District 5	County Council District 05	Michael J. Gallagher	Gallagher	Republican
Member of County Council District 7	County Council District 07	Yvonne M. Conwell	Conwell	Democratic
Member of County Council District 9	County Council District 09	Marcia L. McCoy	McCoy	Democratic
Member of County Council District 9	County Council District 09	Meredith M. Turner	Turner	Democratic
Member of County Council District 9	County Council District 09	Patricia A. Young	Young	Democratic
Member of County Council District 11	County Council District 11	Sunny M. Simon	Simon	Democratic
Judge, 8th Dist. Court of Appeals FTC 1/1/2023	Countywide	Mary Eileen Kilbane	Kilbane	Democratic
Judge, 8th Dist. Court of Appeals FTC 1/2/2023	Countywide	Lisa Forbes	Forbes	Democratic
Judge, 8th Dist. Court of Appeals FTC 1/3/2023	Countywide	Kathleen Ann Keough	Keough	Democratic
Judge, 8th Dist. Court of Appeals FTC 2/9/2023	Countywide	Eileen A. Gallagher	Gallagher	Democratic
Judge, 8th Dist. Court of Appeals UTE 2/9/2027	Countywide	Cornelius J. O'Sullivan	O'Sullivan	Republican
Judge, 8th Dist. Court of Appeals UTE 2/9/2027	Countywide	Michael John Ryan	Ryan	Democratic
Judge, Court of Common Pleas (Domestic Relations Div.) FTC 1/13/2023	Countywide	Francine Goldberg	Goldberg	Democratic
Judge, Court of Common Pleas (Domestic Relations Div.) FTC 1/18/2023	Countywide	Diane M. Palos	Palos	Democratic
Judge, Court of Common Pleas (Domestic Relations Div.) FTC 1/19/2023	Countywide	Tonya R. Jones	Jones	Democratic
Judge, Court of Common Pleas (General Div.) FTC 1/11/2023	Countywide	Kelly Ann Gallagher	Gallagher	Democratic
Judge, Court of Common Pleas (General Div.) FTC 1/2/2023	Countywide	Steve Gall	Gall	Democratic
Judge, Court of Common Pleas (General Div.) FTC 1/3/2023	Countywide	Richard A. Bell	Bell	Democratic
Judge, Court of Common Pleas (General Div.) FTC 1/3/2023	Countywide	Tim Hess	Hess	Republican

Office	District	Name	Last Name	Party
Judge, Court of Common Pleas (General Div.)	Countywide	Peter J.	Corrigan	Democratic
Judge, Court of Common Pleas (General Div.)	Countywide	Sherrie	Miday	Democratic
Judge, Court of Common Pleas (General Div.)	Countywide	David T.	Matia	Democratic
Judge, Court of Common Pleas (General Div.)	Countywide	Mark R.	Majer	Republican
Judge, Court of Common Pleas (General Div.)	Countywide	Jeffrey P.	Saffold	Democratic
Judge, Court of Common Pleas (General Div.)	Countywide	Maureen	Clancy	Democratic
Judge, Court of Common Pleas (General Div.)	Countywide	Gina Marie	Crawford	Republican
Judge, Court of Common Pleas (General Div.)	Countywide	John J.	Russo	Democratic
Judge, Court of Common Pleas (General Div.)	Countywide	Hollie Lauren	Gallagher	Democratic
Judge, Court of Common Pleas (General Div.)	Countywide	Michael P.	Shaughnessy	Democratic
Judge, Court of Common Pleas (General Div.)	Countywide	Brian	Mooney	Democratic
Judge, Court of Common Pleas (General Div.)	Countywide	Joan	Synenberg	Republican
Judge, Court of Common Pleas (General Div.)	Countywide	Denise Joan	Salerno	Republican
Judge, Court of Common Pleas (General Div.)	Countywide	Deborah M.	Turner	Democratic
Judge, Court of Common Pleas (General Div.)	Countywide	Wanda C.	Jones	Republican
Judge, Court of Common Pleas (General Div.)	Countywide	Kevin J.	Kelley	Democratic
Judge, Court of Common Pleas (General Div.)	Countywide	Kenneth R.	Callahan	Republican
Judge, Court of Common Pleas (General Div.)	Countywide	Jennifer	O'Donnell	Democratic
Judge, Court of Common Pleas (Juvenile Div.)	Countywide	Pamela A.	Hawkins	Republican
Judge, Court of Common Pleas (Juvenile Div.)	Countywide	Anne C.	McDonough	Democratic
Judge, Court of Common Pleas (Juvenile Div.)	Countywide	Tracy Martin	Peebles	Democratic
Judge, Court of Common Pleas (Juvenile Div.)	Countywide	Retanio	Rucker	Democratic
Judge, Court of Common Pleas (Juvenile Div.)	Countywide	Joseph F.	Russo	Democratic
Judge, Court of Common Pleas (Juvenile Div.)	Countywide	Kristin W.	Sweeney	Democratic
Judge, Court of Common Pleas (Juvenile Div.)	Countywide	Nicholas J.	Celebrezze	Democratic

updated 2.8.22

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

2.11.22 4pr

Certification of Democratic Party County Central Committee Candidates for the May 3, 2022 Primary Election

Precinct	Name	Last Name
Bay Village-01- A	Gerald R.	Horning
Bay Village-01- B	Harriet M.	Gannon
Bay Village-01- C	Steve	Dever
Bay Village-01- C	Heather	Tuck Macalla
Bay Village-02- A	Robert	O'Malley
Bay Village-02- B	Tracy	Larson
Bay Village-02- C	Christine F.	Morscher
Bay Village-03- A	Walter	Halun
Bay Village-03- B	Mark	Baumgartner
Bay Village-04- A	Thomas P.	Ryan
Bay Village-04- B	Robert F.	Shields
Bay Village-04- C	Amanda J.	Sebrosky
Beachwood-00- A	Megan	Walsh
Beachwood-00- D	Steven	Egar
Beachwood-00- D	Shana R.	Wallenstein
Beachwood-00- E	Wendy	Leatherberry
Beachwood-00- F	Brooks	Berndt
Beachwood-00- H	Ella S.	Foster
Bedford Heights-01- A	Lloyd D.	Anderson
Bedford Heights-01- B	Beverly L.	Jackson
Bedford Heights-01- B	Phil	Stevens
Bedford Heights-02- A	Patricia	Cousley
Bedford Heights-02- A	Enid L.	Thomas
Bedford Heights-03- B	Fletcher	Berger
Bedford-01- A	Anne L.	McPherson
Bedford-02- A	John	Hardy
Bedford-04- A	Claudine	Trice
Bedford-04- B	Paula	Mizsak
Bedford-05- A	Michael A.	Rambert
Bedford-06- A	Donald A.	Saunders
Bentleyville-00- A	Marilyn M.	Wise
Berea-02- C	Bill	DeVito
Berea-04- B	Michael J.	Garn
Berea-05- A	Timothy	McCarthy
Bratenahl-00- A	Suzanne Bretz	Blum
Brecksville-00- A	Eben O.	McNair IV

Precinct	Name	Last Name
Brecksville-00- B	Ed	Kizys
Brecksville-00- C	Jennifer	McMillin
Brecksville-00- D	William J.	Day
Brecksville-00- E	Debbie	Bernauer
Brecksville-00- F	Fred	Pedersen
Brecksville-00- G	Merri	Gunzler
Brecksville-00- H	Joseph	Grandinetti
Brecksville-00- I	Mike	Westerberg
Brecksville-00- J	Rose	Petsche
Broadview Heights-01- A	Robert H.	Perko
Broadview Heights-01- B	William	Tarter Jr
Broadview Heights-02- B	Noah	Harshbarger
Broadview Heights-04- D	Roberto	Discenza
Brook Park-01- A	Brian J.	Walsh
Brook Park-02- C	Thomas W.	Dufour
Brook Park-03- C	John C.	Graham III
Brook Park-04- A	Richard A.	Salvatore
Brook Park-04- B	Anthony J.	D'Amico
Brooklyn-00- A	Elizabeth	Dregne
Brooklyn-00- B	Roy M.	Thiel
Brooklyn-00- C	Kathleen M.	Pucci
Brooklyn-00- D	Cy	Colvin
Brooklyn-00- E	Meg Ryan	Shockey
Brooklyn-00- G	Ruth A.	Scarbro
Brooklyn-00- H	Kevin	Tanski
Chagrin Falls-00- A	Anthony R.	Fossaceca
Chagrin Falls-00- C	Wendy	Davis
Cleveland Heights-01- B	Louise	Gerlak
Cleveland Heights-01- C	Jim	Petras
Cleveland Heights-01- D	Sally	Hanley
Cleveland Heights-01- E	Linda A.	Striefsky
Cleveland Heights-02- B	Melody Joy	Hart
Cleveland Heights-02- D	Stephen T.	Ingalls
Cleveland Heights-02- E	Marty	Gelfand
Cleveland Heights-02- F	Ditte	Wolin
Cleveland Heights-03- B	Joseph Buchwald	Gelles
Cleveland Heights-03- D	Michael	Bending
Cleveland Heights-03- E	Katherine G.	Petrey
Cleveland Heights-04- B	Alonzo	Holmes
Cleveland Heights-04- C	Leslie	White
Cleveland Heights-04- E	Julian	Rogers
Cleveland Heights-04- F	Robin	Koslen
Cleveland Heights-04- G	Harriet	Applegate
Cleveland Heights-04- H	Phil	Trimble
Cleveland Heights-04- I	Cheryl L.	Stephens

Precinct	Name	Last Name
Cleveland Heights-05- A	Tony	Cuda
Cleveland Heights-05- D	Ben F.	Fair Jr
Cleveland Heights-05- D	Octavia	Maxwell
Cleveland-01- A	Ada	Martin
Cleveland-01- B	Diane	Tate
Cleveland-01- C	Darryl J.	Billups
Cleveland-01- C	Laura L.	Brown
Cleveland-01- D	Connie	Abdul-Amin
Cleveland-01- D	Marcia L.	McCoy
Cleveland-01- E	Robin J.	Ryan
Cleveland-01- F	Aarodell G.	Bell
Cleveland-01- H	Johnnie L.	Swanson
Cleveland-01- H	Bernita Marie	Thomas
Cleveland-01- I	Estella	Robinson
Cleveland-01- J	Rita E.	Moore
Cleveland-01- L	Jana S.	Crosby
Cleveland-01- L	Veronica	McGhee
Cleveland-01- M	Gwendolyn	Norfleet
Cleveland-01- N	Yvonka M.	Hall
Cleveland-01- N	Pearl	Thompson
Cleveland-01- O	Michelle E.	Smith
Cleveland-01- P	James A.	Richards Jr
Cleveland-01- P	Major	Woodard
Cleveland-01- Q	Patricia	Baker Brown
Cleveland-01- Q	Aylwin S	Bridges
Cleveland-01- R	Sulesa	Harmon
Cleveland-01- S	Rameana	Foster
Cleveland-01- S	Janet	Williams
Cleveland-01- T	Andrea	Searcy
Cleveland-02- C	Derek J	Bishop Sr
Cleveland-02- D	Kenn	Johnson
Cleveland-02- F	Joyce E.	Hood
Cleveland-02- G	Derek B.	Hunter
Cleveland-02- H	Robert	Williams Jr
Cleveland-02- I	Debra	Lewis-Curlee
Cleveland-02- J	Sandra	Bishop
Cleveland-02- K	G. Deloris	Savage
Cleveland-02- L	Marjorie	Mathis Chambers
Cleveland-02- N	Calvin	Reid
Cleveland-02- O	Tanya M.	Holmes
Cleveland-02- P	W. Dean	Hudson
Cleveland-02- U	Ricard T.	Wallace
Cleveland-02- V	Lisa	Sullivan
Cleveland-03- B	Ellen	Kubit
Cleveland-03- B	Andy	Schumann

Precinct	Name	Last Name
Cleveland-03- C	Sara	Elaqad
Cleveland-03- C	Scott	Skinner
Cleveland-03- D	Paula J.	Kampf
Cleveland-03- E	Karen	Connavino
Cleveland-03- E	Chris	Martin
Cleveland-03- F	Frederick J.	Calatrello
Cleveland-03- G	Richard	Clark
Cleveland-03- H	Allen P.	Shepherd
Cleveland-03- I	Matthew	Ahn
Cleveland-03- J	Krissie	Wells
Cleveland-03- K	Brooke	Willis
Cleveland-03- L	Adam	Fishman
Cleveland-03- L	Richard	Pryor III
Cleveland-03- O	John M.	Moss
Cleveland-03- P	Joseph R.	Rider
Cleveland-04- A	Ervin D.	Aniton
Cleveland-04- B	Regina J.	Burton
Cleveland-04- D	Benne	Christian
Cleveland-04- D	Jabril J	Shabazz
Cleveland-04- E	Tracy M.	Legg-Deforest
Cleveland-04- F	Audrianna V.	Rodriguez
Cleveland-04- G	Lois	Henry
Cleveland-04- H	Ashley R.	Evans
Cleveland-04- K	Marion Anita	Gardner
Cleveland-04- K	Deidra	Pearson
Cleveland-04- L	Luadrie	Turner
Cleveland-04- L	Erick	Walker
Cleveland-04- O	Crystal	Smith
Cleveland-04- Q	Peggy	Gallagher
Cleveland-04- R	Thomas	McNair
Cleveland-04- R	Diane A.	Merriweather
Cleveland-04- R	Eunice	Rudolph Jones
Cleveland-04- S	Mary	Norris-Pack
Cleveland-04- U	Lashorn K.	Caldwell
Cleveland-05- A	Anita	Savage
Cleveland-05- B	Tamika	Billips
Cleveland-05- C	Jahad	Fruits
Cleveland-05- E	Hope	Crump
Cleveland-05- G	Delores L.	Gray
Cleveland-05- H	Pernel	Jones Jr
Cleveland-05- I	Latia	Taylor
Cleveland-05- J	Sharena L.	Zayed
Cleveland-05- L	Gwendolyn	Garth
Cleveland-05- L	Cassandra	Gordon
Cleveland-05- M	Barbara M.	Daniel

Precinct	Name	Last Name
Cleveland-05- M	Beverly L.	Owens
Cleveland-05- N	Vanessa	Camp
Cleveland-05- N	Prisicella N.	Fayne
Cleveland-05- P	Aja	Pope
Cleveland-05- R	Joe	Schwarten
Cleveland-05- R	Andrea R.	Underwood
Cleveland-05- S	Andrea C.	Gray
Cleveland-06- A	Malik	Bailey
Cleveland-06- B	Valarie J.	McCall
Cleveland-06- C	Janae	Hambrick
Cleveland-06- E	Wanda J.	Hill-Chestnut
Cleveland-06- F	Myra	Simmons
Cleveland-06- G	Lavitta	Murray
Cleveland-06- G	Gary A.	Sardon
Cleveland-06- H	Debra	Wilson
Cleveland-06- J	Barbara A.	Brown
Cleveland-06- K	Deborah J.	Landrum
Cleveland-06- L	Tyra	Hollaman
Cleveland-06- M	Verna J.	Daniels
Cleveland-06- N	Marilyn	Burns
Cleveland-06- O	Gabriella	Rosalina
Cleveland-06- R	Diane	Pride-Mays
Cleveland-06- S	Johnnie M.	Spates
Cleveland-06- T	Robert L.	Render III
Cleveland-06- U	Patricia M.	Choby
Cleveland-06- U	Laura	Cyrocki
Cleveland-07- A	Hannah	Black
Cleveland-07- D	Wanda	Finley
Cleveland-07- D	Mark	Saxon
Cleveland-07- G	Valerie	Daniels
Cleveland-07- G	Delores G.	Ford
Cleveland-07- G	Annie	Murrell
Cleveland-07- H	Jeff	Mixon
Cleveland-07- I	Ollian	Sherrill
Cleveland-07- K	Leon	Meredith
Cleveland-07- L	Timothy	Bennett Sr
Cleveland-07- L	Sharon Y.	Moore
Cleveland-07- M	Michael	Seals
Cleveland-07- N	Judith	Love
Cleveland-07- O	Vickie	Johnson
Cleveland-07- P	Gloria	Duncan
Cleveland-07- Q	Mary	Smith
Cleveland-07- R	James Allen	Baker
Cleveland-07- S	Yvonne	Ball
Cleveland-07- T	Deontaez	Jones

Precinct	Name	Last Name
Cleveland-07- T	Patricia D.	Williams
Cleveland-07- V	Timothy	Clymer
Cleveland-07- W	Isaac	Roe Jr
Cleveland-08- A	Angel M.	Washington
Cleveland-08- B	Keisha M.	Dean
Cleveland-08- C	Michelle A.	Kenney
Cleveland-08- C	Gregory W.O.	Pollard
Cleveland-08- G	Stephanie	Pope-Earley
Cleveland-08- I	Evie	DuVernay
Cleveland-08- J	John	Farina
Cleveland-08- J	Michael	Troha
Cleveland-08- K	Crystal A.	Simpson Williams
Cleveland-08- L	Jacinto	Cuellar
Cleveland-08- M	Willie Lewis	Britt
Cleveland-08- O	Gregory E.	Wheeler Jr
Cleveland-09- A	Lashon	Carson
Cleveland-09- B	Patricia A.	Taylor
Cleveland-09- C	Byron A.	Coats
Cleveland-09- D	Clareta M.	Fisher
Cleveland-09- E	Leon	Stevenson
Cleveland-09- F	Michael	Ricks
Cleveland-09- G	Martha	Thomas
Cleveland-09- H	Kevin	Conwell
Cleveland-09- H	Courtney L.	Green
Cleveland-09- I	Cheryl L.	Benson
Cleveland-09- J	Clarissa	Russell
Cleveland-09- J	Cynthia	Smith
Cleveland-09- K	Tabatha Zenovia	Ivory
Cleveland-09- L	Stanley L.	McBee
Cleveland-09- M	Samuel U.	Orr
Cleveland-09- N	Camilla	Williams
Cleveland-09- O	C. Moneak	Jones
Cleveland-09- Q	Paquita R.	Edwards
Cleveland-09- R	Dwayne	Cheeks
Cleveland-09- S	Sharon	Wyatt
Cleveland-09- U	Lorenzo D.	Willis III
Cleveland-09- W	Deborah	Ellis
Cleveland-09- X	Patricia	Warren
Cleveland-10- B	Jerrold F.	Strong
Cleveland-10- C	Mary N.	Fayne
Cleveland-10- F	Consuella	Exum
Cleveland-10- J	Karnell	Johnson
Cleveland-10- M	Danita L.	Battle
Cleveland-10- N	Carolyn D.	Jones-Smith
Cleveland-10- O	Freddie	Moore

Precinct	Name	Last Name
Cleveland-10- Q	Denise	Ferguson
Cleveland-10- R	Roosevelt	Coats
Cleveland-10- T	Shirley	Thompson
Cleveland-10- U	Ethel M.	Moore
Cleveland-10- V	Aisia A.	Jones
Cleveland-10- V	Delrico	McDonald
Cleveland-11- A	Norma K.	Chapman
Cleveland-11- A	Andrea	Walker
Cleveland-11- B	Michael	Hardy
Cleveland-11- E	Vonda	Van Farowe
Cleveland-11- F	Pamelina	Rose
Cleveland-11- G	Barbara C.	Rogers
Cleveland-11- H	Deborah	Kline
Cleveland-11- J	Megan	Alabaugh
Cleveland-11- J	David W.	Stack
Cleveland-11- K	Stefan Karl Matthaesus	Knaack
Cleveland-11- L	James	Green
Cleveland-11- O	Neil	Rupright
Cleveland-11- P	Donna J.	Woods
Cleveland-12- A	Amy	Kling
Cleveland-12- B	Ann M. B.	Kuula
Cleveland-12- D	Matthew	Cawley
Cleveland-12- G	David A.	Green
Cleveland-12- J	Thomasine	Jenkins
Cleveland-12- N	Teleange T.	Thomas
Cleveland-12- O	Rosemary A.	Palmer
Cleveland-12- P	Edwin	Reyes
Cleveland-12- Q	Anthony G.	Evans Jr
Cleveland-12- R	Dale A.	Smith
Cleveland-12- S	Richard A.	Sosenko
Cleveland-13- A	Elizabeth	Kelley
Cleveland-13- B	Shanese	Alexander
Cleveland-13- C	Janet	Montoya
Cleveland-13- E	Pablo	Santiago
Cleveland-13- F	Michelle	Molzan Traska
Cleveland-13- H	Kate	Warren
Cleveland-13- H	Cheryl M.	Wiltshire
Cleveland-13- K	John	Carlino
Cleveland-13- L	Vicki	Sandell
Cleveland-13- M	Alan R C	Raventree
Cleveland-13- N	Elizabeth	Pangrace
Cleveland-13- O	William	Shostrand
Cleveland-14- A	Gordon	Martin
Cleveland-14- A	Francisco	Santiago
Cleveland-14- B	Justin	Henton

Precinct	Name	Last Name
Cleveland-14- B	Mikki	Smith
Cleveland-14- C	Salathiel	Carter
Cleveland-14- C	Frank	Johanek
Cleveland-14- C	Laura	McShane
Cleveland-14- D	Rick	Nagin
Cleveland-14- F	Diane	Morgan
Cleveland-14- G	Julia	Smith
Cleveland-14- H	Maiya	McCoy
Cleveland-14- H	Sandra	Smith
Cleveland-14- I	Kivin	Bauzo
Cleveland-14- J	Jasmin	Santana
Cleveland-14- K	Rodney	Lewallen
Cleveland-14- L	Jane	Doherty
Cleveland-14- M	Thomas	Stebel
Cleveland-14- O	Carmen	Negron
Cleveland-15- A	Jan	Roller
Cleveland-15- B	Angela	Shuckahosee
Cleveland-15- C	Melanie A.	Shakarian
Cleveland-15- E	Morgan	Taggart
Cleveland-15- F	Alicia	Kirkman
Cleveland-15- G	Luciana	Salles
Cleveland-15- H	Matthew M.	Thomas
Cleveland-15- H	Susan	Zimmerman
Cleveland-15- J	Chad	Jones
Cleveland-15- J	Anne	Tillie
Cleveland-15- K	Grace	Heffernan
Cleveland-15- M	Camilo	Villa
Cleveland-15- N	Steven J.	Charron Jr
Cleveland-15- N	Abbe	Demaio
Cleveland-15- O	Aaron J.	Young
Cleveland-15- P	Adam	Rosen
Cleveland-15- Q	Kyle	Weigand
Cleveland-15- Q	Tessa	Xuan
Cleveland-15- R	Jonathan	Steirer
Cleveland-16- B	Dawn	Kazy
Cleveland-16- C	Shannon	Dorvinen
Cleveland-16- H	William	Messina
Cleveland-16- J	Catherine	Reichel
Cleveland-16- K	Toni	House
Cleveland-16- L	Michael A.	Maughan
Cleveland-16- M	Janet	Fedarko
Cleveland-16- N	Teresa	Stark
Cleveland-16- N	Jenna	Thomas
Cleveland-16- P	David	Brock
Cleveland-17- C	KC	Petratis

Precinct	Name	Last Name
Cleveland-17- D	Valerie	Jerome
Cleveland-17- F	Nathaniel J.	Lull
Cleveland-17- F	Kyle	Zimmerle
Cleveland-17- G	Colleen	Cannon
Cleveland-17- H	Murray J.	Evans
Cleveland-17- I	Olivia	Houck
Cleveland-17- K	Nicholas	Aylward
Cleveland-17- O	Nora C.	Kelley
Cleveland-17- P	Michael	Cannavino
Cleveland-17- P	John	Henry
Cleveland-17- Q	Carl J.	Mazzone
Cleveland-17- Q	Christine M.	Przybysz
Cleveland-17- R	John	Myers
East Cleveland-02- B	Patricia A.	Blochowiak
East Cleveland-02- D	Juanita	Gowdy
East Cleveland-03- A	Nathaniel	Martin
East Cleveland-03- C	William	Fambrough
East Cleveland-03- C	Mary Ann	Harris
East Cleveland-03- D	Lateek R.	Shabazz
East Cleveland-04- A	Cassandra	Reeves
East Cleveland-04- B	Shirley A.	Fitzpatrick
East Cleveland-04- C	Twon	Billings
East Cleveland-04- E	Justyn B.	Anderson
Euclid-01- A	Wallace	Tanner
Euclid-01- B	Pamela	Gray Mason
Euclid-01- C	Mary Beth	Schwarz
Euclid-01- D	Reginald	Maxton
Euclid-01- E	Jackie	Gallagher
Euclid-02- C	Richard	Tolton
Euclid-02- D	Keli A.	Keyes
Euclid-02- D	Richard T.	Montgomery II
Euclid-03- A	Evan	Botzki
Euclid-03- C	Dontea T.	Gresham
Euclid-03- D	Sarahita	Paige-Lee
Euclid-03- E	Taneika L.	Hill
Euclid-04- A	Kristian	Jarosz
Euclid-04- D	Ossie Mae	Neal
Euclid-04- E	Susanne	Hamblin
Euclid-05- A	Susan L.	McGinn
Euclid-05- B	Charlene	Mancuso
Euclid-05- C	Christine	McIntosh
Euclid-05- D	Kent	Smith
Euclid-05- E	Emily G.	Holody
Euclid-06- A	Kristine M.	Fondran
Euclid-06- B	Kathy	Benda

Precinct	Name	Last Name
Euclid-06- C	Diane M.	Cickavage
Euclid-06- D	Daniel	Burns
Euclid-06- E	Cindy L.	Brocone
Euclid-07- A	Larry D.	Williams
Euclid-07- D	Maria Eva	Jukic
Euclid-08- A	Schuyler M.	Cook
Euclid-08- B	Charlene	Johnson
Euclid-08- C	Howard B.	Drake Sr
Euclid-08- D	Angela K.	Steele
Euclid-08- E	Nichole	Johnson
Fairview Park-03- A	Kimberly	Mann
Fairview Park-03- C	Bradley	Schaefer
Fairview Park-05- B	Rick	Raley
Garfield Heights-01- A	Stacey	Collier
Garfield Heights-01- C	Ronda	Crayton
Garfield Heights-01- C	Mike	Dudley
Garfield Heights-02- A	Darrell	Whaples
Garfield Heights-02- C	Charles F.	Donahue Jr
Garfield Heights-02- C	Tenisha	Mack
Garfield Heights-03- A	Michael T.	Nenadovich
Garfield Heights-03- A	Mark	Smith
Garfield Heights-03- B	Richard C.	Makowski Sr
Garfield Heights-04- A	Beth	Dikowicz
Garfield Heights-04- B	Gregory J.	Lakota
Garfield Heights-04- C	Avery	Johnson
Garfield Heights-05- A	Marlene	Kalish
Garfield Heights-05- B	Jason X.	Blake
Garfield Heights-06- A	Dwayne E	Shortt
Garfield Heights-06- B	Renae	Bolton
Garfield Heights-06- B	Frank J.	Wagner
Garfield Heights-06- C	Jennifer R.	Burke
Garfield Heights-07- A	Traci	Murowsky
Garfield Heights-07- B	Belinda Warren	Dunning
Garfield Heights-07- C	Tom	Vaughn
Glenwillow-01- A	Alison	Bashian
Highland Heights-04- B	Ebony	Spano
Highland Hills-00- A	Michael L.	Booker
Independence-00- A	Dawn	Corrigan
Independence-00- B	Thomas E.	Day Jr
Independence-00- C	Kurt	Richards
Independence-00- D	Jill	Wagner
Independence-00- E	Christine A.	Krol
Lakewood-01- A	Kyle G.	Baker
Lakewood-01- B	Laura	Rodriguez -Carbone
Lakewood-01- C	Lindsey	Grdina

Precinct	Name	Last Name
Lakewood-01- D	Teresa	Schleicher
Lakewood-01- E	Kevin	Smith
Lakewood-01- E	Gayle	Wellman
Lakewood-01- F	Debbie	Berry
Lakewood-01- G	Thomas	Mulready
Lakewood-01- I	David L.	Robar
Lakewood-02- A	Molly	Crowe
Lakewood-02- B	Evan	Filipek
Lakewood-02- C	Charles P.	Shaughnessy
Lakewood-02- D	Glenn R.	Campbell
Lakewood-02- E	Colleen	Van Lear
Lakewood-02- F	Wynne T.	Antonio
Lakewood-02- G	Bonnie	Sikes
Lakewood-02- H	Angelina	Steiner
Lakewood-02- I	Troy	Bratz
Lakewood-03- A	Jeanne N.	Mackay
Lakewood-03- A	Michael P.	Summers
Lakewood-03- B	Colin	McEwen
Lakewood-03- C	Cynthia	Strebig
Lakewood-03- H	Meghan F.	George
Lakewood-03- I	Maureen	Dostal
Lakewood-04- B	Mike	Normile
Lakewood-04- C	Stephen F.	Bennett
Lakewood-04- E	Keith A.	Dewey
Lakewood-04- H	Cindy	Marx
Lakewood-04- I	Erik F.	Meinhardt
Linndale-00- A	Ashlee	McLaughlin
Lyndhurst-01- A	Catherine	Covarrubias
Lyndhurst-02- B	Andrea	LoPresti
Lyndhurst-03- A	Faye	Smith Alexander
Lyndhurst-03- B	Vicki	Winner
Lyndhurst-03- C	Tina	Tricarichi
Lyndhurst-04- C	Sally A.	Lang
Maple Heights-01- A	Stafford L.	Shenett
Maple Heights-02- A	Rosalind	Moore
Maple Heights-03- A	Michele	Rudolph
Maple Heights-04- A	Ron	Jackson
Maple Heights-06- A	Tina	Marbury
Maple Heights-07- C	Edwina K.	Agee
Mayfield Heights-00- D	Karen L.	O'Connor
Mayfield Heights-00- I	Michael D.	Okrent
Mayfield Village-04- A	Maureen	Washock
Moreland Hills-00- C	Stephanie K.	Thomas
Newburgh Heights-00- A	Dorene B.	Kray
North Olmsted-01- A	Tom	Ostromeck

Precinct	Name	Last Name
North Olmsted-02- A	Brian	Hall
North Olmsted-02- B	Patrick	Kelly
North Olmsted-02- C	Chris	Glassburn
North Olmsted-02- D	Anita L.	Gangidine
North Olmsted-03- B	John	Berichon
North Olmsted-03- C	Lila Kathleen	Narney
North Olmsted-03- F	John	Holian
North Olmsted-04- A	Brian M.	Fallon
North Olmsted-04- C	Timothy L.	Szabo Sr
North Royalton-01- B	Jackie	Arendt
North Royalton-02- A	Courtney	Scheff
North Royalton-02- B	Richard	Ksiazka
North Royalton-02- C	Elizabeth	Hohenfeld
North Royalton-03- C	Chris	DePiero
North Royalton-03- D	Michael J.	Langshaw
North Royalton-04- A	Michael J.	Shingary
North Royalton-04- B	Thomas	Blaszczak
North Royalton-05- D	Megan	Molnar
North Royalton-06- B	Rebekah	Kelly
North Royalton-06- C	Robert	Stefanik
North Royalton-06- D	Raymond	Habian
Oakwood-03- A	Danielle M.	Turner Birch
Olmsted Falls -02- A	Holly	Neumann
Olmsted Falls -03- B	Megan	Coy
Olmsted Township-00- A	Beth	Danz
Olmsted Township-00- B	Mary	Vedda
Olmsted Township-00- C	Andrea T.	Day
Olmsted Township-00- D	Curtis M.	Kozak
Olmsted Township-00- E	Andrew	Somerville
Olmsted Township-00- F	Ralph	Bertonaschi
Olmsted Township-00- G	Riley Armstrong	Alton
Olmsted Township-00- I	Barbara	Folds
Orange-00- A	Fran	Dryer
Parma Heights-01- A	Lisa	Maruschak
Parma Heights-01- B	Allison	McCall
Parma Heights-01- C	Joseph E.	Sebes
Parma Heights-02- A	Ronald	Karpus III
Parma Heights-02- B	Thomas	Moran
Parma Heights-03- A	Richard A.	Sidoti
Parma Heights-03- B	Robert P.	Sepik
Parma Heights-03- C	Renee M.	Siska
Parma Heights-04- A	John G.	Wintrich
Parma Heights-04- B	Karen Marie	Jaye
Parma Heights-04- C	Angela	Marvin
Parma-01- A	Daniel P.	McCarthy

Precinct	Name	Last Name
Parma-01- C	Sonja R.	Renzenbrink
Parma-01- E	Michelle P.	Eck
Parma-02- A	Kelly L.	Scheiman
Parma-02- B	Michael	Cristino
Parma-02- C	Christopher A.	Knebusch
Parma-02- D	Ronald O.	Brown
Parma-02- E	Deborah A.	Lime
Parma-03- A	Mark C.	Casselberry
Parma-03- B	Traci	James
Parma-03- C	Rory P.	Jech
Parma-03- D	Jeremy	Jusek
Parma-03- F	Daniel	Salloum
Parma-04- B	Tom	Miller
Parma-04- C	Rose	Dunn
Parma-04- D	J. Michael	Robertson
Parma-04- E	Allesan	Armstrong
Parma-05- A	Jeffrey W.	Sopko
Parma-05- B	Steven	Frammartino
Parma-05- C	Bob	English
Parma-05- D	Timothy J.	DeGeeter
Parma-05- E	Cyndee	Bratz
Parma-06- A	Allison	Kokely
Parma-06- E	Crystal	Whipkey
Parma-06- F	George	Mastrobuono Jr
Parma-07- A	Jack C.	Krise Jr
Parma-07- B	Mickey	Vittardi
Parma-07- C	Amy	Kwiatkowski
Parma-07- D	Ken	Ramser
Parma-08- A	Amanda Lin	Boyd
Parma-08- B	John A.	Visnauskas
Parma-08- D	Linda	Kohar
Parma-09- A	Richard	Madal
Parma-09- C	Andy	Schofield
Parma-09- D	Jeffrey A.	Crossman
Parma-09- E	Martin J.	Kilbane
Parma-09- F	Roy J.	Jech
Pepper Pike-00- A	Beth	Dery
Pepper Pike-00- B	Cynthia	Demsey
Pepper Pike-00- C	Paula	Dreyfuss
Richmond Heights-01- A	Kim	Thomas
Richmond Heights-02- A	Tony	Minor
Richmond Heights-03- A	Cassandra A.	Nelson
Richmond Heights-03- B	Frederick M.	Cash
Richmond Heights-03- C	Angela D.	Young
Richmond Heights-04- A	Anita G.	Blackwell

Precinct	Name	Last Name
Richmond Heights-04- A	Sheena	Levy
Richmond Heights-04- B	Nneka	Slade Jackson
Rocky River-01- A	John Patrick	Zuercher
Rocky River-02- A	Katie	Abell
Rocky River-02- B	Kimberly T.	Cook
Rocky River-02- D	Maureen	DeVito
Rocky River-02- D	Darryl	Forest
Rocky River-03- A	Jeanne P.	Gallagher
Rocky River-03- B	Michael W.	O'Neil
Rocky River-03- C	Patrick J.	O'Connor
Rocky River-03- D	Robert E.	McRae
Rocky River-03- D	Holly	Pangrace
Rocky River-04- B	Melissa	Holman
Rocky River-04- C	Lisa	Majeski
Rocky River-04- D	Patricia A.	Sharkey
Seven Hills-01- A	Leslie	Stager
Seven Hills-01- B	Eric K.	Radney
Seven Hills-02- A	Ronald W.	Durkin
Seven Hills-02- B	William D.	Mason
Seven Hills-03- A	Mary Marta	Snitzky
Seven Hills-03- B	Debbie	McCafferty
Seven Hills-04- A	Ryan	Miday
Seven Hills-04- A	David	Sporar
Seven Hills-04- B	Gerald A.	Trafis
Shaker Heights-00- A	Patricia C.	Carter
Shaker Heights-00- B	Rob	Zimmerman
Shaker Heights-00- C	Nina	McLellan
Shaker Heights-00- C	Helen M.	Sheehan
Shaker Heights-00- D	John H.	Lawson
Shaker Heights-00- E	Ifeolu A.C.	Claytor
Shaker Heights-00- E	Kent A.	Whitley
Shaker Heights-00- E	Tracy Glover	Williams
Shaker Heights-00- F	David	Owens
Shaker Heights-00- G	Carmella	Williams
Shaker Heights-00- H	Patricia Ann	Solomon
Shaker Heights-00- I	Lisa Payne	Jones
Shaker Heights-00- I	Larry D.	Tatum
Shaker Heights-00- J	Gloria	Nance
Shaker Heights-00- J	Cullen	Patel
Shaker Heights-00- K	Angela W.	Harrell
Shaker Heights-00- L	Andrea B.	Mindell
Shaker Heights-00- M	Ben	Becker
Shaker Heights-00- M	Karen L.	Burke
Shaker Heights-00- M	Richard A.	Schiller
Shaker Heights-00- N	Elaine	Gohlstin

Precinct	Name	Last Name
Shaker Heights-00- O	Peter	Hoffman
Shaker Heights-00- O	Sherrie	Mathews Sullivan
Shaker Heights-00- P	Susan	Reis
Shaker Heights-00- Q	Jane R.	Buder Shapiro
Shaker Heights-00- Q	Sam	Klein
Shaker Heights-00- R	Carl	Kelemen
Shaker Heights-00- R	Mary H.	Partin
Shaker Heights-00- S	Susannah	Muskovitz
Shaker Heights-00- T	Anne E.	Williams
Shaker Heights-00- U	Carla	Fann
Solon-02- B	Craig M.	Lindell
Solon-03- A	Tom	Jackson
Solon-04- A	Gayle I.	Horwitz
Solon-04- B	David V.	Repko
Solon-04- C	Ashlie Case	Sletvold
Solon-05- A	Nancy E.	Meany
Solon-06- B	Chris	Mathews
Solon-07- A	Phil	Robinson
South Euclid-01- A	Ruth I.	Gray
South Euclid-01- B	Sunny M.	Simon
South Euclid-01- C	Madelon	Watts
South Euclid-02- C	Justin A.	Tisdale
South Euclid-02- D	Michael	Leone
South Euclid-03- A	Cheryl	McKnight
South Euclid-03- B	Denise A.	Turner
South Euclid-03- C	Juan A.	Goodwin
South Euclid-03- C	Emily	Koritz
South Euclid-03- D	Elliot	Forhan
Strongsville-01- A	Patricia Lynn	Gordon
Strongsville-01- C	Thomas R.	Smith
Strongsville-01- D	Matt	Patten
Strongsville-01- F	Sara	Patrick
Strongsville-02- B	David L.	Dushaw
Strongsville-02- B	Beverly	Masek
Strongsville-02- E	Dennis	Lewis
Strongsville-02- I	Nancy S.	Pazelt
Strongsville-03- A	Craig	Hartman
Strongsville-03- C	Ursula	Hays
Strongsville-03- C	Walter P.	O'Malley
Strongsville-03- D	Kelly A.	Kosek
Strongsville-03- F	William Howard	Franklin
Strongsville-04- B	Joseph C.	DeMio
Strongsville-04- F	Jason M.	Bringman
Strongsville-04- G	Kevin T.	Wilson
University Heights-00- A	Chris	Myrick

Precinct	Name	Last Name
University Heights-00- A	Winifred	Weizer
University Heights-00- B	Ketti	Finneran
University Heights-00- B	Annie L.	Rawlinson
University Heights-00- C	Shawn A.	Belt
University Heights-00- C	Greg	Levy
University Heights-00- C	Susan D.	Pardee
University Heights-00- D	John P.	Rach
University Heights-00- E	Barbara	Blankfeld
University Heights-00- F	Stephen	Wertheim
University Heights-00- G	Renee	Morrell
University Heights-00- H	Ronald	Collier
University Heights-00- I	Shawn M.	Fink
Valley View-00- B	Frank	Mahnic Jr
Walton Hills-00- A	Raymond A.	Weeden
Walton Hills-00- B	Barbara J.	Parks
Warrensville Hts-02- A	Deborah A.	Hill
Warrensville Hts-02- B	Wendy McGhee	Jones
Warrensville Hts-03- A	Renee D.	Strong
Warrensville Hts-03- A	Patricia A.	Young
Warrensville Hts-04- A	Walter	Stewart
Warrensville Hts-05- A	Lea	Jones
Warrensville Hts-05- B	Beatrice	Jefferson
Warrensville Hts-06- A	Barbara	Levert
Warrensville Hts-07- B	Melissa L.	Sanders
Westlake-01- C	Peggy	Cleary
Westlake-02- D	Hugo R.	Urizar
Westlake-03- B	Clare Smith	Long
Westlake-04- B	Todd N.	LeVeck
Westlake-05- D	Wendy	Gierowski
Westlake-06- B	Susan Moran	Palmer
Westlake-06- D	Colleen	Gallagher

Certification of Issues for the May 3, 2022 Primary Election

School/Library/Special Issues

NORTH OLMSTED CITY SCHOOL DISTRICT **Proposed Bond Issue and Tax Levy**

Shall the North Olmsted City School District be authorized to do the following:

(1) Issue bonds for the purpose of constructing, furnishing and equipping a new elementary school building and otherwise improving school district buildings and facilities and acquiring, clearing, improving and equipping their sites in the principal amount of \$58,000,000, to be repaid annually over a maximum period of 37 years, and levy a property tax outside the ten-mill limitation, estimated by the County Fiscal Officer to average over the bond repayment period 2.8 mills for each one dollar of tax valuation, to pay the annual debt charges on any notes issued in anticipation of those bonds?

(2) Levy an additional property tax to provide funds to pay for current operating expenses at a rate not exceeding 5 mills for each one dollar of taxation, which amounts to 50 cents for each one hundred dollars of tax valuation, for a continuing period of time?

Municipal Issues

CITY OF BRECKSVILLE **Proposed Zoning Amendment**

Shall the zoning map of the City of Brecksville be amended to change the classification of PP# 602-13-017 and 602-13-018 located at 10909 Chippewa Road from R-20 Single Family District to O-B Office Building District?

CITY OF BRECKSVILLE **Proposed Zoning Amendment**

Shall the zoning map of the City of Brecksville be amended to change the classification of PP# 601-33-002 and 601-33-003 located at 8997 Highland Drive Road from R-8 Single Family District to C-F Community facilities District?

CITY OF BROADVIEW HEIGHTS **Proposed Charter Amendment**

Shall Article XI, section 2 of the Charter of the City of Broadview Heights be amended to increase from 4.2 mills to 5.8 mills for each one dollar of tax valuation the rate of tax the taxing authority can levy annually, to provide funds to pay costs of operating, and providing necessary facilities and equipment for a full-time fire and emergency medical service, including debt charges on any securities issued for such facilities and equipment, commencing in 2022, first due in calendar year 2023?

VILLAGE OF CHAGRIN FALLS

Referendum (by Petition) Referendum on Ordinance 2021-24

Shall Ordinance No. 2021-24 of the Village of Chagrin Falls amending the Planning and Zoning Code Section 1135.02(a)(1) to permit limited retail sales or services within office buildings, and to further amend Section 1135.02(a)(1) to add a new subsection (B) to limit the amount of retail sales or retail services permitted in multi-tenant office buildings be adopted?

CLEVELAND -15-G

Local Liquor Option

Shall the sale of wine and mixed beverages be permitted for sale on Sunday between the hours of ten a.m. and midnight by REALTOP INC, an applicant for a D-6 liquor permit who is engaged in the business of a beverages store at 8901 Madison Avenue, Cleveland, OH 44102 in this precinct?

CLEVELAND -05-H

Local Liquor Option

Shall the sale of wine and mixed beverages be permitted for sale on Sunday between the hours of ten a.m. and midnight by Adi, Inc., dba Aldi #66, an applicant for a D-6 liquor permit who is engaged in the business of operating a grocery store at 7500 Euclid Avenue, Cleveland, OH 44103 in this precinct?

CLEVELAND -14-I

Local Liquor Option

Shall the sale of wine and mixed beverages be permitted for sale on Sunday between the hours of ten a.m. and midnight by A & M Beverage Inc dba Fulton Beverage, an applicant for a D-6 liquor permit who is engaged in the business of operating a convenience store at 3335 Fulton Road, Cleveland, OH 44109 in this precinct?

EUCLID -05-A

Local Liquor Option

Shall the sale of wine and mixed beverages be permitted for sale on Sunday between the hours of ten a.m. and midnight by Adi, Inc., dba Aldi Inc.40, an applicant for a D-6 liquor permit who is engaged in the business of operating a grocery store at 22300 Lakeshore Blvd, Euclid, OH 44123 in this precinct?

VILLAGE OF MAYFIELD VILLAGE

Proposed Zoning Amendment

Shall Chapter 1175 of the Codified Ordinances of the Village of Mayfield, entitled Beta Core Commercial District Overlay, be enacted and the Zone Map of the Village of Mayfield be amended so as to overlay the Beta Core Commercial District over certain properties located on Beta Drive?

CITY OF NORTH ROYALTON

Proposed Tax Levy (Replacement)

A replacement of a tax for the benefit of the City of North Royalton for the purpose of providing emergency medical service at a rate not exceeding 1.7 mills for each one dollar of valuation, which amounts to 17 cents for each one hundred dollars of valuation, for a period of five years, commencing in 2022, first due in calendar year 2023.

SHAKER HEIGHTS -00-N

Local Liquor Option

Shall the sale of beer, wine and mixed beverages, and spirituous liquor be permitted by Mendel's Kansas City BBQ L.L.C., dba Mendel's Kansas City BBQ, an applicant for a D1, D2, and D3 liquor permits, who is engaged in the business of operating a restaurant at 20314 Chagrin Boulevard, Shaker Heights, OH 44122 in this precinct?

SHAKER HEIGHTS -00-N
Local Liquor Option

Shall the sale of wine and mixed beverages and spirituous liquor be permitted for sale on Sunday between the hours of ten a.m. and midnight by Mendel's Kansas City BBQ, L.L.C., dba Mendel's Kansas City BBQ, an applicant for a D-6 liquor permit who is engaged in the business of operating a restaurant at 20314 Chagrin Boulevard, Shaker Heights, OH 44122 in the precinct?

SHAKER HEIGHTS -00-N
Local Liquor Option

Shall the sale of beer, wine and mixed beverages, and spirituous liquor be permitted by Midnight Owl Brewing Company, L.L.C., dba Midnight Owl Brewing Company, an applicant for an A1A liquor permit, who is engaged in the business operating a restaurant/brewery at 20312 Chagrin Boulevard, Shaker Heights, OH 44122 in this precinct?

SHAKER HEIGHTS -00-N
Local Liquor Option

Shall the sale of wine and mixed beverages and spirituous liquor be permitted for sale on Sunday between the hours of ten a.m. and midnight by Midnight Owl Brewing Company, L.L.C., dba Midnight Owl Brewing Company, an applicant for a D-6 liquor permit who is engaged in the business of operating a restaurant/brewery at 20312 Chagrin Boulevard, Shaker Heights, OH 44122 in this precinct?

CITY OF SOLON
Proposed Charter Amendment

Shall Article XIII of the Charter of the City of Solon be amended to repeal Section 6, Words Held to be Inclusive?

Agenda Item #9

Precinct Election Official Performance Summary

August 3, 2021 Special Congressional Primary Election

September 14, 2021 Primary Election

November 2, 2021 General Election

OVERVIEW

The Election Day Workers of Cuyahoga County gained a lot of experience in 2021, serving in three back-to-back Fall elections out of the total seven elections held last year. Despite facing recruitment challenges due to the ongoing pandemic and nation-wide labor shortages, 6,286 people were hired to serve in August, September, and November collectively. Many Election Officials were very flexible and willing to step into roles and/or Polling Locations outside of their usual assignments.

Based on the criteria set by the Ohio Election Official Manual as well as the feedback gathered from the Call Center and post-election surveys from workers and voters, we noticed an overall trend of performance improvement between each election.

WORKER STATISTICS

Recruitment Numbers	August	September	November
Number of Polling Locations	157	138	295
<i>Target Number of PEOs</i>	<i>2,010</i>	<i>1,741</i>	<i>3,793</i>
Number of PEOs Worked	1,833	1,464	2,989
% of New PEOs	23.5%	3.7%	6.1%
PEO Outs	8.9%	16%	21.2%

Average Age of Workers	2021			2020
	August	September	November	November
PEOs	62	58	59	52
VLDs	64	60	65	59
VLMs	65	64	61	59
Overall Averages	64	61	62	57

Workers' Future Appointment (collectively over all 3 elections)				
Promote	Relocate	Remove	On Watch	Demote
29	49	6	68	20

Training Class Numbers	August	September	November	Totals
Online	1129	232	2215	3576
Guided Digital Learning	36	0	10	46
In-Person	1297	347	670	2314
Total # trained	2462	579	2895	5936

CRITERIA FROM CHAPTER 17, SECTION 17.05 OF THE ELECTION OFFICIAL MANUAL

A. Opening and Closing of Polls

AUGUST 2021

- Did the Polling Location open and close on time?
 - 100% (157) of Polling Locations opened and closed on time.
- Did the PEOs print and appropriately sign a zero tape(s) and summary report(s)?
 - 42% (65) of Polling Locations signed ALL tapes.
 - 46% (73) of Polling Locations signed some but not all tapes.
 - 12% (19) of Polling Locations did not sign ANY tapes.
- Did the PEOs sign the Oath of Office?
 - 100% (157) of Polling Locations fully completed the Oath of Office.
- Did the PEOs open and close correctly the voting machines?
 - 89% (139) of Polling Locations opened and closed all voting machines correctly.
 - 11% (18) of Polling Locations did not open and close all voting machines correctly.

SEPTEMBER 2021

- Did the Polling Location open and close on time?
 - 100% (138) of Polling Locations opened and closed on time.
- Did the PEOs print and appropriately sign a zero tape(s) and summary report(s)?
 - 57% (79) of Polling Locations signed ALL tapes.
 - 36% (50) of Polling Locations signed some but not all tapes.
 - 7% (9) of Polling Locations did not sign ANY tapes.
- Did the PEOs sign the Oath of Office?
 - 100% (157) of Polling Locations fully completed the Oath of Office.
- Did the PEOs open and close correctly the voting machines?
 - 88% (122) of Polling Locations opened and closed all voting machines correctly.
 - 12% (16) of Polling Locations did not open and close all voting machines correctly.

NOVEMBER 2021

- Did the Polling Location open and close on time?
 - 100% (295) of Polling Locations opened and closed on time.
- Did the PEOs print and appropriately sign a zero tape(s) and summary report(s)?
 - 58% (170) of Polling Locations signed ALL tapes.
 - 78% (26) of Polling Locations signed some but not all tapes.
 - 47% (16) of Polling Locations did not sign ANY tapes.
- Did the PEOs sign the Oath of Office?

- 100% (157) of Polling Locations fully completed the Oath of Office.
- Did the PEOs open and close correctly the voting machines?
 - 93% (273) of Polling Locations opened and closed all voting machines correctly.
 - 7% (20) of Polling Locations did not open and close all voting machines correctly.

B. Self-Reporting of Problems

AUGUST 2021

- 100% (157) of Polling Locations properly self-reported equipment problems or low ballot supply.

SEPTEMBER 2021

- 100% (138) of Polling Locations properly self-reported equipment problems or low ballot supply.

NOVEMBER 2021

- 100% (295) of Polling Locations properly self-reported equipment problems or low ballot supply.

C. Handling of Provisional Ballots

AUGUST 2021

- 82% (128) of Polling Locations had NO Provisional Ballots rejected due to PEO error.
- 18% (29) of Polling Locations had ONE or MORE Provisional Ballots rejected due to PEO error.

SEPTEMBER 2021

- 93% (129) of Polling Locations had NO Provisional Ballots rejected due to PEO error.
- 7% (9) of Polling Locations had ONE or MORE Provisional Ballots rejected due to PEO error.

NOVEMBER 2021

- 91% (267) of Polling Locations had NO Provisional Ballots rejected due to PEO error.
- 9% (28) of Polling Locations had ONE or MORE Provisional Ballots rejected due to PEO error.

Provisional Ballot Rejections Due to Poll Worker Error			
	August	September	November
No Printed Name	0	0	0
Missing Date of Birth	4	1	8
Missing Address	6	2	8
Missing Identification	4	3	2
No Signature	4	2	7
No Ballot in Envelope	9	4	8
Wrong Precinct Wrong Location	9	14	28

D. Reconciliation After Polls Close

AUGUST 2021

- 91% (143) of Polling Locations completed the Ballot Accounting process.
- 9% (14) of Polling Locations did not complete the Ballot Accounting process.

SEPTEMBER 2021

- 96% (133) of Polling Locations completed the Ballot Accounting process.
- 4% (5) of Polling Locations did not complete the Ballot Accounting process.

NOVEMBER 2021

- 97% (285) of Polling Locations completed the Ballot Accounting process.
- 3% (10) of Polling Locations did not complete the Ballot Accounting process.

STEPS TAKEN AFTER EACH ELECTION

Post-August

- Continued to stress the importance of scanning each ballot stub on the EPB to ensure each voter's transaction is complete before processing the next person.
- Instructed Call Center operators to remind Drop-Off teams to make sure they had ALL supplies before leaving the Polling Location at the end of the night.

Post-September

- Updated Day in the Life videos covering different Election Day Worker tasks and responsibilities.
- Stressed the importance of printing and posting the 11 a.m. and 4 p.m. reports in a timely manner.
- Added Electronic Pollbook inserts as reminders to properly shut-down equipment on Monday night.

Post-November

- Stress the importance of starting up the DS200's first thing in the morning, so that all equipment is opened on time.
- Adding additional Electronic Pollbook scenarios to reinforce training objectives.
- Developing new processes for EPB and DS200 reports to be completed and returned correctly at close of Election Day.
- Creating new videos and teaching tools to detail steps for Ballot Accounting, Automark, and Ballot Errors.

- Holding focus groups with Voting Location Managers and Voting Location Deputies to collect feedback in order to improve Election Day processes and training.
- Editing training manual into an 8.5 x 11 sized booklet for ease of storage and to decrease printing costs.
- Meeting with other departments to share information garnered from Lessons Learned and focus groups.
- Developing new recruitment strategies.
 - New budget was approved for an increase in pay for Election Day Workers.
 - Continue to build and utilize County Government Employee Poll Worker Program, Attorney Poll Worker Program, and Social Worker Program, and pursue other like groups, such as Real Estate Agents.
 - Build recruitment plans based on information collected from application received in 2021. The top 5 categories noted in the “How did you learn about this position?” field were:
 - Secretary of State
 - Family or Friend
 - Television or Radio
 - BOE Mail/Website
 - Social Media

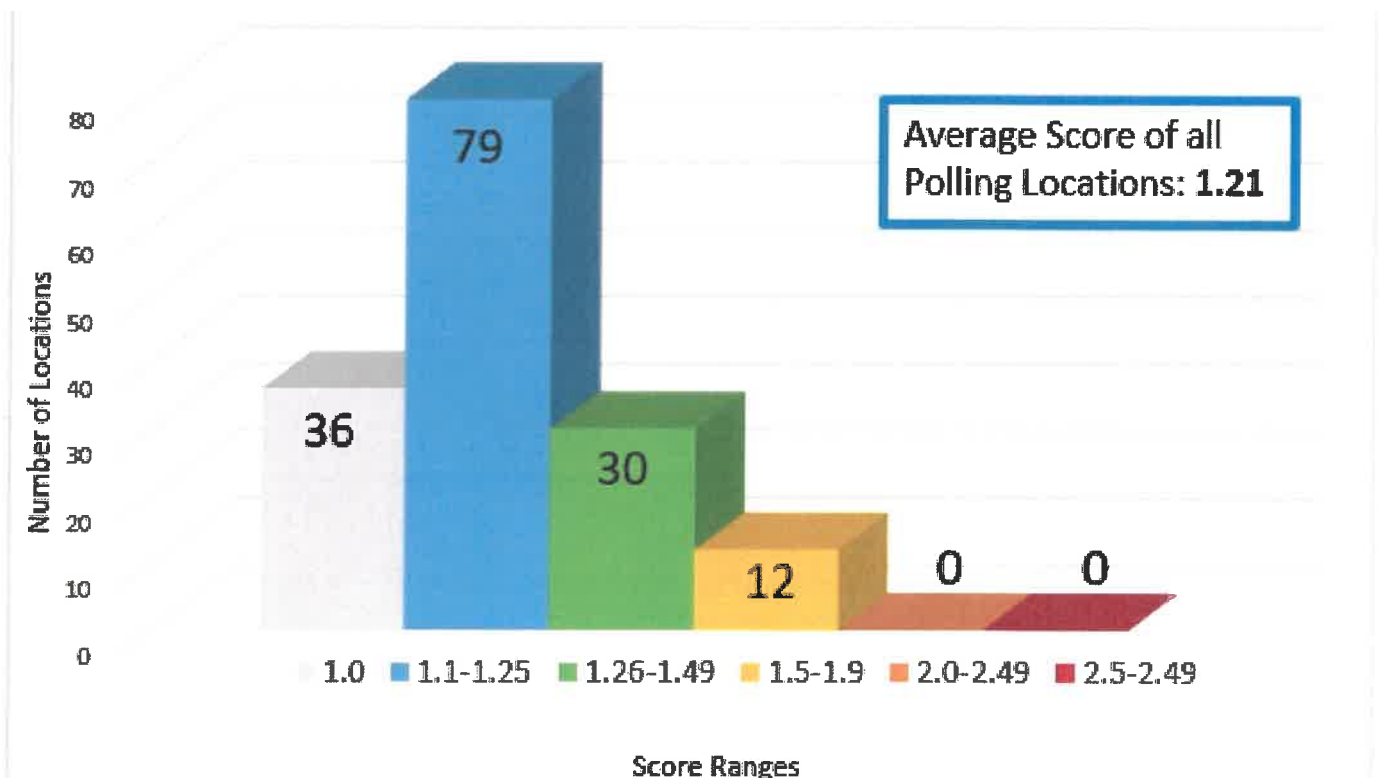
August 3, 2021 Special Congressional Primary Election Precinct Election Official Performance Report

FULL RESULTS

The complete results of the PEO Performance Report from the August 3, 2021 Special Congressional Primary Election are provided in a separate document. The results in this report meet the minimum standards of monitoring and assessing PEOs provided in Chapter 15, Section 1.07 of the Election Official Manual. There was a total of **157 Polling Locations** in this election.

Polling Locations are graded on a scale from 1 to 3 in each category, 1 being the highest score and 3 being the lowest score. An average score is calculated to indicate the Polling Location's overall performance.

AVERAGE score of each polling location relative to the criteria from Chapter 15, Section 1.07 of the Election Official Manual



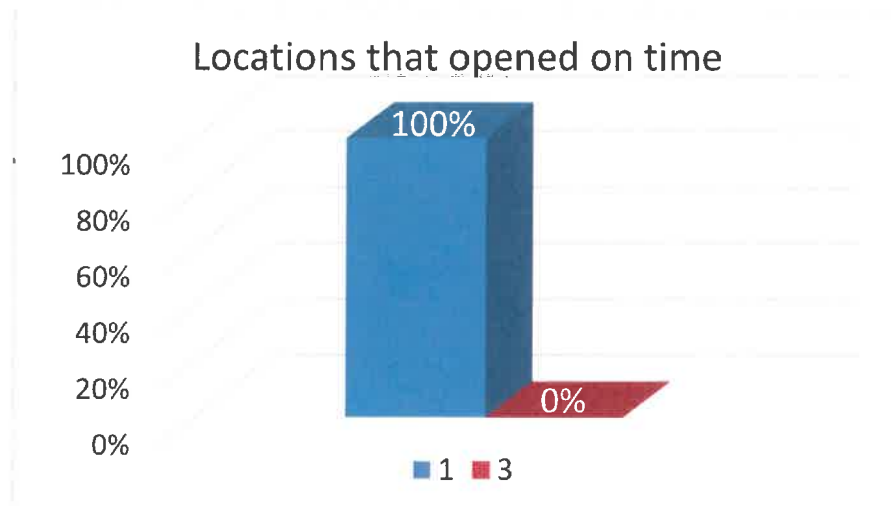
Note: The scores range from 1.0 to 3.0; 1.0 being a perfect score.

A. OPENING AND CLOSING OF POLLING LOCATIONS

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly opening and closing a Polling Location.

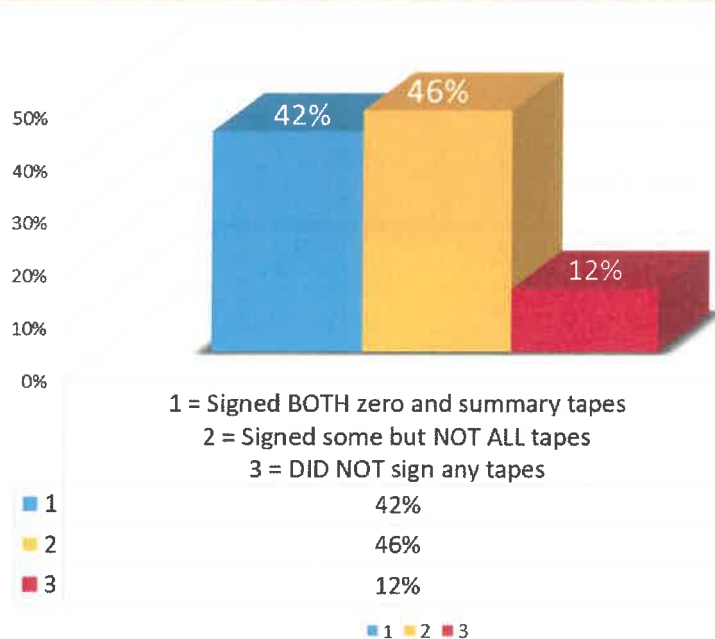
1. Did the Polling Location open and close on time?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Location opened/closed on time	157	100%
3 - Location not opened/closed on time	0	0%



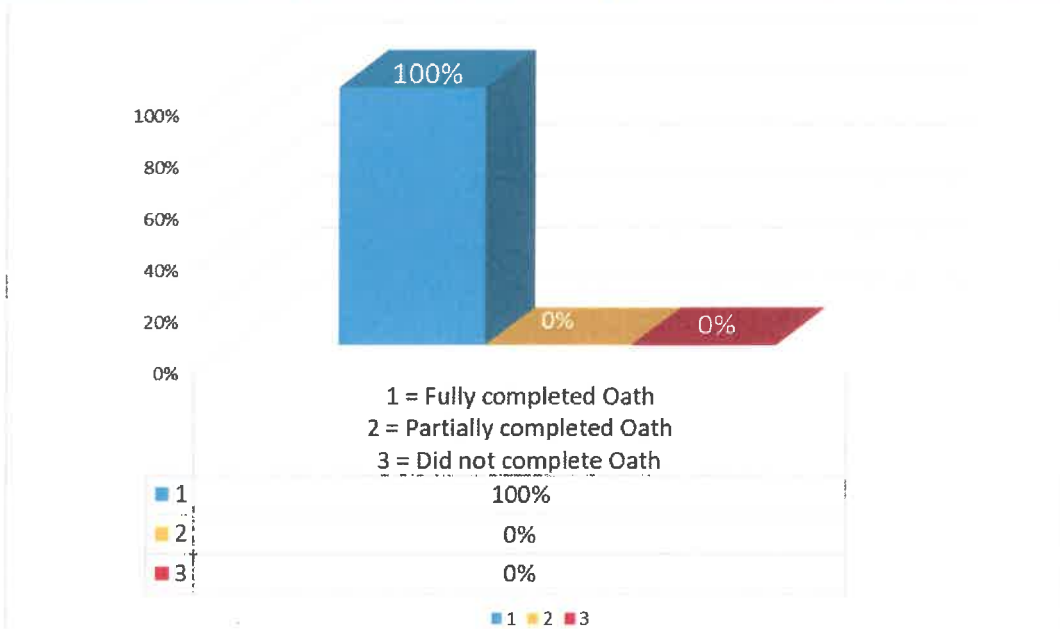
2. Did the PEOs print, sign, and pack the zero tape(s) and summary report(s)?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Completed BOTH zero and summary tapes	65	42%
2 - Completed some but NOT ALL tapes	73	46%
3 - DID NOT complete any tapes	19	12%



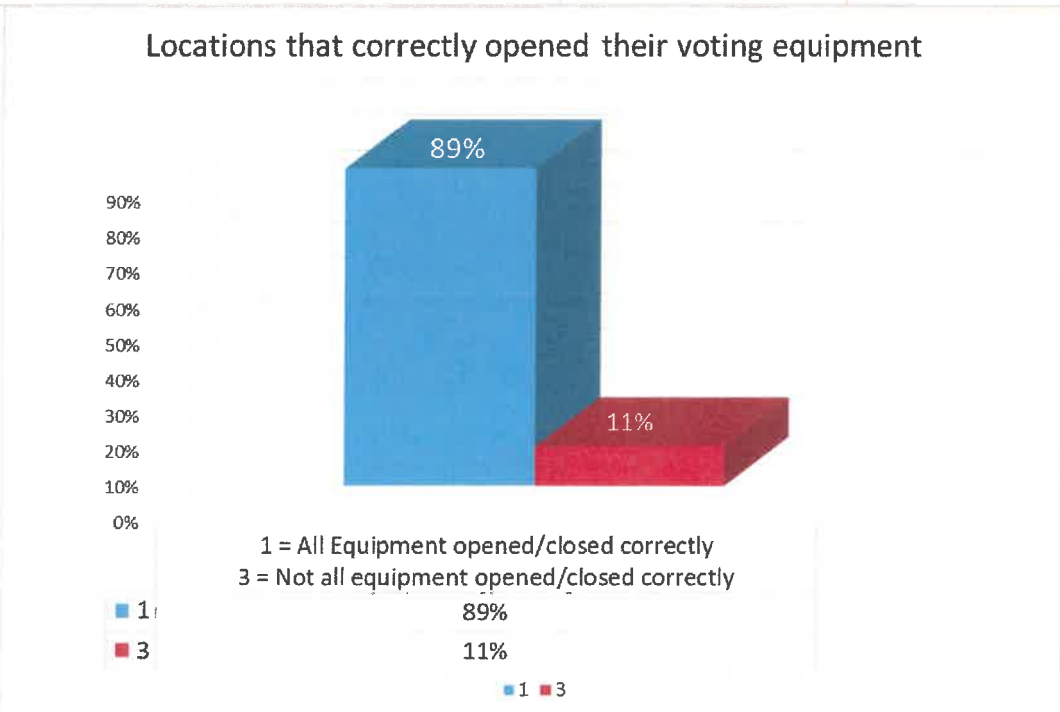
3. Did the PEOs sign the Oath of Office?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Fully completed Oath of Office	157	100%
2 - Partially completed Oath of Office	0	0%
3 - Did not complete Oath of Office	0	0%



4. Did the Polling Location correctly open and close the voting machines?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - All voting machines were correctly opened/closed	139	89%
3 - All voting machines were NOT correctly opened/closed	18	11%

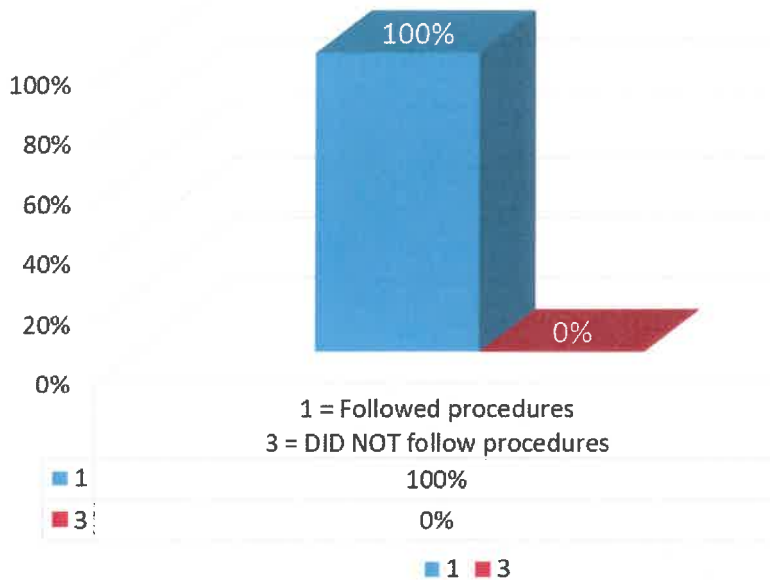


B. SELF-REPORTING OF PROBLEMS

What follows is the performance of the PEOs against the criteria set forth by the Ohio Secretary of State for properly reporting any problems with the voting equipment or ballot supply on Election Day.

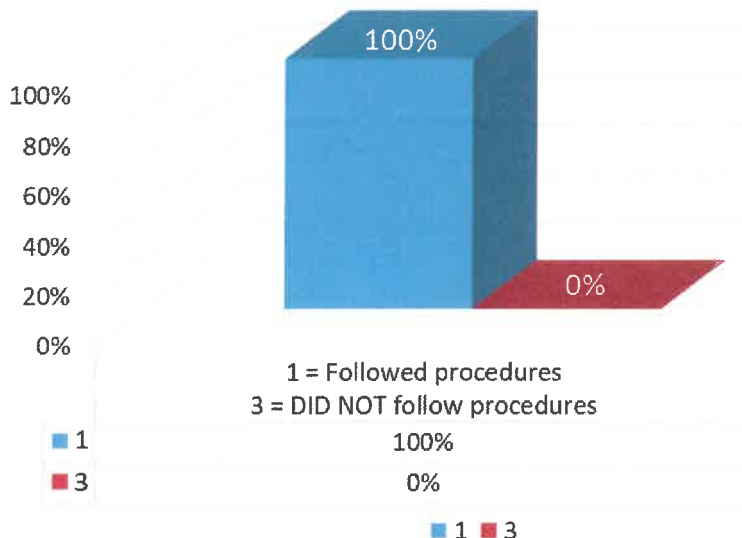
1. Did the PEOs follow required procedures for reporting any voting machine/device issues to the board?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Followed procedures	157	100%
3 - DID NOT follow procedures	0	0%



2. Did the PEOs follow required procedures for reporting if/when the ballot supply ran low to the board?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Followed procedures	157	100%
3 - DID NOT follow procedures	0	0%



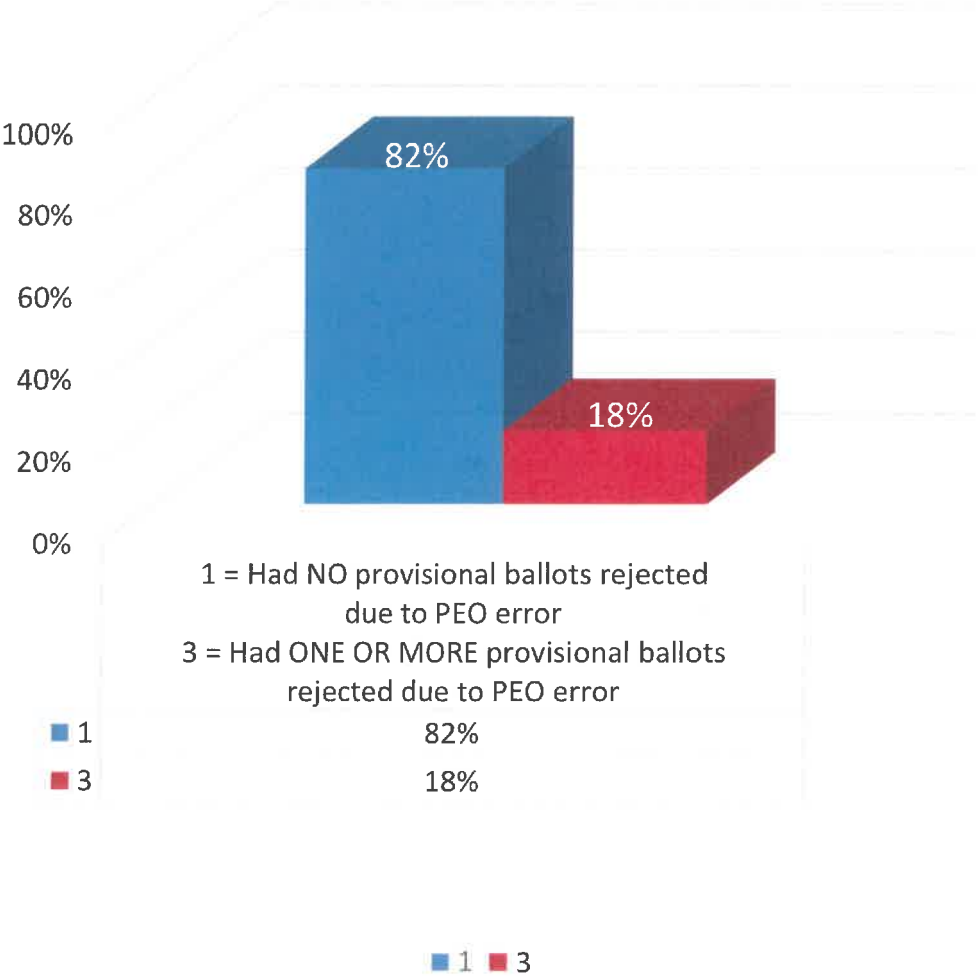
C. HANDLING OF PROVISIONAL BALLOTS

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly handling Provisional ballots.

1. Did the PEOs properly issue Provisional ballots to voters, including directing Wrong-Polling Location voters to the correct Location?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Had NO Provisional ballots rejected due to PEO error	128	82%
3 - Had ONE OR MORE Provisional ballots rejected due to PEO error	29	18%

Locations with Provisional ballots rejected due to PEO error



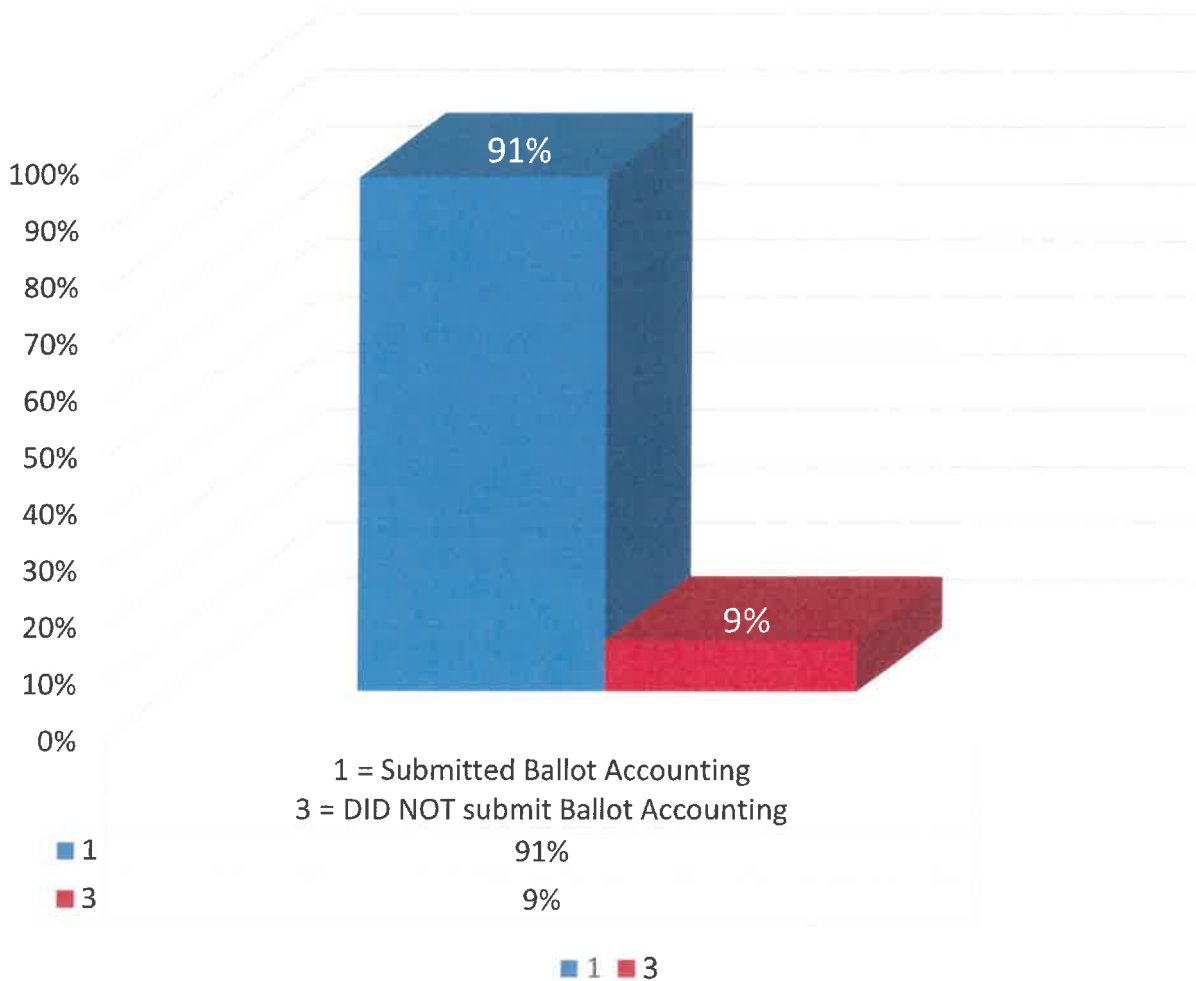
D. RECONCILIATION AFTER POLLS ARE CLOSED

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly closing the polls.

1. Did the PEOs complete their reconciliation duties?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Completed reconciliation duties (Ballot Accounting)	143	91%
3 - DID NOT complete reconciliation duties (Ballot Accounting)	14	9%

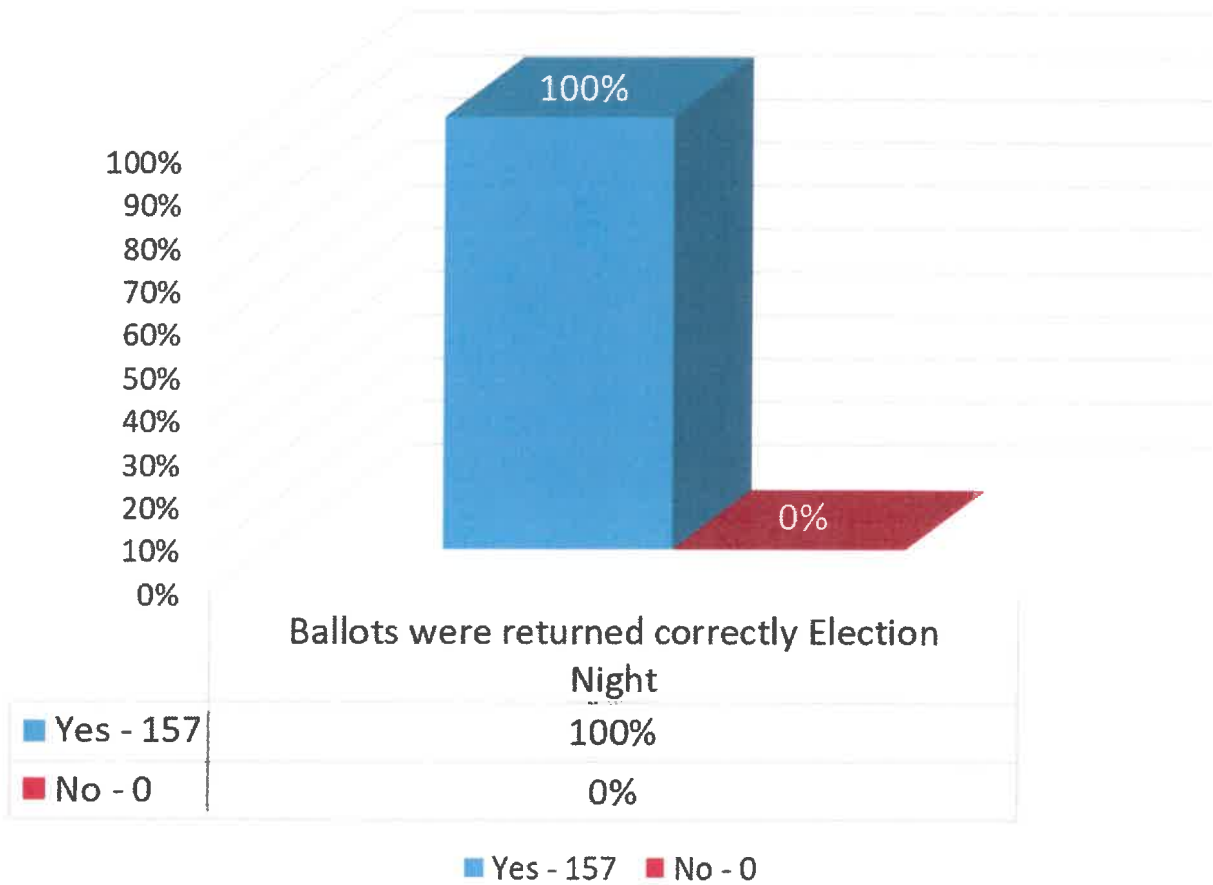
Locations that correctly completed Ballot Accounting



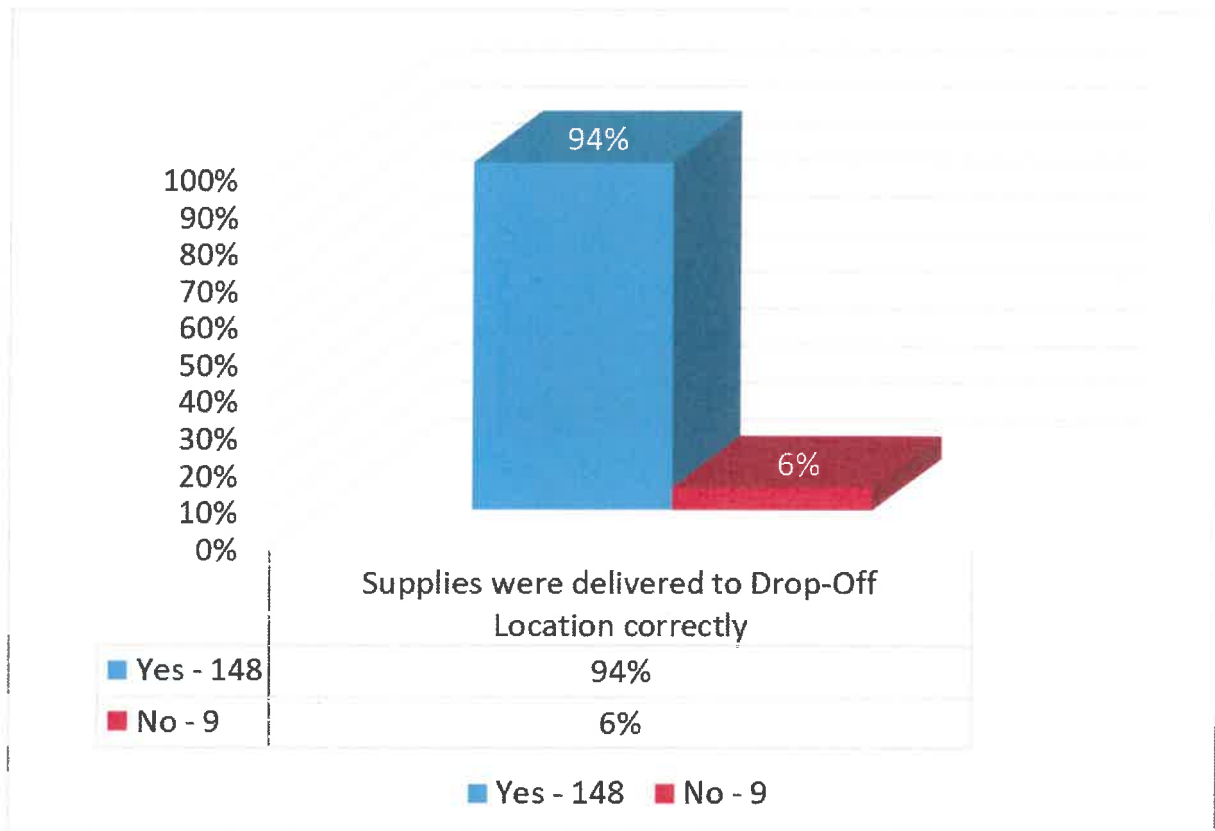
POLLING LOCATION PERFORMANCE REVIEW “GRADE SHEET”

Each PEO is sent a “Grade Sheet” following the election that evaluates the performance of the Polling Location against the criteria from Chapter 15, Section 1.07 of the Election Official Manual. In addition, we grade the Polling Locations on other criteria related to Election Day procedures. Below are the criteria that we grade Polling Locations on in addition to those listed in the Election Official Manual.

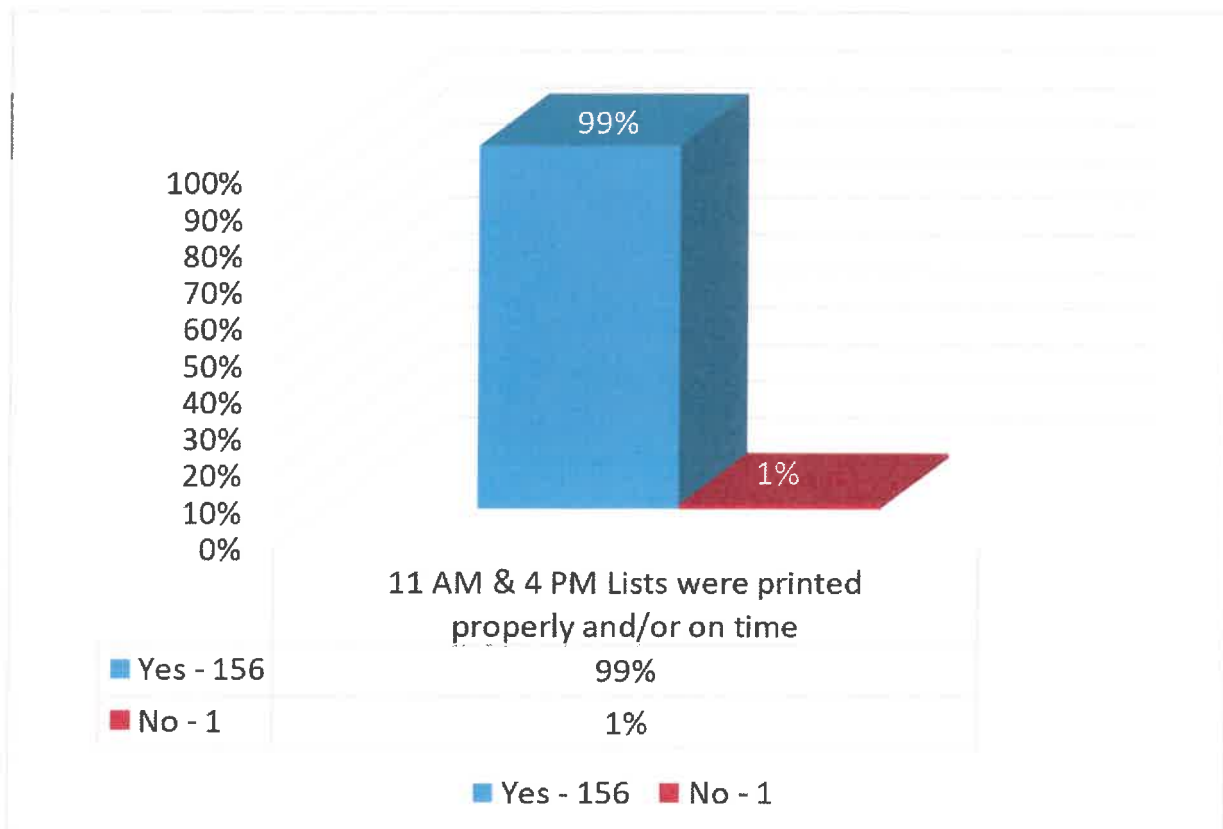
Were ballots returned correctly on Election Night?



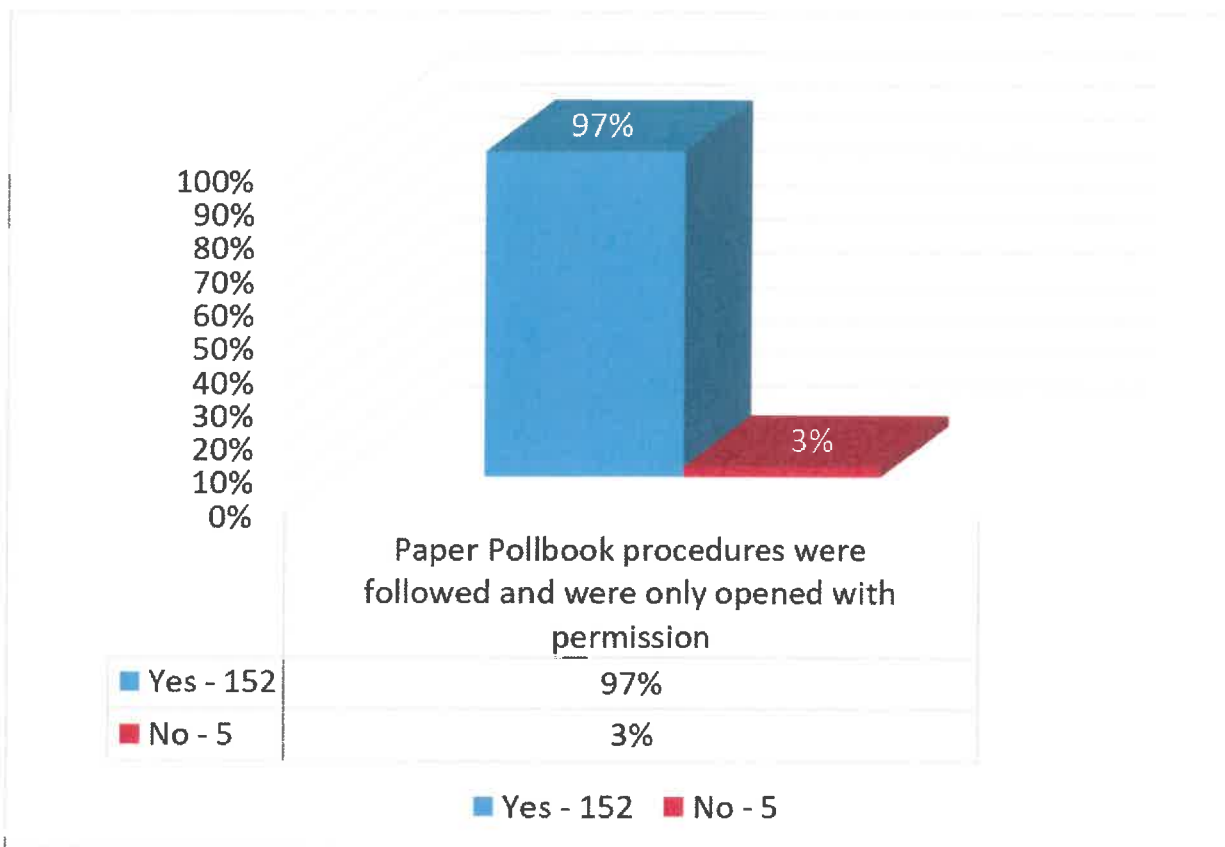
Were supplies delivered to the Drop-Off Location correctly?



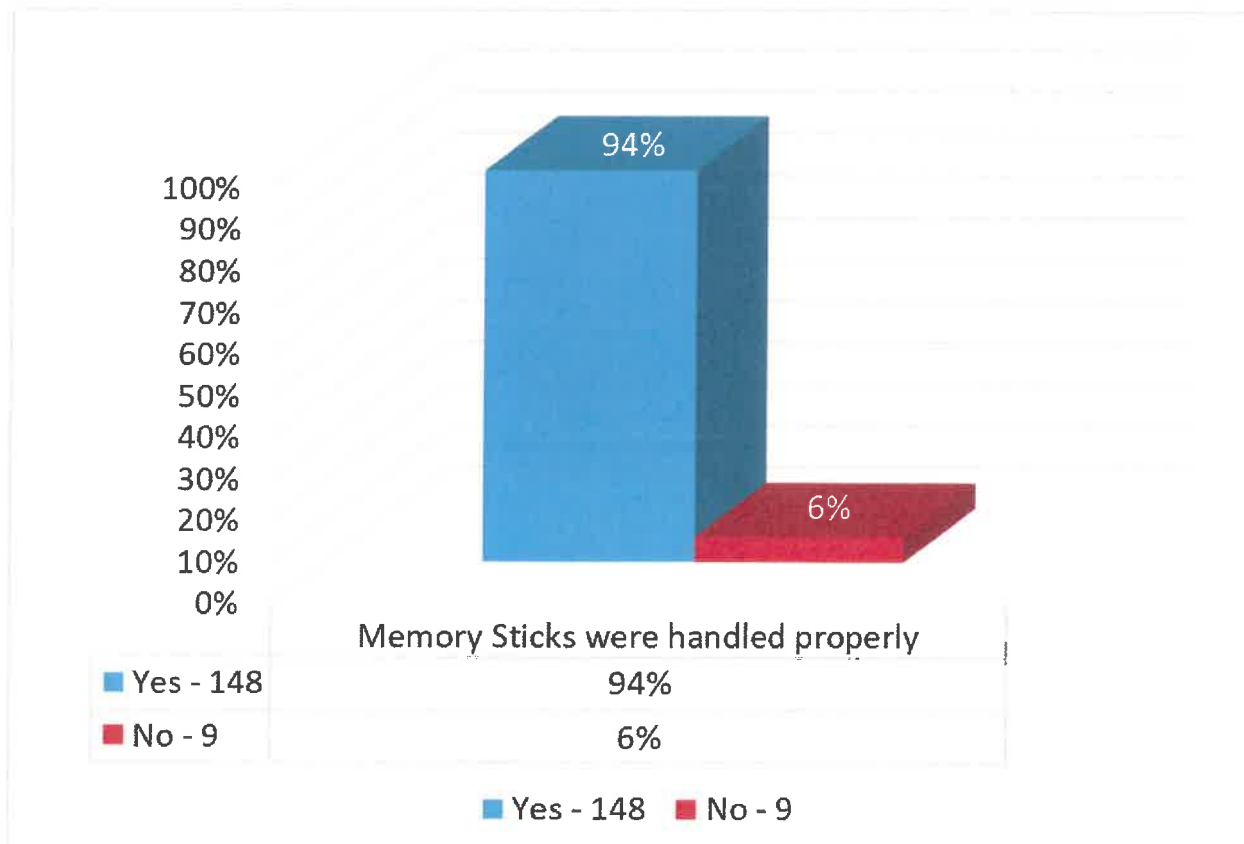
Were the 11 AM & 4 PM lists printed properly and/or on time?



Were Paper Pollbooks opened without permission?



Were memory sticks handled properly?



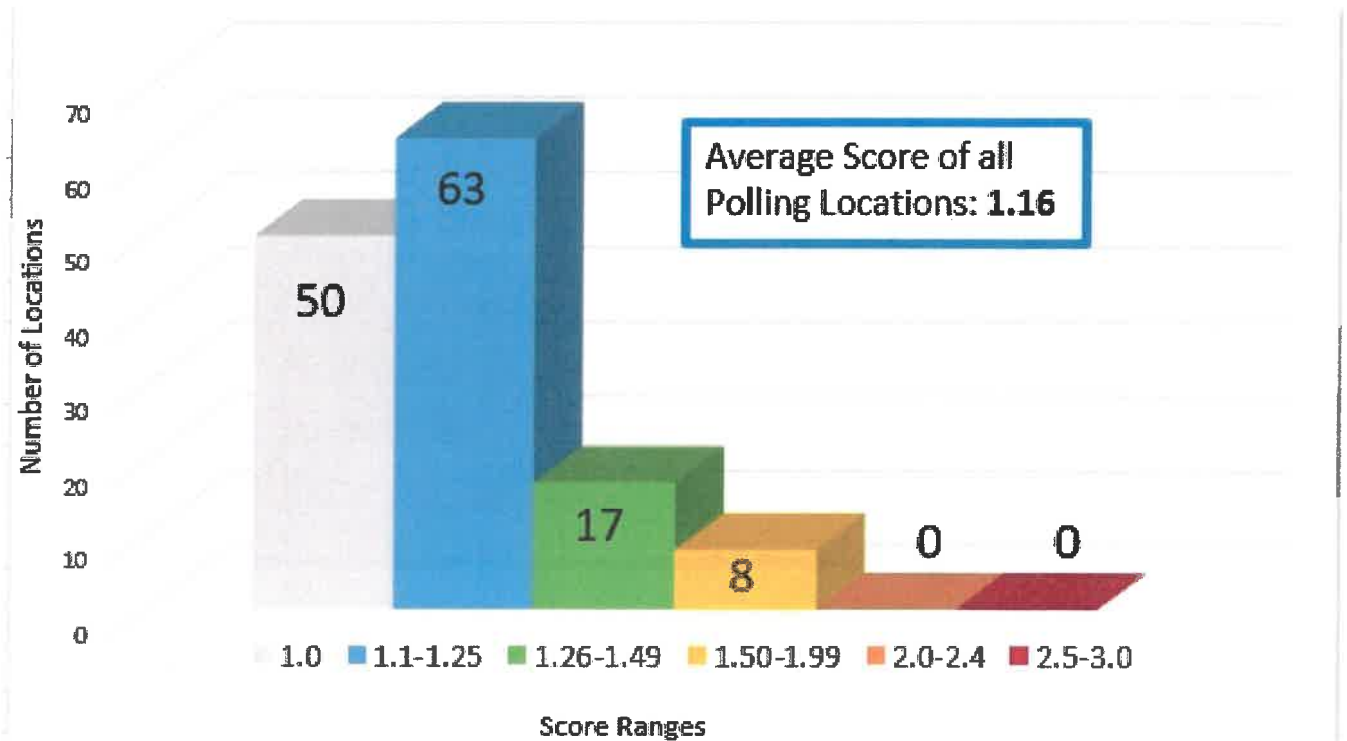
September 14, 2021 Primary Election Precinct Election Official Performance Report

FULL RESULTS

The complete results of the PEO Performance Report from the September 14, 2021 Primary Election are provided in a separate document. The results in this report meet the minimum standards of monitoring and assessing PEOs provided in Chapter 15, Section 1.07 of the Election Official Manual. There was a total of **138 Polling Locations** in this election.

Polling Locations are graded on a scale from 1 to 3 in each category, 1 being the highest score and 3 being the lowest score. An average score is calculated to indicate the Polling Location’s overall performance.

AVERAGE score of each polling location relative to the criteria from Chapter 15, Section 1.07 of the Election Official Manual



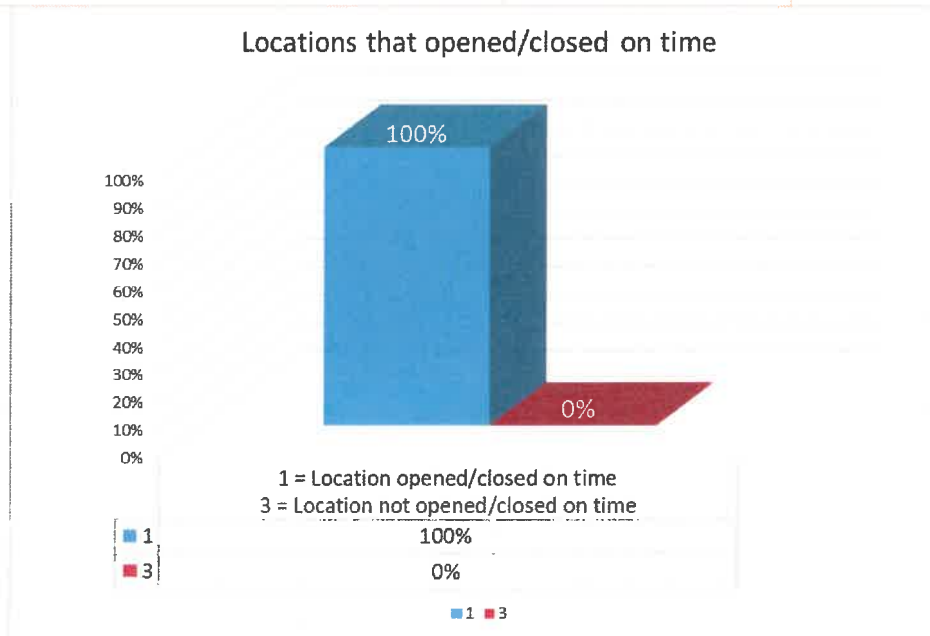
Note: The scores range from 1.0 to 3.0; 1.0 being a perfect score.

A. OPENING AND CLOSING OF POLLING LOCATIONS

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly opening and closing a Polling Location.

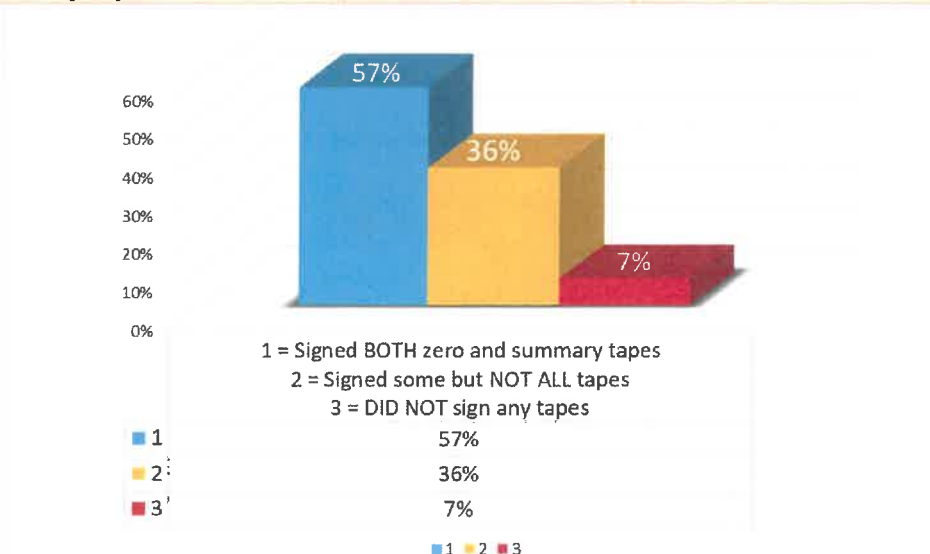
1. Did the Polling Location open and close on time?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Location opened/closed on time	138	100%
3 - Location not opened/closed on time	0	0%



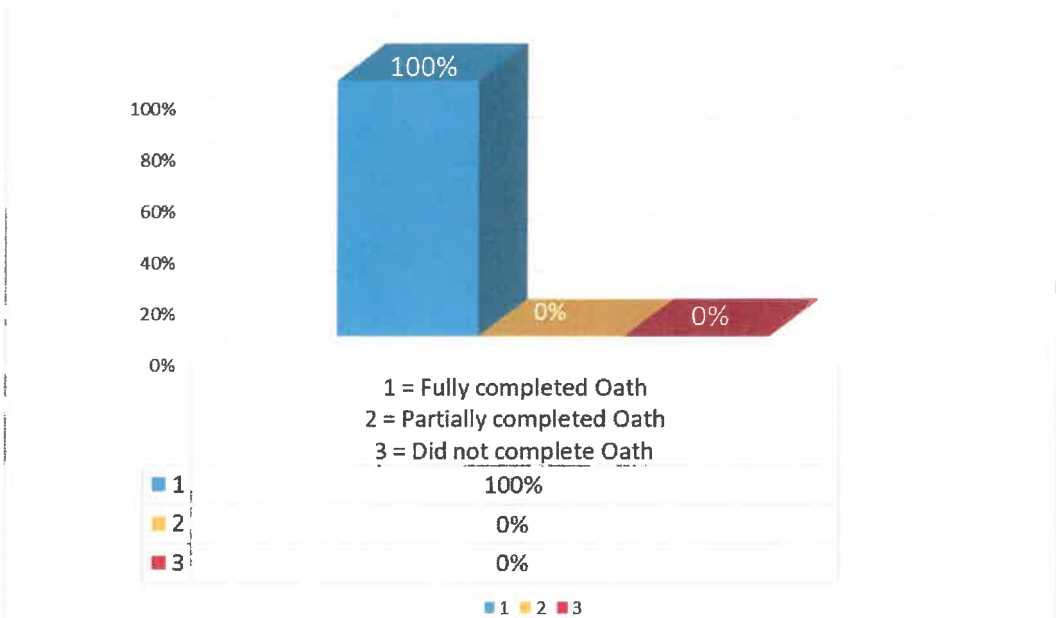
2. Did the PEOs print, sign, and pack the zero tape(s) and summary report(s)?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Completed BOTH zero and summary tapes	79	57%
2 - Completed some but NOT ALL tapes	50	36%
3 - DID NOT complete any tapes	9	7%



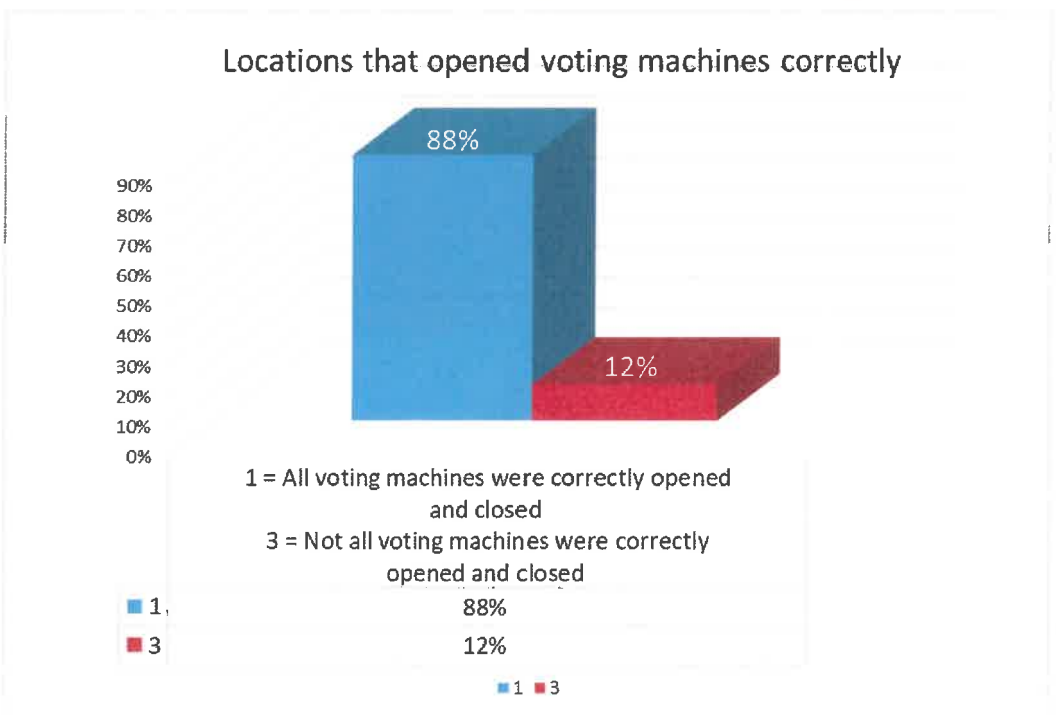
3. Did the PEOs sign the Oath of Office?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Fully completed Oath of Office	138	100%
2 - Partially completed Oath of Office	0	0%
3 - Did not complete Oath of Office	0	0%



4. Did the Polling Location correctly open/close all voting machines?

Scoring	# of Polling Locations	% of Total Polling Locations
1 – All voting machines were correctly opened/closed	122	88%
3 - Location not opened on time	16	12%

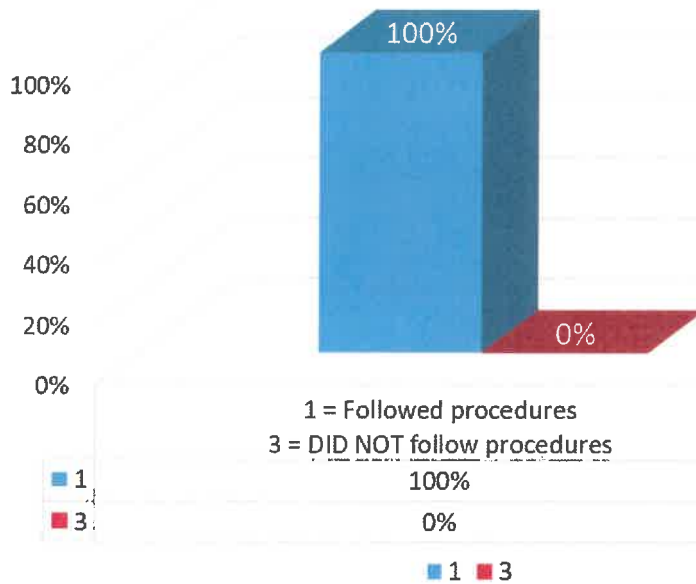


B. SELF-REPORTING OF PROBLEMS

What follows is the performance of the PEOs against the criteria set forth by the Ohio Secretary of State for properly reporting any problems with the voting equipment or ballot supply on Election Day.

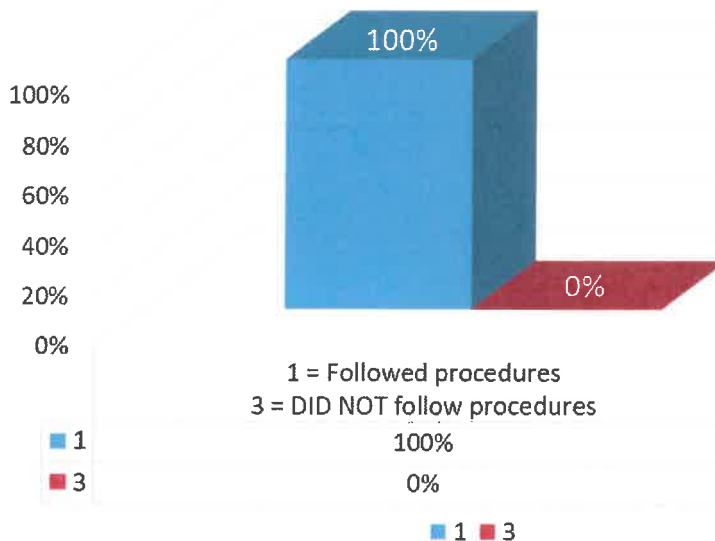
1. Did the PEOs follow required procedures for reporting any voting machine/device issues to the board?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Followed procedures	138	100%
3 - DID NOT follow procedures	0	0%



2. Did the PEOs follow required procedures for reporting if/when the ballot supply ran low to the board?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Followed procedures	138	100%
3 - DID NOT follow procedures	0	0%



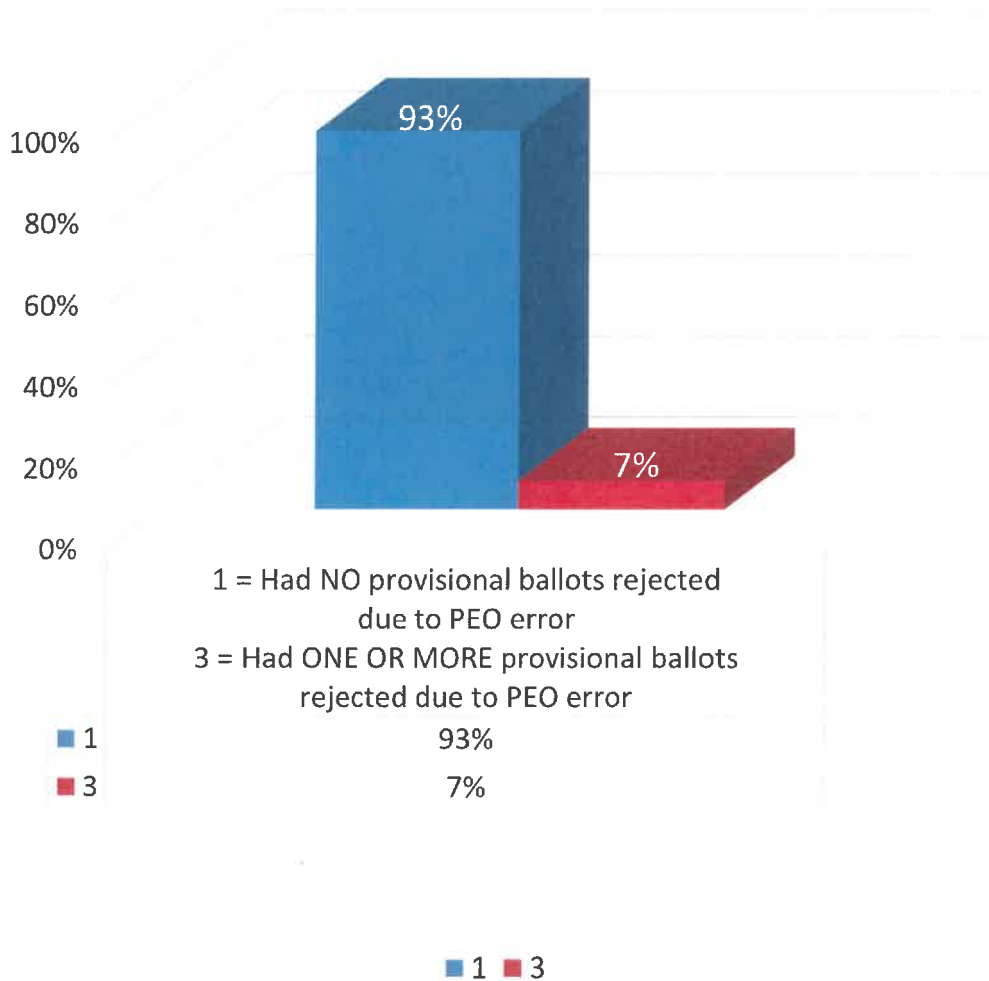
C. HANDLING OF PROVISIONAL BALLOTS

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly handling Provisional ballots.

1. Did the PEOs properly issue Provisional ballots to voters, including directing Wrong-Polling Location voters to the correct Location?

Scoring	# of Polling Locations	% of Total Polling Locations
<i>Had NO Provisional ballots rejected due to PEO error</i>	129	93%
<i>Had ONE OR MORE Provisional ballots rejected due to PEO error</i>	9	7%

Locations with Provisional ballots rejected due to PEO error



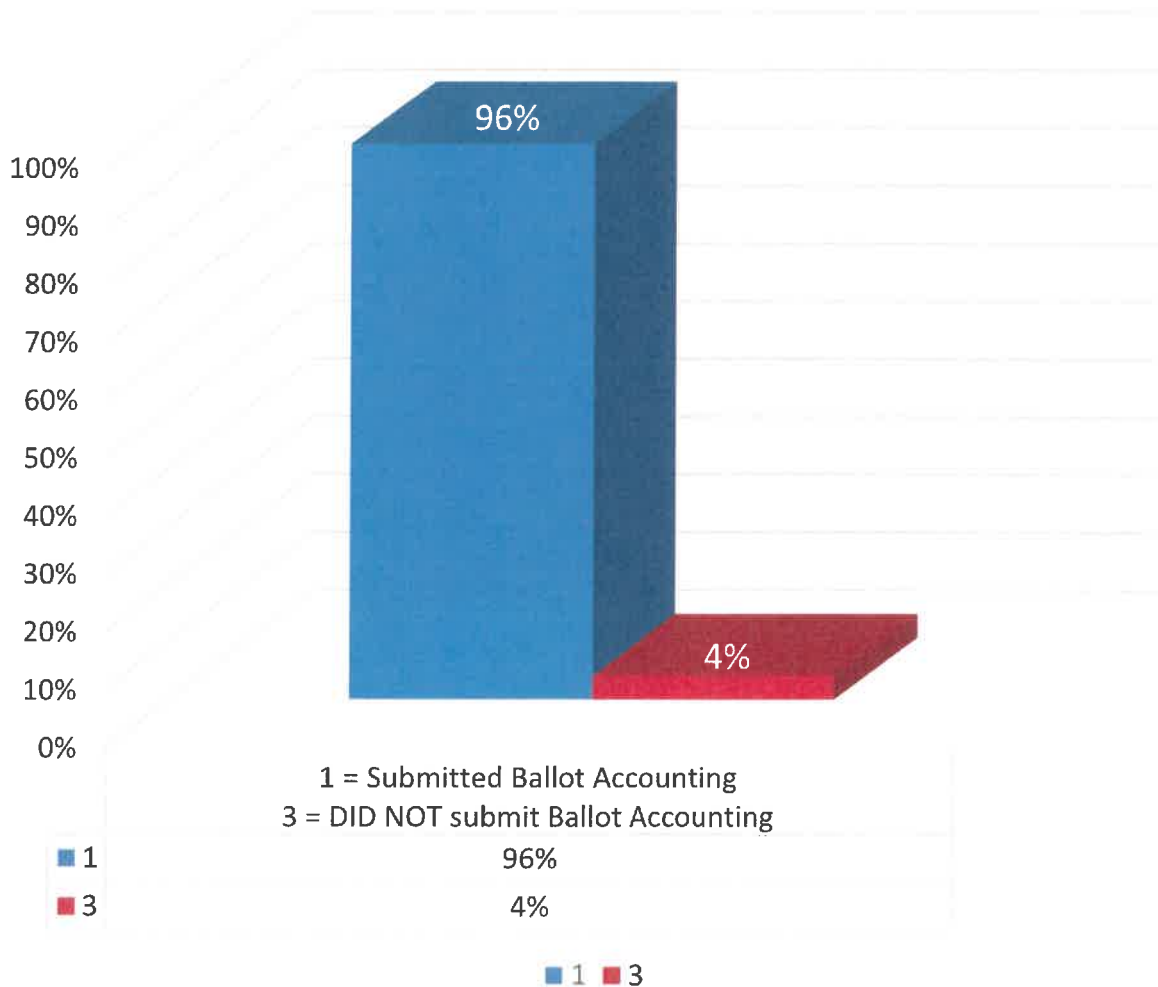
D. RECONCILIATION AFTER POLLS ARE CLOSED

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly closing the polls.

1. Did the PEOs complete their reconciliation duties?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Completed reconciliation duties (Ballot Accounting)	133	96%
2 - DID NOT complete reconciliation duties (Ballot Accounting)	5	4%

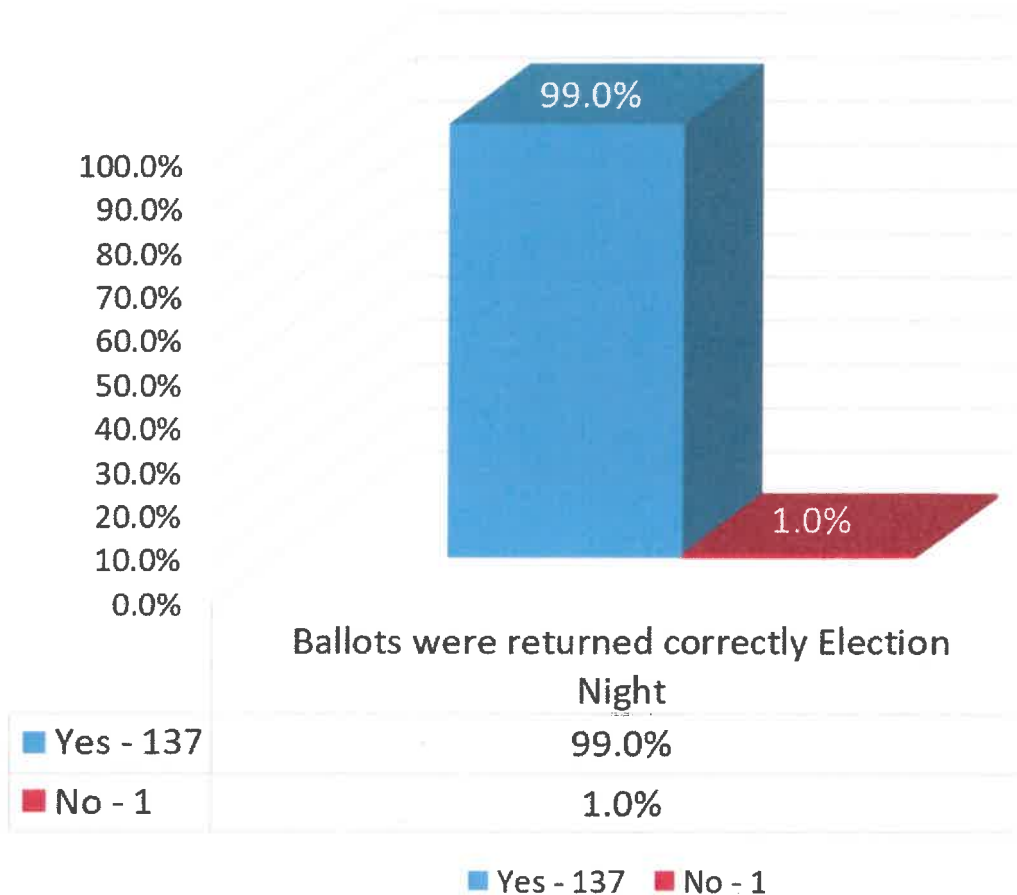
Locations that correctly completed Ballot Accounting



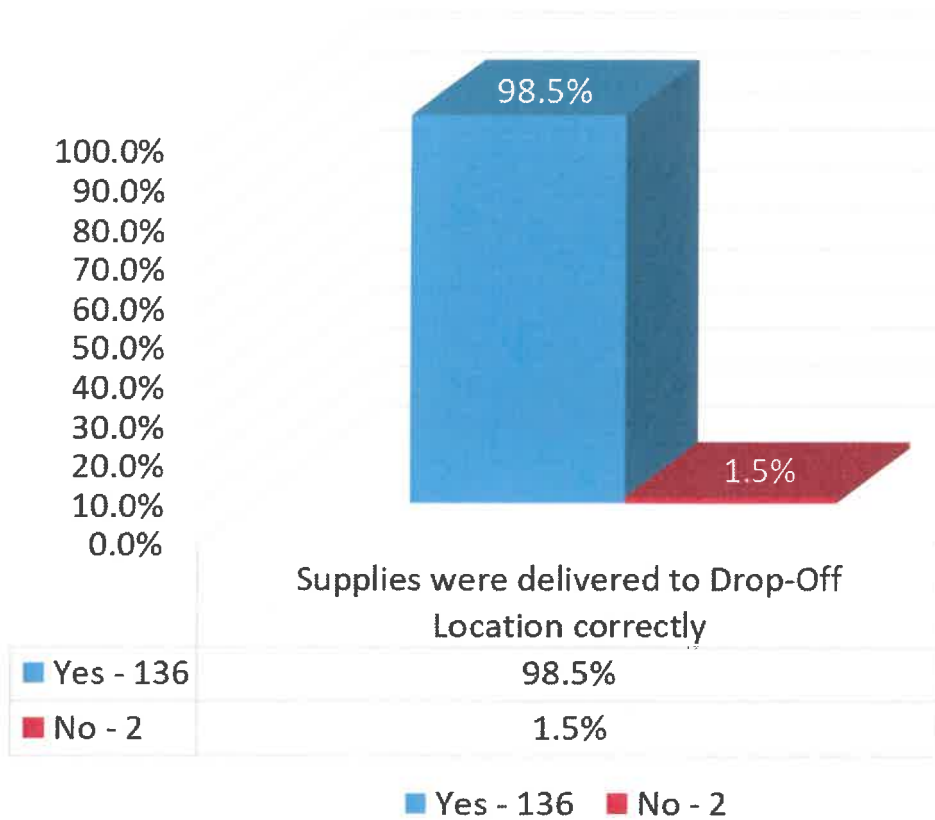
POLLING LOCATION PERFORMANCE REVIEW "GRADE SHEET"

Each PEO is sent a "Grade Sheet" following the election that evaluates the performance of the Polling Location against the criteria from Chapter 15, Section 1.07 of the Election Official Manual. In addition, we grade the Polling Locations on other criteria related to Election Day procedures. Below are the criteria that we grade Polling Locations on in addition to those listed in the Election Official Manual.

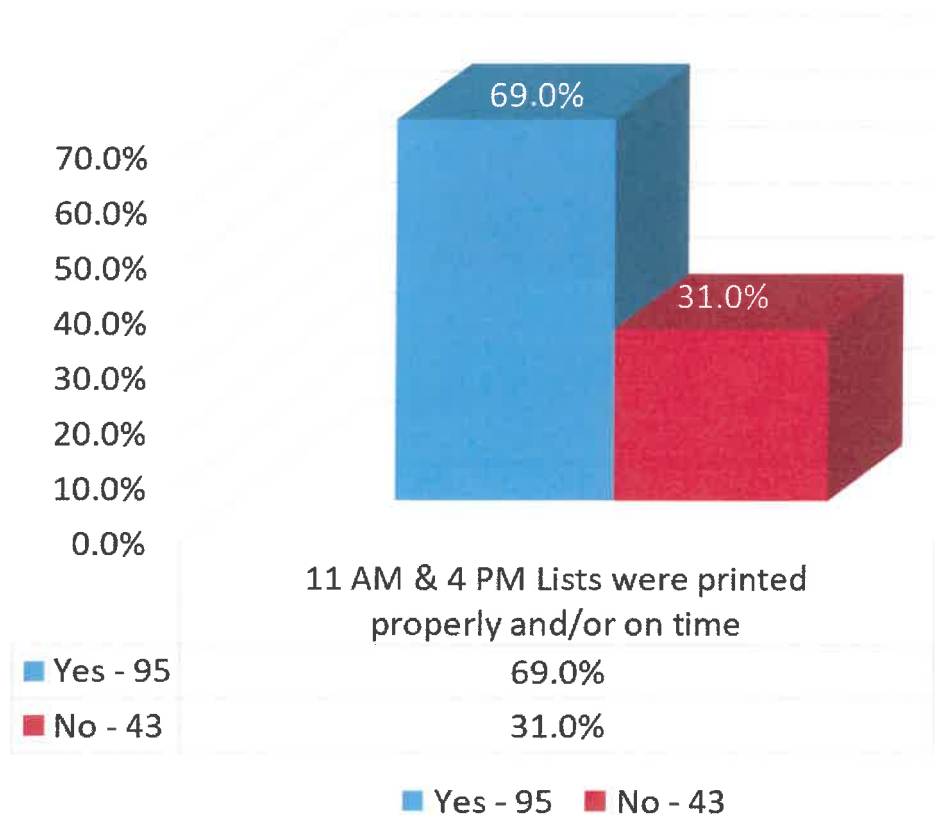
Were ballots returned correctly on Election Night?



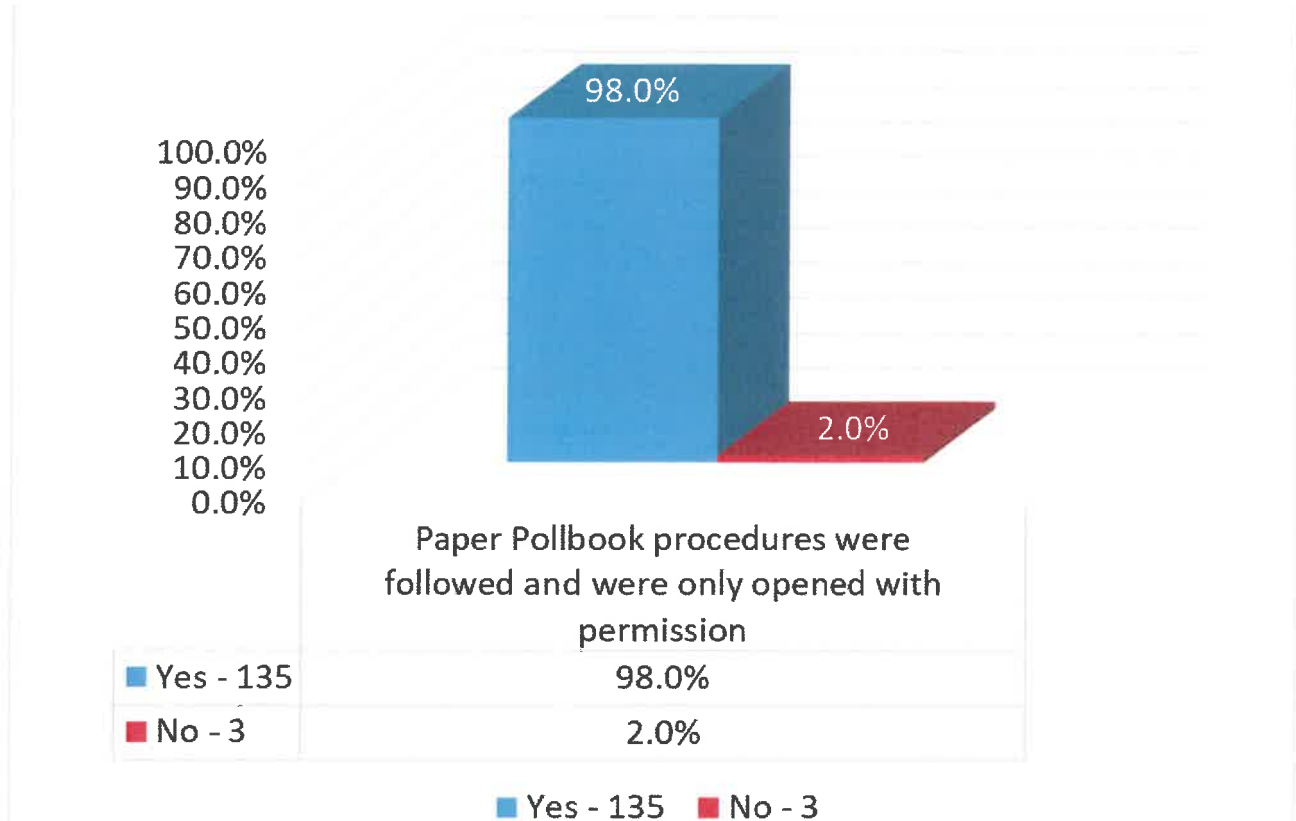
Were supplies delivered to the Drop-Off Location correctly?



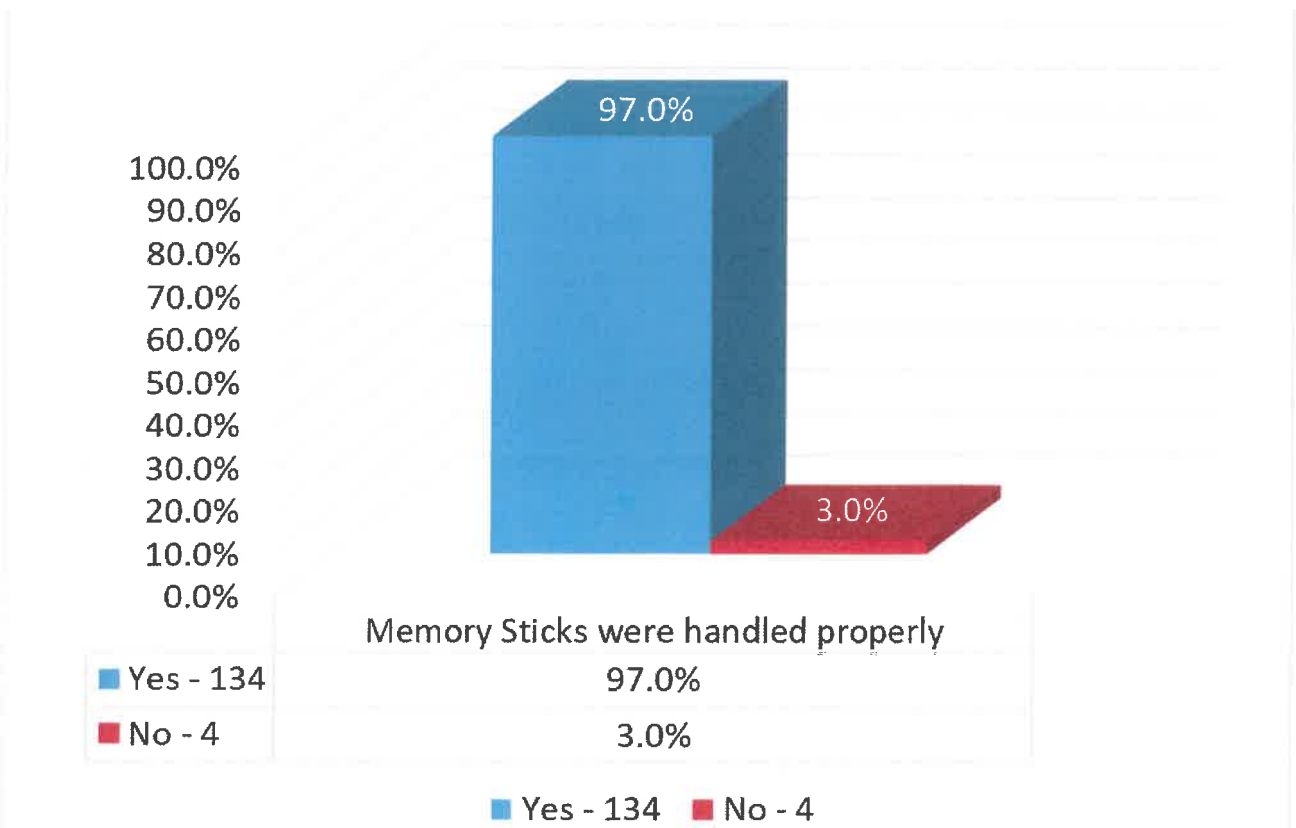
Were the 11 AM & 4 PM lists printed properly and/or on time?



Were Paper Pollbooks opened without permission?



Were memory sticks handled properly?



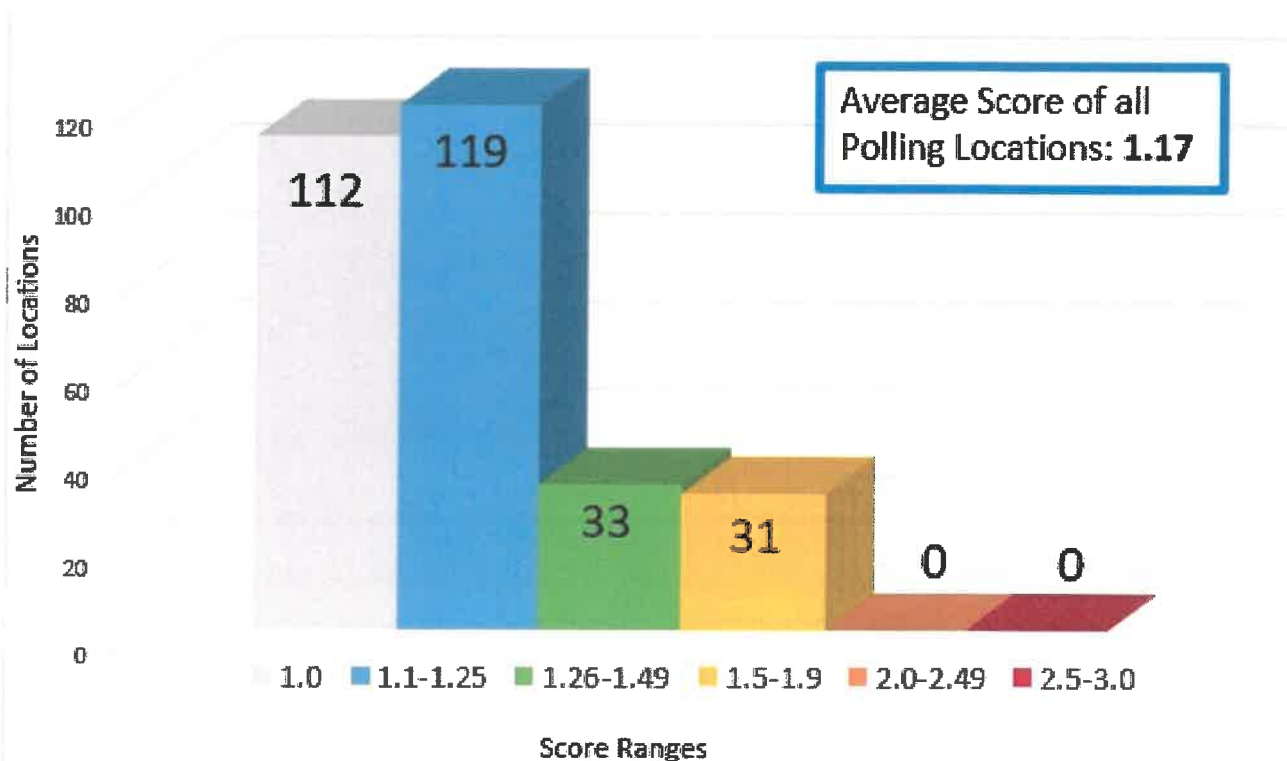
November 2, 2021 General Election Precinct Election Official Performance Report

FULL RESULTS

The complete results of the PEO Performance Report from the November 2, 2021 General Election are provided in a separate document. The results in this report meet the standards of monitoring and assessing PEOs provided in Chapter 15, Section 1.07 of the Election Official Manual. There was a total of **295 Polling Locations** in this election.

Polling Locations are graded on a scale from 1 to 3 in each category, 1 being the highest score and 3 being the lowest score. An average score is calculated to indicate the Polling Location's overall performance.

AVERAGE score of each polling location relative to the criteria from Chapter 15, Section 1.07 of the Election Official Manual



Note: The scores range from 1.0 to 3.0; 1.0 being a perfect score.

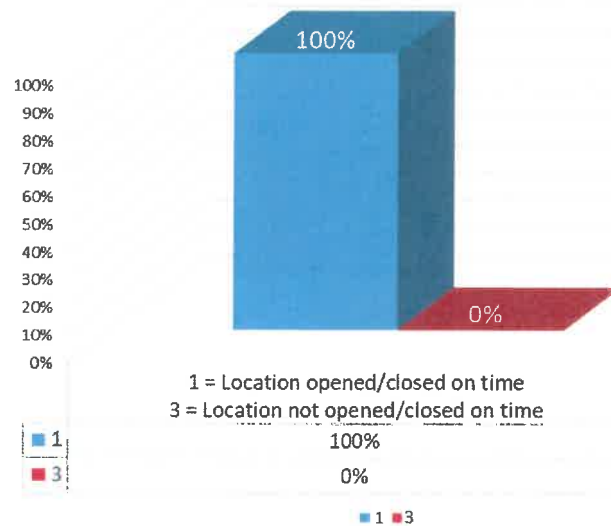
A. OPENING AND CLOSING OF POLLING LOCATIONS

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly opening and closing a Polling Location.

1. Did the Polling Location open and close on time?

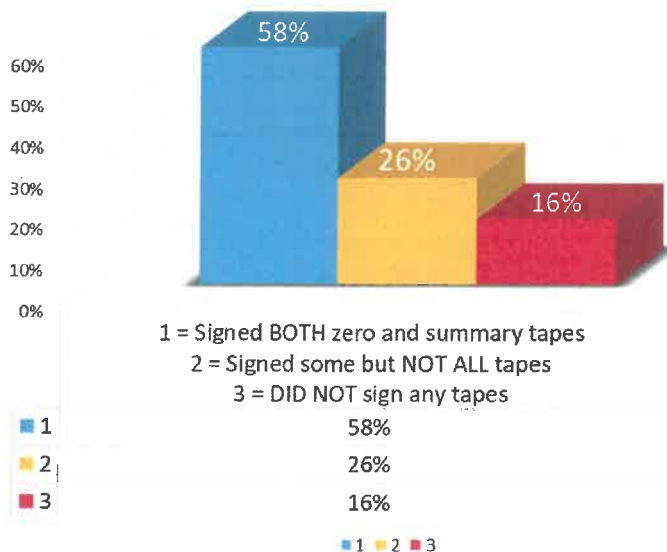
Scoring	# of Polling Locations	% of Total Polling Locations
1 - Location opened/closed on time	295	100%
3 - Location not opened/closed on time	0	0%

Locations that opened/closed on time



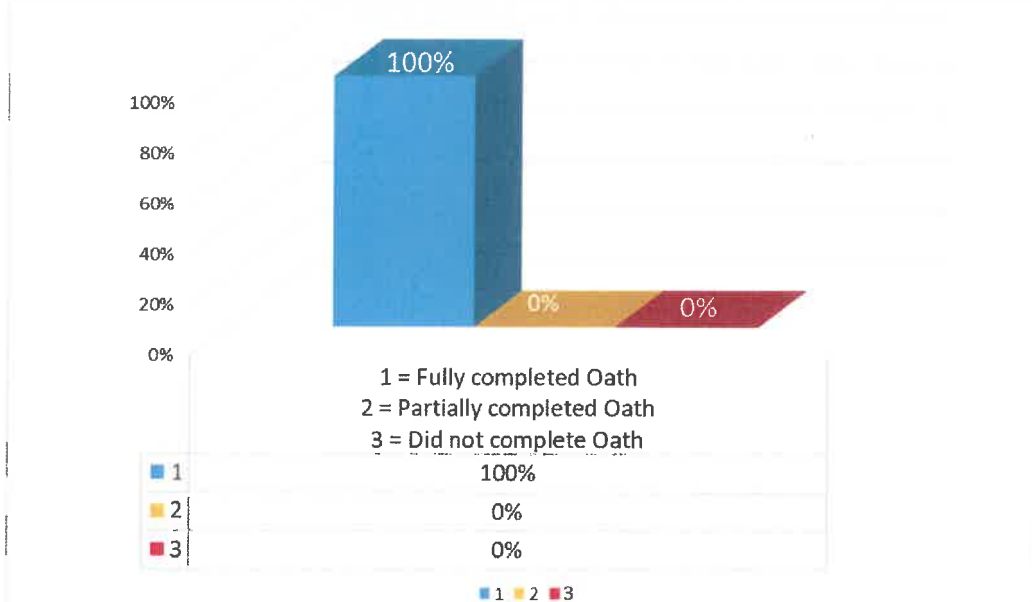
2. Did the PEOs print, sign, and pack the zero tape(s) and summary report(s)?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Completed BOTH zero and summary tapes	170	58%
2 - Completed some but NOT ALL tapes	78	26%
3 - DID NOT complete any tapes	47	16%



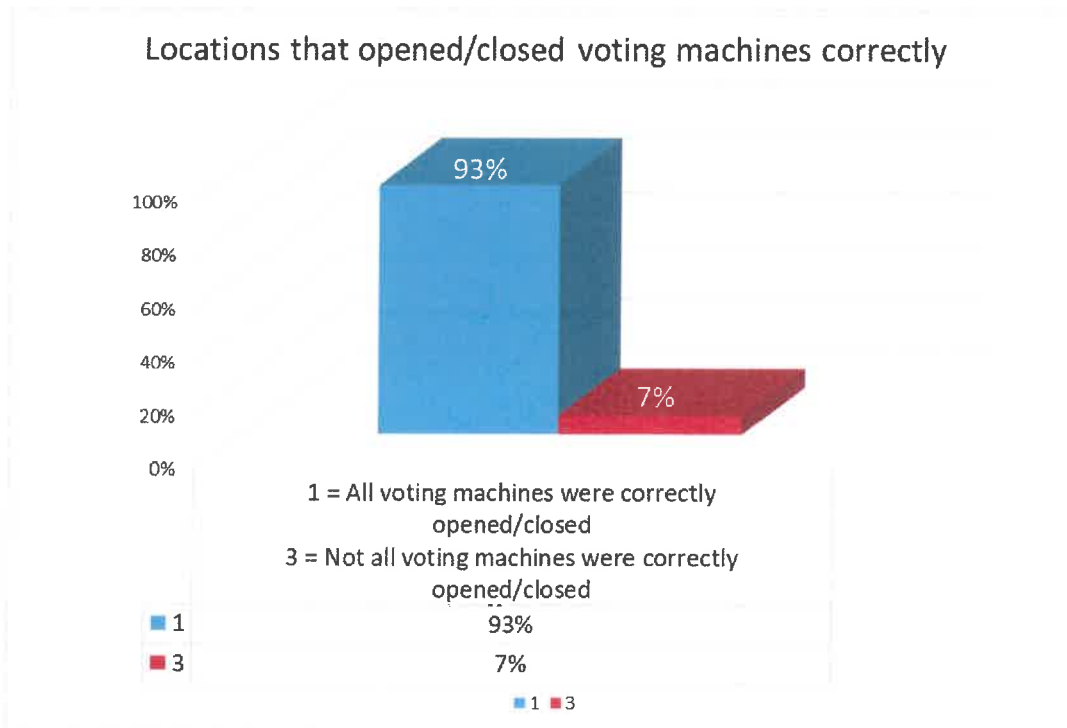
3. Did the PEOs sign the Oath of Office?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Fully completed Oath of Office	295	100%
2 - Partially completed Oath of Office	0	0%
3 - Did not complete Oath of Office	0	0%



4. Did the Polling Location correctly open/close all voting machines?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - All voting machines were correctly opened/closed	273	93%
3 - Not all voting machines were correctly opened/closed	22	7%

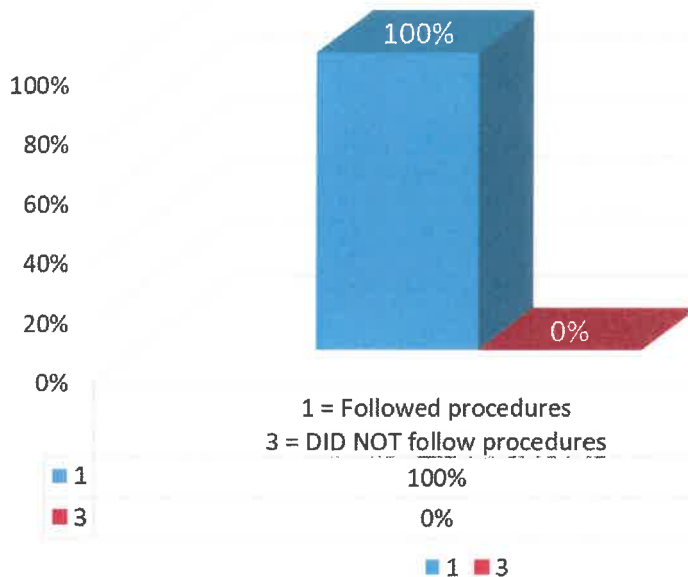


B. SELF-REPORTING OF PROBLEMS

What follows is the performance of the PEOs against the criteria set forth by the Ohio Secretary of State for properly reporting any problems with the voting equipment or ballot supply on Election Day.

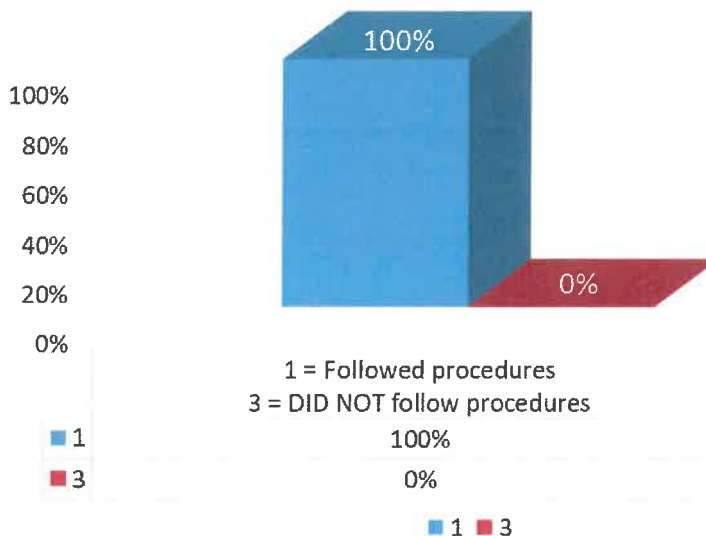
1. Did the PEOs follow required procedures for reporting any voting machine/device issues to the board?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Followed procedures	295	100%
3 - DID NOT follow procedures	0	0%



2. Did the PEOs follow required procedures for reporting if/when the ballot supply ran low to the board?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Followed procedures	295	100%
3 - DID NOT follow procedures	0	0%



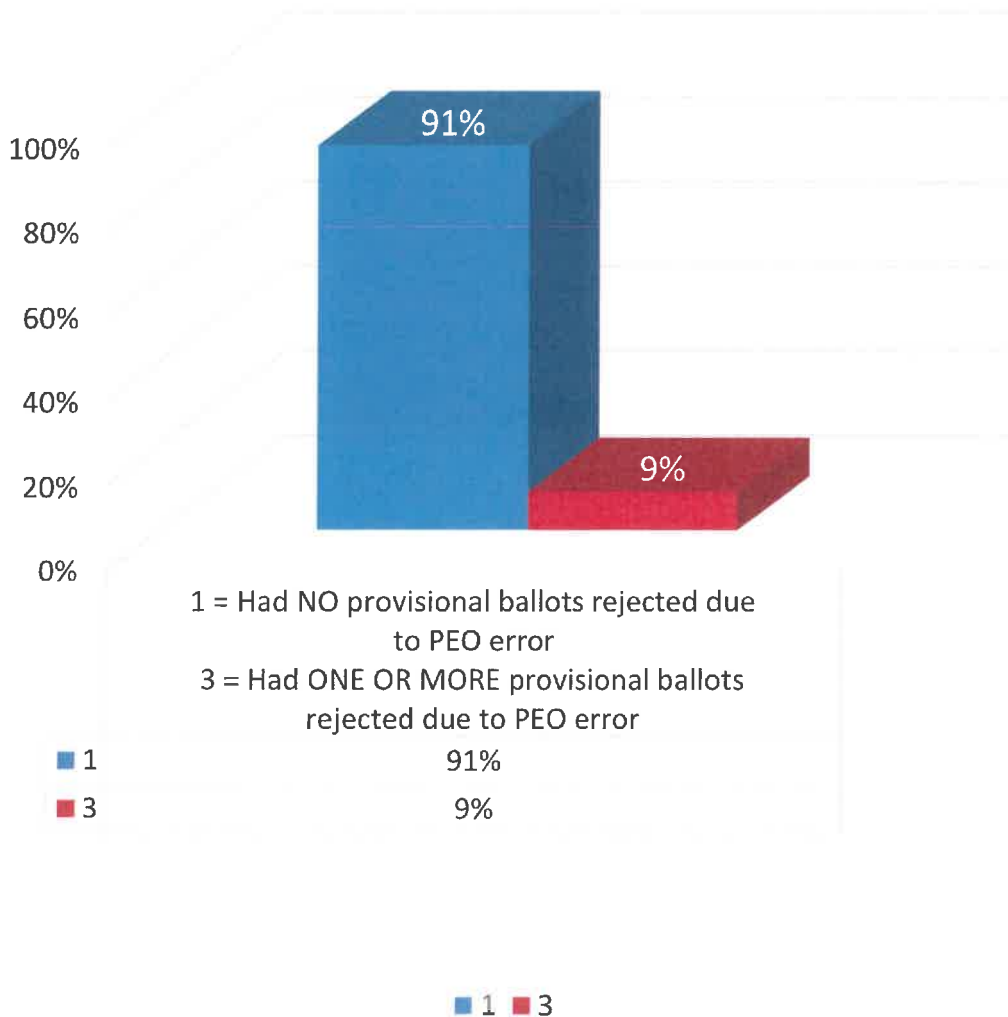
C. HANDLING OF PROVISIONAL BALLOTS

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly handling Provisional ballots.

1. Did the PEOs properly issue Provisional ballots to voters, including directing Wrong-Polling Location voters to the correct Location?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Had NO Provisional ballots rejected due to PEO error	267	91%
3 - Had ONE OR MORE Provisional ballots rejected due to PEO error	28	9%

Locations with Provisional ballots rejected due to PEO error



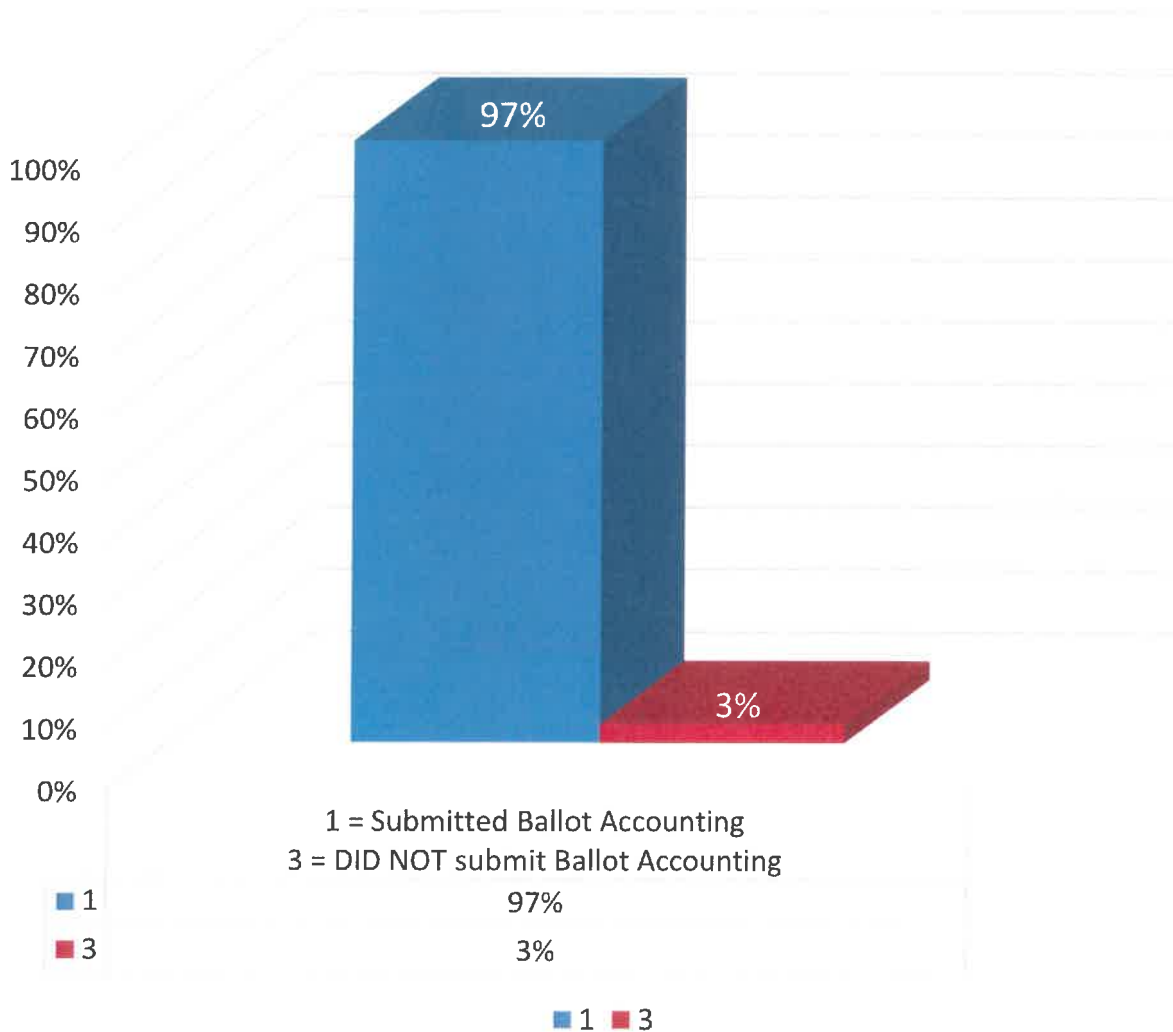
D. RECONCILIATION AFTER POLLS ARE CLOSED

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly closing the polls.

1. Did the PEOs complete their reconciliation duties?

Scoring	# of Polling Locations	% of Total Polling Locations
1 - Completed reconciliation duties (Ballot Accounting)	285	97%
3 - DID NOT complete reconciliation duties (Ballot Accounting)	10	3 %

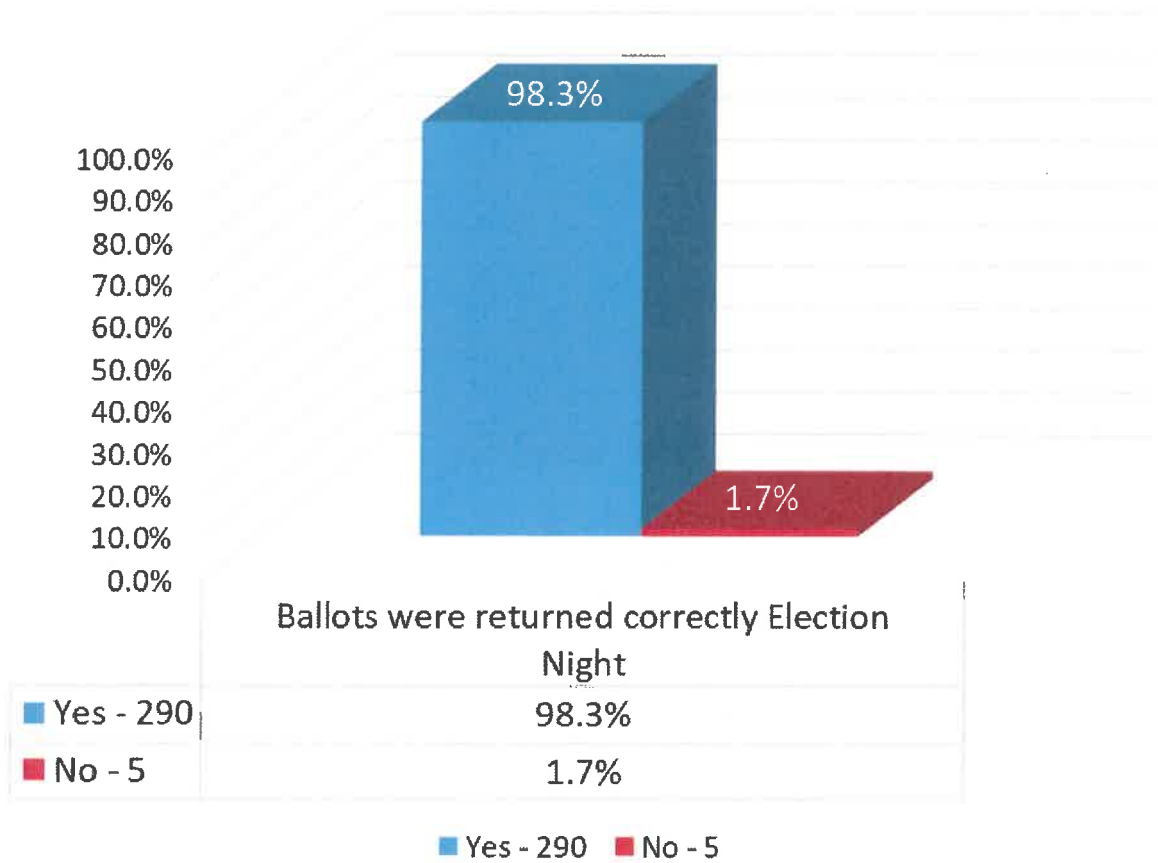
Locations that correctly completed Ballot Accounting



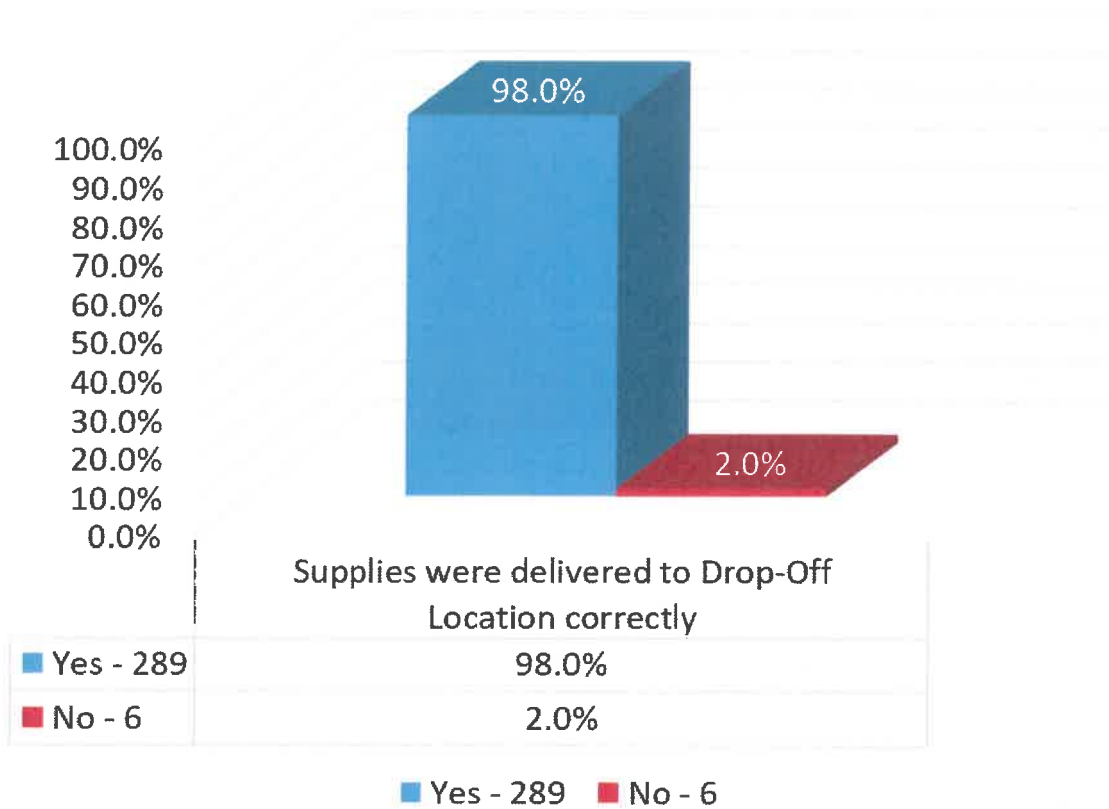
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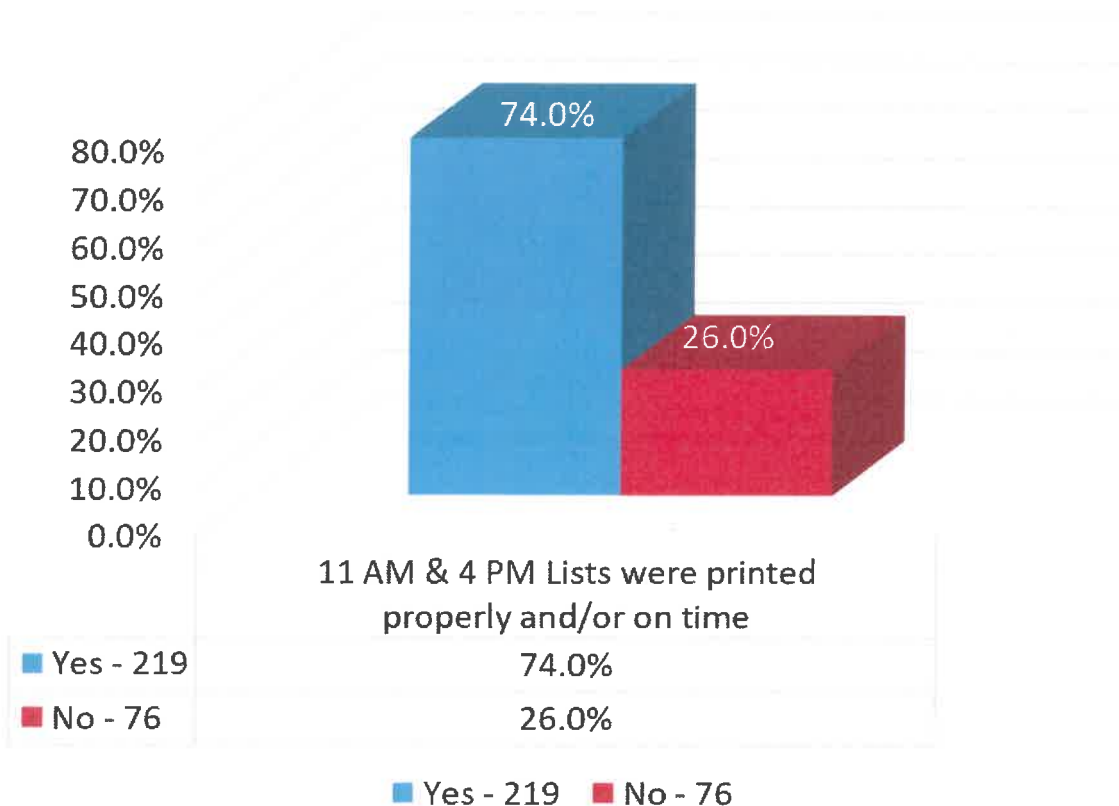
Were ballots returned correctly on Election Night?



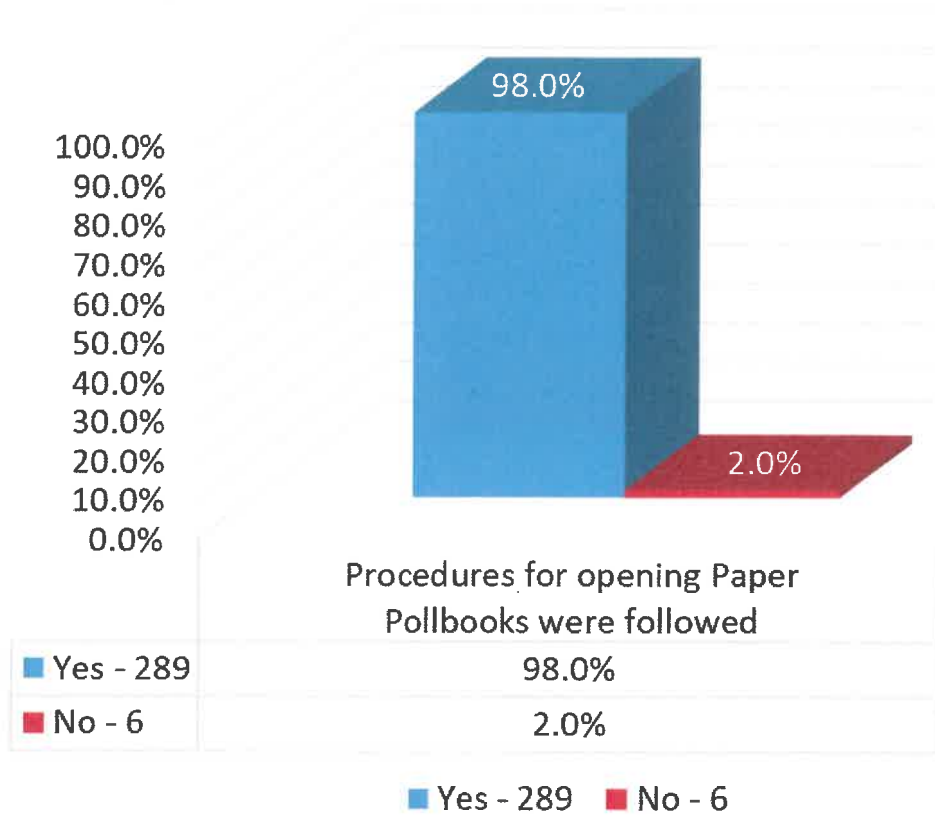
Were supplies delivered to the Drop-Off Location correctly?



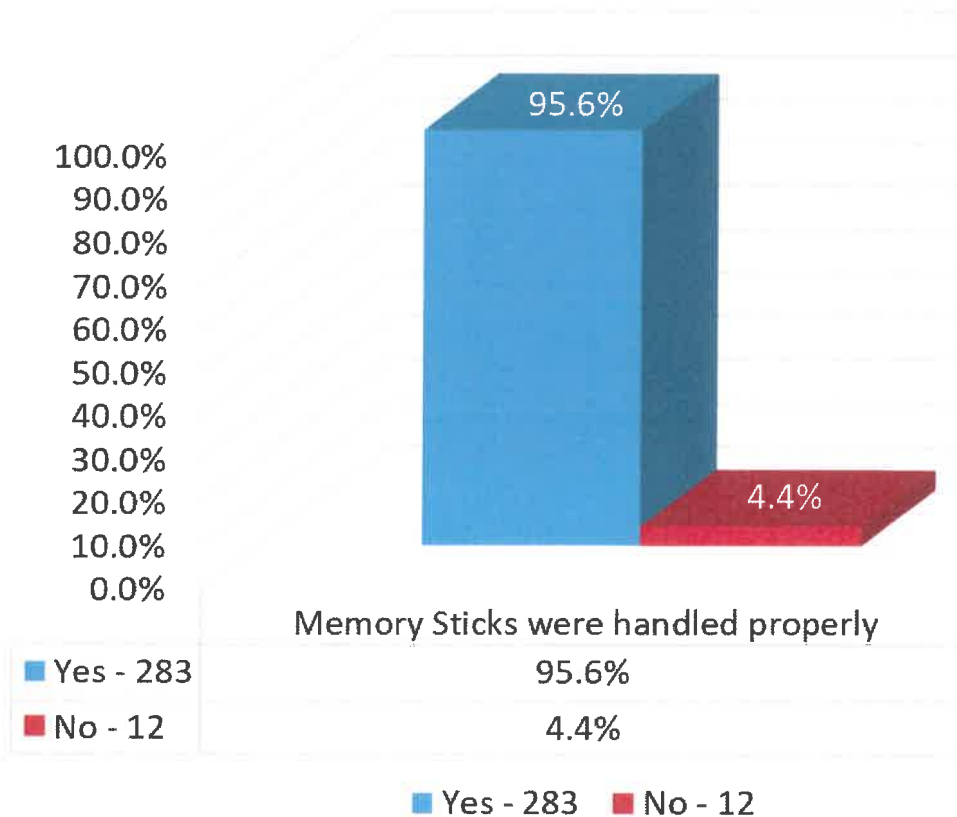
Were the 11 AM & 4 PM lists printed properly and/or on time?



Were Paper Pollbooks opened without permission?



Were memory sticks handled properly?



Agenda Item #10



CUYAHOGA COUNTY BOARD OF ELECTIONS

Jeff Hastings
Chairman

Inajo Davis Chappell
Member

Lisa M. Stickan
Member

David J. Wondolowski
Member

Anthony W. Perlatti
Director

Anthony N. Kaloger
Deputy Director

Memorandum

To: Board Members

CC: Anthony W. Perlatti, Director
Anthony N. Kaloger, Deputy Director

From: Kendra Zusy, Fiscal Services Manager *KZ*

Date: February 14, 2022

Re: Six-Month Renewal Recommendation for MidFitz, Inc. dba Berman Moving & Storage

Background

The current contract, between the Cuyahoga County Board of Elections and Berman Moving & Storage for the delivery and return of voting equipment for all elections, carried an “Initial Term” due to expire May 2, 2022. Pursuant to subdivision (B) of Article I, the contract grants the Board of Elections sole discretion to extend the contract for a period of six months (current contract is attached for reference).

The current contract cost was estimated at \$107,844.00 for services for the August 3, 2021, September 14, 2021 and November 2, 2021 Elections. The actual costs for the current contract totaled \$93,480.00 or 13.32% less than estimated.

Recommendation

Berman Moving & Storage has been the Board’s vendor for delivery and return of voting equipment services since 2013 and has proven to be a good and reliable vendor. Therefore, a Six-Month Renewal Term of **May 3, 2022 through November 2, 2022** is recommended for the current contract to MidFitz, Inc. dba Berman Moving and Storage in the amount of **\$51,463.50**.

History of Bid Pricing

From	To	Vendor	Price Per Delivery
5/7/2013	9/8/2015	Berman Moving & Storage	\$93.67
11/3/2015	12/31/2016	Berman Moving & Storage	\$93.67
3/6/2017	2/28/2019	Berman Moving & Storage	\$100.23
2/12/2019	5/3/2021	Berman Moving & Storage	\$115.67
5/4/2021	5/14/2021	Berman Moving & Storage	\$115.67
5/16/2021	5/2/2022	Berman Moving & Storage	\$150 or \$195

History of Contract Estimate vs. Actual Costs

		Contract			
From	To	Estimate	Actual Costs	Over/(Under)	% Diff.
5/7/2013	9/8/2015	\$185,560.27	\$134,791.13	(\$50,769.14)	-27.36%
11/3/2015	12/31/2016	\$114,558.41	\$120,178.61	\$5,620.20	4.91%
3/6/2017	2/28/2019	\$141,925.68	\$134,938.96	(\$6,986.72)	-4.92%
2/12/2019	5/3/2021	\$131,979.47	\$125,842.84	(\$6,136.63)	-4.65%
5/4/2021	5/14/2021	\$6,477.52	\$6,824.35	\$346.83	5.35%
5/16/2021	5/2/2022	\$107,844.00	\$93,480.00	(\$14,364.00)	-13.32%



CUYAHOGA COUNTY BOARD OF ELECTIONS

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Anthony W. Perlatti
Director

Anthony N. Kalogirou
Deputy Director

February 14, 2022

MidFitz, Inc., dba Berman Moving and Storage, Inc.
Ms. Marcy Robbins, President
23800 Corbin Drive
Cleveland, OH 44128

RE: Notice to Renew – Acknowledging the Board of Election’s Decision to Renew Delivery and Return of Voting Equipment Contract Exercising Six-Month Renewal Option – CM1817

Dear Ms. Robbins,

The current contract between Cuyahoga County Board of Elections (“Board”) and Berman Moving and Storage, Inc. (“Vendor”) for the Delivery and Return of Voting Equipment for all Elections in Cuyahoga County, based on Bid #2021.03.22, (“Contract”) carried an “Initial Term” due to expire May 2, 2022. Pursuant to subdivision (B) of Article I, the Contract grants the Board of Elections sole discretion to extend the contract for a period of six months.

This letter serves to memorialize that the Board wishes to extend the Contract for the period beginning **May 3, 2022 through November 2, 2022** (the “Renewal Period”) to cover both the delivery prior to, and collection after the May 3, 2022 Primary Election of voting equipment and supplies. The Contract is extended for the Renewal Period pursuant to the same terms and conditions as those set forth in the Contract.

Further by executing this renewal, the Vendor acknowledges and agrees this Contract is integral to the Board’s ability to administer free and fair elections and the Vendor will not act or engage in any conduct that gives the appearance of impropriety or exhibits political bias or taints the elections process by reason of any partisanship of any kind, perceived or otherwise. The Vendor agrees i) to conduct its operations so as not to cause disrepute, contempt or scandal on the Board or otherwise interfere, directly or indirectly, with the Board’s election administration process, and ii) that the Vendor acknowledgements and agreements are a material inducement for the Board to extend the Contract for the Renewal Period. All terms and conditions of renewal set forth in this letter of agreement are incorporated into the Contract by reference.

Please signify Midfitz, Inc. dba Berman Moving and Storage, Inc.’s acknowledgment of the above-described renewal by signing in the place provided below and return signed enclosed to my attention at the Board of Elections. Also, it is understood that current certificates of insurance remain evidencing that Berman Moving and Storage, Inc. continues to maintain the policies and limits required under the Contract and that the Board of Elections is included as an additional insured under the same.

Please do not hesitate to give me a call with any questions or concerns.

Sincerely,



Anthony W. Perlatti, Director
Cuyahoga County Board of Elections

ACKNOWLEDGED AND AGREED:
MIDFITZ, INC. dba BERMAN MOVING AND STORAGE, INC.

By:  _____

Printed: Marcy Robbins

Title: President

Contract Renewal

Instructions: Enter in the blue highlighted area only. Enter "Current Prices" for each Category. After Totals are calculated, save Excel file to include your Vendor Name and Bid #.

	Tier 1 Pricing: 1 to 5 Precincts and/or Zone Stations	Tier 2 Pricing: 6 to 12 Precincts
Delivery Item	Quantities	Quantities
ADA Ballot Marking Device	1	1
Transport Cart	0 to 2	3 to 5
DS200 Scanner	2 to 5	6 to 8
Ballot Rack	0	4
Bid Price per Location:	\$150.00	\$195.00

Election Date: 5/3/2022	Locations	Price
Tier 1 locations	282	\$42,300.00
Tier 2 locations	23	\$4,485.00
Total Bid for 5/3/2022:		\$46,785.00

Add 10% Contingency: \$4,678.50

Grand Total Amount of Renewal	\$51,463.50
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Minimum Special Election Charge: \$	1,500.00
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Vendor Name:	MIDFITZ Inc. DBA Berman Moving and Storage
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Cuyahoga County Board of Elections Contract Renewal - Delivery and Return of Voting Equipmen

Vendor Representative:



Signed Name

2/7/2022

Date

Marcy Robbins, President

Printed Name

CONTRACT

By and between the

CUYAHOGA COUNTY BOARD OF ELECTIONS

and

MIDFITZ, INC. dba BERMAN MOVING AND STORAGE

THIS CONTRACT (the "Contract") is made and entered into as of May 3, 2021, by and between the Cuyahoga County Board of Elections ("BOARD"), a body politic and a political subdivision of the State of Ohio organized and existing under Title 35 of the Ohio Revised Code (ORC), at 2925 Euclid Avenue, Cleveland, Ohio 44115, and MidFitz, Inc. dba Berman Moving and Storage, ("CONTRACTOR") having principal place of business at 23800 Corbin Drive in Cleveland, Ohio 44128. The BOARD and CONTRACTOR may hereafter be referred to singularly as a "Party", or jointly as "Parties".

WHEREAS, the BOARD has issued a request for bid ("RFB"), attached and incorporated as Exhibit A in accordance with Ohio Revised Code 3501.301 for the delivery and return of voting equipment for all elections occurring from May 16, 2021 through May 2, 2022; and

WHEREAS, the CONTRACTOR has submitted an official bid (the "Bid"), attached and incorporated as Exhibit B, for such RFB; and

WHEREAS, the BOARD has determined, by majority affirmative vote, that CONTRACTOR was the "lowest and best bidder" per Ohio Revised Code Section 3501.301.

NOW, THEREFORE, in consideration of mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONTRACTOR and the BOARD agree as follows:

I. **Term; Amount**

- A. **Initial Term:** The initial term of this Contract shall commence **May 16, 2021 through May 2, 2022**, unless earlier terminated or canceled (the "Initial Term"). Payments made by the BOARD to CONTRACTOR during this Initial Term shall not exceed one-hundred seven thousand, eight hundred forty-four dollars (**\$107,844.00**).
- B. **Renewal Options.** The contract may be renewed after the ending date of the contract solely at the discretion of the BOARD for a period of six months. Any further renewals will be by mutual agreement between BOARD and the CONTRACTOR for any number of times and for an appropriate period of time. The cumulative time of all mutual renewals may not exceed 24-months beyond the initial term and BOARD's sole six-month renewal.

II. **BOARD Responsibilities**

- A. **Project Managers:** BOARD shall appoint Project Managers to serve as the main point of contact between the BOARD and CONTRACTOR. No Project Managers, nor any other BOARD employee, shall be directly or indirectly responsible for performing any of the CONTRACTOR's responsibilities.

- B. Preparation of Voting Equipment and Supplies: Prior to each election, the BOARD shall prepare the DS200 Ballot Scanners and AutoMark ADA Voting Units for pickup by the CONTRACTOR, which includes clearly marking the voting location to which each piece of equipment shall be delivered.
- C. Pickup Order: The BOARD shall provide CONTRACTOR with the order that equipment shall be ready for pickup from the BOARD Warehouse located at 1890 East 40th Street, Cleveland, Ohio. Equipment is prepared by BOARD by municipality, and equipment for multiple municipalities will be included in each pickup (for countywide elections).
- D. Preparation of Voting Booths: Prior to each election, the BOARD shall send staff to the CONTRACTOR's warehouse to prepare the voting booths for each voting location. The voting booths shall be stored at the CONTRACTOR's warehouse on transport carts (9 to 15 depending on cart configuration). BOARD staff shall provide additional transport carts at this time so the booths can be segregated by voting location, which shall be completed by BOARD staff.
- E. Maps: The BOARD shall provide maps, noting all voting locations and their addresses. The BOARD shall also specify the name of the contact person for each voting location.
- F. Chain of Custody Forms ("Order to Move" and "Order to Return"): For each election, the BOARD shall provide Chain of Custody Forms for each voting location to which equipment will be delivered. Two forms will be provided for each location: one for the delivery of the equipment and one for the return of equipment.

III. **CONTRACTOR Responsibilities**

- A. Unbiased Business Conduct: The CONTRACTOR acknowledges that this Contract is integral to the Board's ability to administer free and fair elections, which constitutes the essence of the Contract. The CONTRACTOR will not act or engage in any conduct that gives the appearance of impropriety or exhibits political bias or taints the elections process by reason of any partisanship of any kind, perceived or otherwise. The CONTRACTOR agrees i) to conduct its operations so as not to cause disrepute, contempt or scandal on the Board or otherwise interfere, directly or indirectly, with the Board's election administration process, and ii) that the CONTRACTOR acknowledgements and agreements are a material inducement for the Board to select the CONTRACTOR for contract award.
- B. **Compliance with Secretary of State's Election Procedures**: **The Ohio Secretary of State's directives, advisories, other instructions, decisions and the Ohio Election Official Manual are incorporated by reference. If rules and requirements change after the commencement of the Contract in a manner that the parties agree affects performance or other expectations under the Contract, the parties may discuss whether or not changes require an amendment to the terms of the Contract.**
- C. Equipment Pickups: CONTRACTOR shall begin picking up the election equipment at the BOARD's Warehouse located at 1890 East 40th Street, Cleveland, Ohio, approximately **21 days prior to each election** (unless BOARD specifically allows for a later date). For countywide elections, a forty-five or fifty-three foot trailer (or combination of smaller trucks equivalent in total space) shall be required to pick up the equipment from the BOARD's Warehouse.
- D. Moving Equipment: The CONTRACTOR shall provide all necessary trucks, forklifts, stackers, carts, shrink wrap, dollies, and personnel for the handling of voting equipment, booths, ballot bags, signs, flag sets and all other election supplies required to be delivered or returned by the BOARD.

- E. **Security of Equipment:** The CONTRACTOR must securely move all the equipment by carefully using tie down tools or lock bars in their delivery trucks. Each level in the truck must be secured to prevent any shifting during transport. During transport, the **wheels shall be locked** on all the equipment, and then unlocked when unloading the truck. The tie down tools or lock bars should be properly placed on all the equipment to avoid shifting throughout transport.
- F. **Special Handling of Equipment:** Each delivery and return of voting equipment and supplies for the BOARD will require special handling during storing and transporting, which are detailed below:
1. **DS200 Precinct Scanners** – The top of each unit contains the digital computerized scanner, which can make the unit top-heavy. A two-wheel dolly or a floor plate will be necessary to transport these scanners over elevators, sidewalks, driveways, truck gates, etc. The scanner shall be loaded into the truck, floor loaded, with their **wheels locked**, covered with a blanket, and secured inside the truck. The precinct scanners shall not be stacked on top of one another and shall always be vertical on its four wheels. No other equipment shall be stacked on top of the scanner. These scanners can never be stacked or loaded horizontally and shall never be maneuvered with a forklift.
 2. **AutoMark ADA Voting Unit** – These units are in black rectangular cases with handles. These units shall be transported by extending the handle and rolling it on the two wheels and shall always remain upright on the two wheels and shall be secured in the moving truck to avoid shifting. These units shall be floor loaded and shall never be stacked or loaded horizontally. No other equipment shall be stacked on top of these units.
 3. **Voting Booths** – These voting booths are stored on transporting carts. The carts shall not be stacked more than two high. The CONTRACTOR shall verify the voting booths are correctly loaded on the carts and shall use shrink wrap to secure the booths and precinct bags onto the carts for the delivery to the voting locations. Each cart shall be securely strapped into the delivery truck to avoid shifting during transport. These voting units shall be stored at the selected CONTRACTOR's location on BOARD carts between elections.
- G. **Storage of Equipment:** Voting equipment and supplies that must be stored by CONTRACTOR prior to delivery shall be stored in a locked, dry warehouse with 24-hour security in the form of an alarm or camera system.
- H. **Equipment Deliveries:** CONTRACTOR shall begin delivering the election equipment to the voting locations in Cuyahoga County approximately **14 days prior to each election** (unless BOARD specifically allows for a later date). **All deliveries shall be substantially completed by the final Friday before Election Day. Unless otherwise explicitly agreed to by BOARD, "substantially completed" shall constitute approximately 95% of all deliveries.** A dock plate or a similar device shall be used when necessary to move the precinct scanners/AutoMark units over uneven or wide doorways with gaps in the floor. This will protect the wheels on the bottom of the unit.
- I. **Two-Person Delivery Team:** CONTRACTOR shall make all deliveries and pickups of voting equipment with a two-person delivery team.
- J. **Order to Move Forms:** The CONTRACTOR shall be responsible for ensuring all "Order to Move" chain of custody forms are signed by both the driver and passenger of the delivery truck stating exactly where all election equipment is stored. The forms must also be signed by the person at the voting location who receives the election equipment. The area or room number where election equipment and supplies will be stored at the voting location must be indicated legibly on the Chain of Custody form (Move Order). All signed Chain of Custody forms must be returned to the BOARD the same day

as delivery. Original Chain of Custody forms may be returned the next day as long as a copy is faxed or e-mailed the same day delivery takes place. The order of delivery and return of all the voting equipment and supplies will be instructed by the BOARD.

- K. Delivery Dates and Routes: The CONTRACTOR shall be responsible for establishing all delivery routes and for making necessary arrangements to gain entry for deliveries. CONTRACTOR shall also inform the BOARD of the planned daily delivery and pick up schedules 50 days prior to the start of deliveries to voting locations. This delivery schedule must be approved by the BOARD. For countywide elections, the CONTRACTOR shall make a roughly equal quantity of deliveries or pickups per day to ensure BOARD staff can maintain an efficient work schedule. The Chain of Custody forms will list any specific time limitations when a particular location will accept delivery or allow pick-up. The CONTRACTOR must adhere to set delivery schedule unless beyond the CONTRACTOR's control due to unforeseen circumstances. The BOARD Project Managers shall be contacted immediately if delivery or pick-up cannot be accomplished at a location due to unforeseen circumstances.
- L. Equipment Returns: Starting the day after each election, the CONTRACTOR shall begin picking up ALL election equipment from the voting locations and returning it to the BOARD. All equipment shall be returned to the BOARD by **10 days after the election**.
- M. Order to Return Forms: An "Order to Return" chain of custody form will be provided by the BOARD for each voting location. Chain of Custody forms must be signed by the driver, passenger, and the person at the location receiving as well as releasing the voting booths, signs and flags. The Chain of Custody forms must be returned to the BOARD on a daily basis. Original Chain of Custody forms may be returned the next day as long as a copy is faxed or e-mailed the same day delivery takes place.
- N. Re-Deliveries: Any re-deliveries and pick-ups that may be required will not result in additional compensation being paid from the BOARD to the CONTRACTOR for necessary re-deliveries or pick-ups.
- O. Storage of Booths and Carts: The CONTRACTOR shall be responsible for storing the +/-6,000 voting booths on BOARD carts between elections at their location. There are 667 full carts of voting booths that can be stacked two high, resulting in a floor footprint of 400 carts for storage. The cost of storage shall be factored into the cost per delivery.
- P. Licenses and Permits: The CONTRACTOR shall have all licenses and permits required by Federal, State and municipal laws, ordinances and regulations including the CONTRACTOR's own P.U.C.O. Certificate of Authority.

IV. Contract Termination and Suspension

- A. Contract Termination: If CONTRACTOR fails to perform any of its obligations under the Contract, it will be in default and the BOARD may terminate the Contract in accordance with this section. The termination will be effective on the date delineated by the BOARD.
 - 1. Termination for Default: If CONTRACTOR's default is unable to be cured in a reasonable time based on the circumstances at the time of CONTRACTOR's default, the BOARD may terminate the Contract by written notice to the CONTRACTOR.
 - 2. Termination for Unremedied Default: If CONTRACTOR's default may be cured within a reasonable time based on the circumstances at the time of CONTRACTOR's default, the BOARD will provide written notice to CONTRACTOR specifying the default and the time within which

CONTRACTOR must correct the default. If CONTRACTOR fails to cure the specified default within the time required, the BOARD may terminate the Contract. If the BOARD does not give timely notice of default to CONTRACTOR, the BOARD has not waived any of its rights or remedies concerning the default.

3. Termination for Persistent Default: The BOARD may terminate this Contract by written notice to CONTRACTOR for defaults that are cured, but are persistent. "Persistent" means three or more defaults. After the BOARD has notified CONTRACTOR of its third default, the BOARD may terminate this Contract without providing CONTRACTOR with an opportunity to cure, if CONTRACTOR defaults for a fourth time. The four defaults are not required to be related to each other in any way.
 4. Termination for Endangered Performance: The BOARD may terminate this Contract by written notice to CONTRACTOR if the BOARD determines that the performance of CONTRACTOR is endangered through no fault of the BOARD.
 5. Termination for Financial Instability: The BOARD may terminate this Contract by written notice to CONTRACTOR if a petition in bankruptcy or similar proceeding has been filed by or against CONTRACTOR.
 6. Termination for Delinquency, Violation of Law: The BOARD may terminate this Contract by written notice, if it determines that CONTRACTOR is delinquent in its payment of federal, state, or local taxes, workers' compensation, insurance premiums, unemployment compensation contributions, child support, court costs, or any other obligation owed to a state agency or political subdivision. The BOARD may also cancel this Contract, if it determines that CONTRACTOR has violated any law during the performance of this Contract. However, the BOARD may not terminate this Contract if CONTRACTOR has entered into a repayment agreement with which CONTRACTOR is current.
 7. Termination for Subcontractor Default: The BOARD may terminate this Contract for the default of CONTRACTOR or any of its subcontractors. CONTRACTOR will be solely responsible for satisfying any claims of its subcontractors for any suspension or termination and will indemnify the BOARD for any liability to them. Subcontractors will hold the BOARD harmless for any damage caused to them from a suspension or termination. The subcontractors will look solely to CONTRACTOR for any compensation to which they may be entitled.
 8. Termination for Convenience: The BOARD may terminate this Contract for its convenience after issuing written notice to CONTRACTOR. In such case, CONTRACTOR will be entitled to compensation for any supplies or products that the CONTRACTOR has delivered or rendered services before the termination. Such compensation will be CONTRACTOR's exclusive remedy in the case of termination for convenience and will be available to CONTRACTOR only after submitting a proper invoice for the services, products, or supplies, with the invoice reflecting the amount determined by the BOARD to be owing to CONTRACTOR.
 9. Termination, CONTRACTOR Responsibilities: Upon receipt of the notice of termination, CONTRACTOR will immediately cease all work related to the Contract, if applicable, and refuse any additional orders and take all steps necessary to minimize the costs the CONTRACTOR will incur related to this Contract.
- B. Contract Suspension: If CONTRACTOR fails to perform any one of its obligations under this Contract, it will be in default and the BOARD may suspend rather than terminate this Contract where the BOARD believes that doing so would better serve its interest. In the case of suspension for the BOARD's convenience, the amount of compensation due to CONTRACTOR for work performed before the suspension will be determined in the same manner as provided in this section for termination for the BOARD's convenience or CONTRACTOR may be entitled to compensation for work performed before the suspension, less any damage to the BOARD resulting from the

CONTRACTOR's breach of this Contract or other fault. The notice of suspension, whether with or without cause, will be effective immediately on CONTRACTOR's receipt of the notice.

V. Contract Remedies

- A. **Actual Damages:** CONTRACTOR is liable to the BOARD for all actual and direct damages caused by CONTRACTOR's failure to secure, protect and return the property of the BOARD. The BOARD may buy substitute supplies or equipment, from a third party, for those that were in the custody of the CONTRACTOR. The BOARD may recover the costs associated with acquiring substitute supplies or equipment, less any expenses or costs saved by CONTRACTOR's default, from CONTRACTOR.
- B. **Liquidated Damages:** It is acknowledged and agreed that the CONTRACTOR's failure to timely fulfill its delivery obligations under the Contract cause the BOARD to incur economic damages and substantial other losses in amounts which are impossible to compute and ascertain with certainty as a basis for recovery by the BOARD of actual damages, and that liquidated damages represent a fair, reasonable and appropriate estimate thereof. Accordingly, in lieu of actual damages for such failure, the CONTRACTOR agrees that liquidated damages may be assessed and recovered by the BOARD as against CONTRACTOR and its Surety, in the event of delayed delivery and without the BOARD being required to present any evidence of the amount or character of actual damages sustained by reason thereof; therefore , the BOARD may recover liquidated damages from the CONTRACTOR per the following schedule:

Damage	Cost
For each equipment delivery not properly completed by the Friday before Election Day and exceeding the "substantial completion" threshold detailed in Section III(H)	\$50 each for first four locations, \$70 each for fifth and subsequent locations
For each equipment delivery not properly completed by Election Day (or each equipment delivery delivered to an incorrect location)	\$160 each for first three locations, \$225 each for fourth and subsequent locations
For each equipment delivery not returned to the BOARD by the 10th day after Election Day	\$160 each for first three locations, \$225 each for fourth and subsequent locations

Such liquidated damages are intended to represent estimated actual damages and are not intended as a penalty, and CONTRACTOR shall pay them to the BOARD without limiting the BOARD's right to terminate this agreement for default as provided elsewhere herein.

- C. **Deduction of Damages from Contract Price:** The BOARD may deduct all or any part of the damages resulting from CONTRACTOR's default from any part of the price still due on the Contract, upon prior written notice to being issued to CONTRACTOR by the BOARD.

- D. **Performance Bond:** Pursuant to Ohio Revised Code Section 3505.13, CONTRACTOR shall maintain a performance bond with a surety company or companies licensed to do such business in the State of Ohio in the sum equal to not less than 10% of the total amount of the contract conditioned upon the faithful performance of the Contract and for the payment as damages by CONTRACTOR to the BOARD of any excess of cost which it may be obliged to pay for such work by reason of the failure of CONTRACTOR to complete the Contract.

VI. Payment Provisions

- A. **Invoicing:** After each election, CONTRACTOR shall promptly submit one original invoice to the BOARD for deliveries actually rendered for such election. All deliveries shall be charged at the prices specified in CONTRACTOR's bid (Exhibit B).
- B. **Payments:** Payments under this Contract shall be due on the 60th calendar day after the date of actual receipt of a proper invoice by the BOARD. The date of the warrant issued in payment will be considered the date payment is made. Interest on late payments will be paid in accordance with Ohio Revised Code Section 126.30.
- C. **Tax Exempt:** The BOARD is a tax-exempt No. 29 political subdivision of the State of Ohio (Federal I.D. No. 34-6000817) and can provide necessary tax exemption forms upon CONTRACTOR's request.

VII. Quantities

- A. The estimated quantity of deliveries of the items for the Initial Term is included in the Official Bid Form (Exhibit B).

VIII. General Terms and Conditions

- A. **Governing Law and Jurisdiction:** This Contract shall be governed by, and shall be construed and enforced in accordance with, the laws of the State of Ohio. The Parties agree that the state and federal courts sitting in Ohio will have exclusive jurisdiction over any claim arising out of this Contract. Each Party consents to the exclusive jurisdiction of such courts and waives any right to object to such filing on venue, forum non-convenient, or similar grounds.
- B. **Severability:** If any provision of this Contract shall be unenforceable or invalid under an applicable law or be so held by an applicable court decision, the remaining provisions of the Contract shall remain in full force and effect. The unenforceable or invalid provision shall be changed and interpreted so as to best accomplish the objectives of such provision within the limits of applicable law or applicable court decision.
- C. **Entire Agreement:** This Contract and its Exhibits sets forth and constitutes the entire agreement and understanding of the Parties with respect to the subject matter hereof. This Contract supersedes any and all prior agreements, negotiations, correspondence, undertakings, promises, covenants, arrangements, communications, representations, and warranties, whether oral or written, of any Party to this Contract. Exhibit A and Exhibit B are incorporated as if fully rewritten

herein whether or not physically attached to this Contract. The following order of precedence shall govern in any conflict that arises between this Contract and any materials incorporated by reference: (1) this Contract; (2) the RFB incorporated as Exhibit A; and (4) the Bid, incorporated as Exhibit B.

- D. Amendments: This Contract may be amended only in writing, approved by a majority of the BOARD Members of the BOARD, and executed by both Parties.
- E. Conflicts: The terms of this Contract shall control over any conflicting terms in any referenced agreement or document.
- F. Time: Time is of the essence as to all dates set forth herein. A failure to perform by the dates and times specified herein, including any applicable cure periods, will be a material breach of the Contract.
- G. Strict Performance: The failure of the BOARD to insist upon strict performance of the terms, covenants, agreements and conditions contained in this Contract shall not constitute or be construed as a waiver or relinquishment of the BOARD's rights to thereafter enforce such term, covenants or condition, but the same shall continue in full force and effect.
- H. Assignment: CONTRACTOR shall not assign or subcontract any of its obligations or duties under this Contract without the prior consent of the BOARD.
- I. Independent Contractor: CONTRACTOR shall be and remain an independent contractor with respect to all services performed hereunder and agrees to and does hereby accept full and exclusive liability for payment of any and all contributions or taxes for social security, unemployment insurance, or old age retirement benefits, pensions, or annuities now or hereafter imposed under any local, state or federal law which are measured by the wages, salaries, or other remuneration paid to persons employed by the CONTRACTOR for work performed under the terms of the contract and further agrees to obey all lawful rules and regulations and to meet all lawful requirements which are now or hereafter may be issued or promulgated under said respective laws by and duly authorized state or federal officials.
- J. Indemnification: CONTRACTOR shall indemnify, defend, and save the BOARD harmless from suits or actions of every nature and description brought against it, for or on account of any injuries or damages received or sustained by a party or parties or from any act of CONTRACTOR, his servants or agents.
- K. Limitation of Liability: In no event shall the BOARD be liable to CONTRACTOR or any third party for incidental or consequential damages of any kind, including, without limitation, punitive or economic damages or lost profits.
- L. Compliance with Laws: Each Party shall comply in all respects with all applicable legal requirements governing the duties, obligations, and business practices of that party and shall obtain any permits

or licenses necessary for its operations. Neither Party shall take any action in violation of any applicable legal requirement that could result in liability being imposed on the other Party.

- M. **Force Maieure:** Neither Party shall be held responsible for any delay or failure in performance of any part of this Contract to the extent such delay or failure is caused by fire, flood, explosion, war, embargo, civil or military authority, act of God, or other similar causes beyond its control and without the fault or negligence of the delayed or non-performing party.
- N. **Successors and Assigns:** This Contract shall be binding on and inure to the benefit of the Parties hereto and their respective heirs, legal or personal representatives, successors, and assigns.
- O. **Survival:** All provisions that logically ought to survive termination of this agreement shall survive.
- P. **Notices.** For any notice under the Contract to be effective, it must be made in writing and sent via email. The date of notice shall be the date such email is sent. The individuals who may send and receive notices on behalf of their respective Party are listed below and shall include their successors. The Parties shall provide updated contact information when necessary.

For the BOARD.

Anthony W. Perlatti, Director
aperlatti@cuyahogacounty.gov

Anthony N. Kaloger, Deputy Director
tkaloger@cuyahogacounty.gov

Kendra A. Zusy, Fiscal Services Manager
kazusy@cuyahogacounty.gov

For CONTRACTOR:

Marcy Robbins, President

marcy@bermanmovers.com

- Q. **Ownership.** All products produced in response to the contract will be the sole property of the BOARD.
- R. **Headings.** The headings used in the contract are for convenience only and shall not affect the interpretation of any of the contract terms and conditions.

IX. Required Contract Documents

CONTRACTOR shall provide the following documents within fourteen (14) calendar days of the Contract award date. Failure to provide these documents within this time frame may result in a rescission of the award.

- A. **Performance Bond:** See Section V (D).

B. Signature Authority: The undersigned signatory for the CONTRACTOR represents and warrants that he or she has full and complete authority to execute the Contract on behalf of the Contractor. This representation and warranty is made for the purpose of inducing the BOARD to execute the Contract. Workers Compensation Certificate: A Worker's Compensation Certificate is required from corporations and partnerships with employees. Sole proprietors and individual consultants are not required to submit this document. CONTRACTOR shall provide a Certificate of Premium Payment for Ohio State Worker's Compensation Insurance, or equivalent Worker's Compensation Insurance or letter of indemnification in lieu thereof. This document shall be current for the entire period of the contract.

C. Certificates of Insurance. CONTRACTOR shall procure, maintain and pay premiums for the insurance coverage and limits of liability indicated below with respect to products, services, work and/or operations performed in connection with this Contract.

1. Commercial General Liability Insurance with limits of liability not less than:

\$1,000,000 each occurrence bodily injury & property damage;

\$1,000,000 personal & advertising injury;

\$2,000,000 general aggregate;

\$2,000,000 products/completed operations aggregate.

Such insurance shall be written on an occurrence basis on the Insurance Services Office (ISO) form or its equivalent.

2. Business Automobile Liability Insurance covering all owned, non-owned, hired, and leased vehicles. Such insurance shall provide a limit of not less than \$1,000,000 combined single limit (bodily injury & property damage) each accident;

Such insurance shall be written on an occurrence basis on the Insurance Services Office (ISO) form or its equivalent.

The insurance policies of Contractor required for this contract shall each name the "Cuyahoga County Board of Elections and its employees" as an Additional Insured and shall contain the following provisions:

a. Thirty (30) days prior notice of cancellation or material change; and


b. A waiver of subrogation wherein the insurer(s) waives all rights of recovery against the Board.

The insurance required for this contract shall be provided by insurance carrier(s) licensed to transact business and write insurance in the state(s) where operations are performed and shall carry a minimum A.M. Best's rating of A VII or above. Contractor shall also require any and all of its subcontractors to procure, maintain, and pay premiums for the insurance coverages and limits of liability outlined above with respect to products, services, work and/or operations performed in connection with this Contract.


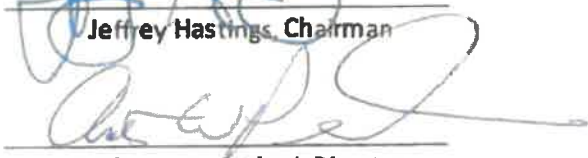
THIS AGREEMENT shall be subject to the interpretation under the laws of the State of Ohio and is subject to the review of the Cuyahoga County Prosecutor's Office as to legal form and correctness.

IN WITNESS WHEREOF, the BOARD and CONTRACTOR have each caused this Contract to be signed and delivered by its duly authorized representative.

CONTRACTOR

By: 
Printed: Marcy Robbins
Title: President
Date: 04/27/2021

**CUYAHOGA COUNTY
BOARD OF ELECTIONS**

By: 
Jeffrey Hastings, Chairman
By: 
Anthony W. Perlatti, Director
Date: 5/3/2021

The legal form and correctness of this Contract is hereby approved:

Office of the Prosecutor, Cuyahoga County, Ohio

By: 
Mark Musson, Assistant Prosecutor

INDEX OF EXHIBITS

Exhibit A - Request for Bid (RFB)

Exhibit B - Vendor's Bid



CUYAHOGA COUNTY BOARD OF ELECTIONS REQUEST FOR BID

Bid #: 2021.03.22

Issued by: Cuyahoga County Board of Elections (CCBOE)
2925 Euclid Avenue
Cleveland, Ohio 44115

Subject: Delivery and Return of Voting Equipment for all Election Dates through May 2, 2022

Issue Date: Thursday, March 18, 2021

Due Date: 3:00 pm on Monday, March 22, 2021 via e-mail only to
boefiscalservices@cuyahogacounty.gov

Pre-Bid Conference: N/A

Contacts:

Kendra Zusy Fiscal Services Manager 216-443-6442 kazusy@cuyahogacounty.gov	Patrick McAlea Fiscal Services Assistant Manager 216-443-6416 pmcalea@cuyahogacounty.gov
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This request for bids (RFB) is issued in accordance with Ohio Revised Code Section 3501.301. A contract will be awarded to the lowest and best bidder. Selection of the lowest and best bidder includes considering whether any action, appearance of impropriety or political bias that the selection might impute to the Cuyahoga County Board of Elections.

There will not be a pre-bid conference. Bidder questions should be e-mailed to the above contacts no later than Friday, March 19, 2021, 10:00 am (EST).

SECTION I: SCOPE OF SERVICES

A. Background

The CCBOE conducts all official elections that are held in Cuyahoga County ("County"). There are approximately 900,000 voters in the County. Voters are assigned according to their residence to one of 975 precincts. Each precinct is then assigned to one of approximately 315 voting locations throughout the County (see Exhibit E for a complete list of current voting locations in Cuyahoga County). The exact number of registered voters, precincts, and voting locations will fluctuate slightly throughout the duration of this contract.

On Election Day, each voting location has at least two ballot scanners, which are used by voters to scan their voted ballots. Each voting location also has several collapsible voting booths setup for voters to mark their ballots, as well as one ADA voting unit to assist ADA voters. The quantity of voting booths at each location is based roughly on the number of precincts at that location. Additionally, each precinct assigned to that voting location has a ballot bag that holds the ballots for that precinct, as well as a supply bag(s) that holds supplies for the precinct election officials for that location.

Several elections of varying sizes are held each year. A countywide "general" election is held in November every year. In even years, a countywide "primary" election is held in March (in presidential election years) or May (in non-presidential election years). In odd years, municipalities can hold their "primary" elections in May or September. These elections typically include a quarter to a third of the County's precincts. Special elections, if needed, can be held in August of any year, and have only included around a dozen precincts for the past several years (but can include more). Other types of special elections such as runoff or recall elections are also held on an as-needed basis.

The selected vendor shall be responsible for delivering the items described above to the voting locations for each election, as well as returning all items to the CCBOE after the election. The selected vendor shall also be required to store the collapsible voting booths (when not at the voting locations) at its warehouse location on metal transport carts that will be provided by the CCBOE.

B. Amount

The total amount paid by the Board to the Vendor pursuant to this Contract shall be a not-to-exceed total amount (including a 10% contingency calculation).

C. Description of Deliverables

1. DS200 Ballot Scanners: 44"H x 28"D x 26"W with four lockable wheels and weighing approximately 87 pounds.



2. **ADA Voting Units:** 34"H x 14"D x 26"W with two wheels. This item weighs approximately 75 pounds inside its case.



3. **Collapsible Voting Booths and Transport Carts:** contained in a 5.25" x 23" x 24" flat sided black plastic suitcase weighing thirty pounds. Voting booths are transported on carts provided by the CCBOE. Each single cart may contain up to 9 voting booths. Carts stacked 2 high may contain up to 15 (9 on top cart and 6 on bottom cart) voting booths. Transport carts are 2'- 6"H x 4'L x 2'W.



4. **Ballot Bags:** 13"H x 13"L x 21"W flip-top collapsible fabric supply bag weighing up to 60 pounds when packed. Ballot bags are transported on carts provided by the CCBOE.



5. **Supply Bags:** 14"H x 14"L x 19"W flip-top collapsible fabric supply bag weighing up to 40 pounds when packed. Supply bags are transported inside the DS200 Ballot Scanners.



6. **ADA Signage:** contained in a 4"H x 20"L x 22"W flat sided cardboard box, weighing 5 pounds. These signs are transported on the carts with the voting booths. One (1) to four (4) signs possible per voting location.



7. **Ballot Racks:** 63"H x 32"L x 15"W metal rolling racks with slanted shelving and four wheels. Up to 4 Ballot Racks are needed at voting locations with six precincts or more only.



8. **American Flag Sets:** consist of three (3) American Flags on wooden poles wrapped by twine in a bundle 3" in diameter; the longest flag is 48" in length.

D. Quantities

The estimated quantity of deliveries of the items described above is included in the Official Bid Form (Exhibit A).

E. **The Ohio Secretary of State's directives, advisories, other instructions, decisions and the Ohio Election Official Manual are incorporated by reference into this request for bids and into any resulting contract. If rules and requirements change after the commencement of the contract in a manner that the parties agree affects performance or other expectations under the contract, the parties may discuss whether or not changes require an amendment to the terms of the contract.**

F. CCBOE Responsibilities

1. **Project Managers**: CCBOE shall appoint Project Managers to serve as the main point of contact between the CCBOE and the selected vendor. No Project Managers, nor any other CCBOE employee, shall be directly or indirectly responsible for performing any of the vendor's responsibilities.
2. **Preparation of Voting Equipment and Supplies**: Prior to each election, the CCBOE shall prepare the DS200 Ballot Scanners and AutoMark ADA Voting Units for pickup by the vendor, which includes clearly marking the voting location to which each piece of equipment shall be delivered. The CCBOE shall also provide the vendor with the additional equipment described in Section B, which shall be clearly marked with its assigned voting location.
3. **Pickup Order**: The CCBOE shall provide vendor with the order that equipment shall be ready for pickup from the CCBOE Warehouse located at 1890 East 40th Street, Cleveland, Ohio. Equipment is prepared by CCBOE by municipality, and equipment for multiple municipalities will be included in each pickup (for countywide elections).
4. **Preparation of Voting Booths**: Prior to each election, the CCBOE shall send staff to the vendor's warehouse to prepare the voting booths for each voting location. The voting booths shall be stored at the vendor's warehouse on transport carts (9 to 15 depending on cart configuration). CCBOE staff shall provide additional transport carts at this time so the booths can be segregated by voting location, which shall be completed by CCBOE staff.
5. **Maps**: The CCBOE shall provide maps, noting all voting locations and their addresses. The CCBOE shall also specify the name of the contact person for each voting location.
6. **Chain of Custody Forms ("Order to Move" and "Order to Return")**: For each election, the CCBOE shall provide Chain of Custody Forms for each voting location to which equipment will be delivered. Two forms will be provided for each location: one for the delivery of the equipment ("Order to Move" – see Exhibit C) and one for the return of equipment ("Order to Return" – see Exhibit D).

G. Vendor Responsibilities

1. **Unbiased Business Conduct**: The respondents to the RFB acknowledge that this Contract is integral to the Board's ability to administer free and fair elections, which constitutes the essence of the contract. When selecting the Vendor for award based this RFB, the Board must consider any action, appearance of impropriety, or political bias that the respondent might impute to the Board. The Vendor will not act or engage in any conduct that gives the appearance of impropriety or exhibits political bias or taints the elections process by reason of any partisanship of any kind, perceived or otherwise. The Vendor agrees i) to conduct its operations so as not to cause disrepute, contempt or scandal on the Board or otherwise interfere, directly or indirectly, with the Board's election administration process, and ii) that the Vendor acknowledgements and agreements are a material inducement for the Board to select the Vendor for contract award.

2. **Equipment Pickups:** Vendor shall begin picking up the election equipment at the CCBOE Warehouse located at 1890 East 40th Street, Cleveland, Ohio, approximately **21 days prior to each election** (unless CCBOE specifically allows for a later date) (See Exhibit G – “Sample Equipment Pickup Order”). For countywide elections, a forty-five or fifty-three foot trailer (or combination of smaller trucks equivalent in total space) shall be required to pick up the equipment from the CCBOE Warehouse. (Please see Exhibit B – “Delivery Dates” for a complete list of anticipated delivery dates for currently scheduled elections.)
3. **Moving Equipment:** The selected vendor shall provide all necessary trucks, forklifts, stackers, carts, shrink wrap, dollies, and personnel for the handling of voting equipment, booths, ballot bags, signs, flag sets and all other election supplies required to be delivered or returned by the CCBOE.
4. **Security of Equipment:** The selected vendor must securely move all the equipment by carefully using tie down tools or lock bars in their delivery trucks. Each level in the truck must be secured to prevent any shifting during transport. During transport, the **wheels shall be locked** on all the equipment, and then unlocked when unloading the truck. The tie down tools or lock bars should be properly placed on all the equipment to avoid shifting throughout transport.
5. **Special Handling of Equipment:** Each delivery and return of voting equipment and supplies for the CCBOE will require special handling during storing and transporting, which are detailed below:
 - a. **DS200 Precinct Scanners** – The top of each unit contains the digital computerized scanner, which can make the unit top-heavy. A two-wheel dolly or a floor plate will be necessary to transport these scanners over elevators, sidewalks, driveways, truck gates, etc. The scanner shall be loaded into the truck, floor loaded, with their **wheels locked**, covered with a blanket, and secured inside the truck. The precinct scanners shall not be stacked on top of one another and shall always be vertical on its four wheels. No other equipment shall be stacked on top of the scanner. These scanners can never be stacked or loaded horizontally, and shall never be maneuvered with a forklift.
 - b. **AutoMark ADA Voting Unit** – These units are in black rectangular cases with handles. These units shall be transported by extending the handle and rolling it on the two wheels, and shall always remain upright on the two wheels and shall be secured in the moving truck to avoid shifting. These units shall be floor loaded and shall never be stacked or loaded horizontally. No other equipment shall be stacked on top of these units.
 - c. **Voting Booths** – These voting booths are stored on transporting carts. The carts shall not be stacked more than two high. The selected vendor shall verify the voting booths are correctly loaded on the carts and shall use shrink wrap to secure the booths and precinct bags onto the carts for the delivery to the voting locations. Each cart shall be securely strapped into the delivery truck to avoid shifting during transport. These voting units shall be stored at the selected vendor’s location on CCBOE carts between elections.
6. **Storage of Equipment:** Voting equipment and supplies that must be stored by vendor prior to delivery shall be stored in a locked, dry warehouse with twenty-four hour security in the form of an alarm or camera system.

7. **Equipment Deliveries:** Vendor shall begin delivering the election equipment to the voting locations in Cuyahoga County approximately **14 days prior to each election** (unless CCBOE specifically allows for a later date). **All deliveries shall be substantially completed by the final Friday before Election Day. Unless otherwise explicitly agreed to by CCBOE, "substantially completed" shall constitute approximately 95% of all deliveries.** A dock plate or a similar device shall be used when necessary to move the precinct scanners/AutoMark units over uneven or wide doorways with gaps in the floor. This will protect the wheels on the bottom of the unit.
8. **Two-Person Delivery Team:** Vendor shall make all deliveries and pickups of voting equipment with a two-person delivery team.
9. **Order to Move Forms:** The vendor shall be responsible for ensuring all "Order to Move" chain of custody forms (see Exhibit C) are signed by both the driver and passenger of the delivery truck stating exactly where all election equipment is stored. The forms must also be signed by the person at the voting location who receives the election equipment. The area or room number where election equipment and supplies will be stored at the voting location must be indicated legibly on the Chain of Custody form (Move Order). All signed Chain of Custody forms must be returned to the CCBOE the same day as delivery. Original Chain of Custody forms may be returned the next day as long as a copy is faxed or e-mailed the same day delivery takes place. The order of delivery and return of all the voting equipment and supplies will be instructed by the CCBOE.
10. **Delivery Dates and Routes:** The selected vendor shall be responsible for establishing all delivery routes and for making necessary arrangements to gain entry for deliveries. Vendor shall also inform CCBOE of the planned daily delivery and pick up schedules 50 days prior to the start of deliveries to voting locations. This delivery schedule must be approved by the CCBOE (see Exhibit F – Sample Delivery Schedule). For countywide elections, the vendor shall make a roughly equal quantity of deliveries or pickups per day to ensure CCBOE staff can maintain an efficient work schedule. The Chain of Custody forms will list any specific time limitations when a particular location will accept delivery or allow pick-up. The vendor must adhere to set delivery schedule unless beyond the vendor's control due to unforeseen circumstances. The CCBOE Project Manager shall be contacted immediately if delivery or pick-up cannot be accomplished at a location due to unforeseen circumstances.
11. **Equipment Returns:** Starting the day after each election, the vendor shall begin picking up ALL election equipment from the voting locations and returning it to the CCBOE. All equipment shall be returned to the CCBOE by **10 days after the election**.
12. **Order to Return Forms:** An "Order to Return" chain of custody form (see Exhibit D) will be provided by the CCBOE for each voting location. Chain of Custody forms must be signed by the driver, passenger, and the person at the location receiving as well as releasing the voting booths, signs and flags. The Chain of Custody forms must be returned to the CCBOE on a daily basis. Original Chain of Custody forms may be returned the next day as long as a copy is faxed or e-mailed the same day delivery takes place.
13. **Re-Deliveries:** Any re-deliveries and pick-ups that may be required should be reflected in the original bid price as the selected vendor will not be paid any additional money for necessary re-deliveries or pick-ups.

14. **Storage of Booths and Carts:** The selected vendor shall be responsible for storing the +/-6,000 voting booths on CCBOE carts between elections at their location. There are 667 full carts of voting booths that can be stacked two high, resulting in a floor footprint of 400 carts for storage. The cost of storage shall be factored into the cost per delivery.

15. **Licenses and Permits:** The selected vendor shall have all licenses and permits required by Federal, State and municipal laws, ordinances and regulations including the vendor's own P.U.C.O. Certificate of Authority.

END OF SECTION I

SECTION II: BID REQUIREMENTS

A. Required Bid Documents

All bids shall include the following:

1. **Cover Letter:** A cover letter that includes a brief description of the firm, including: history, number of years in business, type(s) of services provided, legal status of vendor organization (i.e., corporation, partnership, sole proprietor, etc.).
2. **Summary:** A summary of the vendor's prior experience that describes the adequacy of staff, equipment, and past performance of the organization relevant to this project.
3. **References:** A list of three references that includes names and phone numbers of customers for similar projects the firm has completed (references cannot include any current or former CCBOE employees).
4. **Bid Form:** A completed and signed Official Bid Form (Exhibit A).
5. **Bid Bond:** A bid bond in the amount not less than 10% of the bid from two individual sureties or a surety company authorized to conduct such business in the State of Ohio.

B. Bid Pricing

1. Bidders shall enter their proposed unit prices for the delivery and return of voting equipment in the highlighted fields of the Official Bid Form (see Exhibit A). (Note that the cost is for both the delivery AND return of equipment to and from each voting location.) The bidder's total bid amount will be automatically calculated based on the projected delivery quantities. All prices shall be in exact amounts with no estimates or contingencies.
2. The bid price per voting location shall include all the services mentioned in the bid including the delivery and return of voting equipment and supplies as well as the storage of the voting booths and carts at the bidders' facility throughout the duration of the contract.
3. Since few deliveries are typically required for "special" elections, bidders have an option of providing a "minimum election cost". For any election in which the total delivery cost is less than the minimum election cost, the Vendor shall be paid for the "minimum election cost".
4. The delivery quantities in the Official Bid Form are **ESTIMATES ONLY** and are subject to change. Further, "special" elections in August are held on an as-needed basis, and additional elections, although uncommon, may be held on separate dates if required. Regardless of how many elections or what size elections are held during the contract period, the vendor's prices shall remain the same.

C. Method of Submitting Bid

1. Bids must be submitted via e-mail only to boefiscalservices@cuyahogacounty.gov by the bid deadline of 3:00 pm (EST) on Monday, March 22, 2021. Please include Bid Number 2021.03.22 in the Subject line.
2. Late bids will not be considered nor will additional time be granted to any bidder.
3. Prospective bidders may direct questions to the CCBOE employees listed on the cover page of these bid specifications.

D. Discrepancies and Addenda

Should a bidder find any discrepancy in or omission from these specifications, the bidder shall at once notify the CCBOE employees listed above. The CCBOE reserves the right to issue addenda to the RFB at any time. However, if an addendum is issued less than 72 hours prior to the bid deadline, the deadline will be modified accordingly. Addenda will be posted on the CCBOE's website and e-mailed to any potential bidders that have requested to receive such information for this RFB. If you would like to have addenda e-mailed to you for this RFB, please contact the RFB contact listed above.

E. Withdrawal of Bids

Bidders may withdraw a bid that has been submitted at any time up to the bid deadline via either a written request or e-mail to the RFB contact listed above.

F. Multiple Bids

The submission of multiple bids for this RFB shall be considered non-compliant and those bids will be disqualified.

G. Bids Property of CCBOE

All materials submitted in response to this RFB shall become the property of the CCBOE. Selection or rejection of a response does not affect this right. Additionally, the CCBOE shall not be liable for any costs incurred by bidders in the preparation and presentation of bids submitted in response to this RFB. All documents submitted to the CCBOE in response to this RFB shall become public information after the contract is awarded, and available for review and inspection by anyone requesting to do so. The CCBOE does not encourage the submission of confidential/proprietary information in response to this RFB. However, written requests for confidentiality can be submitted to the RFB contact. Neither a bid in its entirety nor bid price information will be considered confidential or proprietary. Under Ohio Revised Code Section 149.43, the CCBOE will make a determination of application for disclosure on an ad hoc basis.

H. Bid Opening

Bids will be opened via e-mail by a bi-partisan team immediately after the bid submission deadline. At this time, all bids will be opened, and the vendor(s) name(s) will be recorded on a bid tabulation form. No dollar amounts or other details of the proposal will be disclosed at this time.

I. Bid Evaluation and Selection

1. The CCBOE shall award this job to the lowest and best bidder in accordance with Section 3501.301 of the Ohio Revised Code.
2. The CCBOE reserves the right to reject any proposal in which the bidder takes exception to the terms and conditions of the request for proposals; fails to meet the terms and conditions of the request for proposals, including but not limited to, the standards, specifications, and requirements specified in the request for proposals; or submits prices that the CCBOE considers to be excessive, compared to existing market conditions, or determines exceed the available funds of the CCBOE.
3. The CCBOE reserves the right to reject, in whole or in part, any proposal that the CCBOE has determined would not be in the best interest of the CCBOE.
4. The CCBOE reserves the right to conduct discussions with bidders who submit proposals for the purpose of clarifications or corrections regarding a proposal to ensure full understanding of, and responsiveness to, the requirements specified in the request for proposals.
5. In order to ensure fair and impartial evaluation, proposals and any documents or other records related to a subsequent negotiation for a final contract that would otherwise be available for public inspection and copying under Section 149.43 of the Ohio Revised Code shall not be available until after the award of the contract.
6. CCBOE staff will submit the contract with its recommended vendor for approval to the Board Members of the CCBOE at a regularly scheduled board meeting following the bid deadline.
7. The CCBOE shall send a written notice to the bidder to whom it wishes to award the contract. Within a reasonable time period after the award is made, the CCBOE shall notify all other bidders that the contract has been awarded to another bidder.

END OF SECTION II

SECTION III: CONTRACT REQUIREMENTS

A. Terms and Conditions

The following terms and conditions shall apply to the contractual agreement between the successful vendor and the CCBOE:

1. **Term.** The term of the Contract shall commence May 16, 2021 through the return of voting equipment for all election dates through May 2, 2022.
2. **Renewal.** The contract may be renewed after the ending date of the contract solely at the discretion of the CCBOE for a period of six months. Any further renewals will be by mutual agreement between CCBOE and the vendor for any number of times and for an appropriate period of time. The cumulative time of all mutual renewals may not exceed 24 months beyond the initial term and CCBOE's sole six month renewal.
3. **Jurisdiction:** The contract shall be subject to interpretation under the laws of the State of Ohio, and subject to the review of the Cuyahoga County Prosecutor's Office as to legal form and correctness.
4. **Indemnification:** The successful vendor shall agree to indemnify and save the CCBOE harmless from suits or actions of every nature and description brought against it, for or on account of any injuries or damages received or sustained by a party or parties or from any act of the contractor, his servants or agents.
5. **Assumption of Liability:** The CCBOE shall not assume responsibility for the payment of any personal property taxes for any materials not owned by the County of Cuyahoga, nor shall the CCBOE pay any insurance premiums for any coverage of any property not owned by the CCBOE. No conditions shall alter this statement.
6. **Tax Exempt:** The CCBOE is a tax-exempt No. 29 political subdivision of the State of Ohio (Federal I.D. No. 34-6000817). Necessary tax exemption blanks will be furnished to the successful vendor when the contract is signed.
7. **Acceptance of Performance:** Acceptance of performance is a condition of the agreement. It shall be understood and agreed that an agent for CCBOE shall determine finally the satisfactory quality of the services and/or materials furnished under the agreement. Failure to meet performance requirements is a reason for termination of the agreement, and the contractor shall be liable to the County for any excess cost and/or expenses incurred by the County thereafter.
8. **Termination:** In the event that the contract is terminated by the CCBOE, thirty (30) calendar days advance written notice shall be given to the vendor. The vendor shall provide all services and/or materials required by the contract and the specifications to the date of termination. Under no circumstances shall the CCBOE be responsible for any type of penalty payment upon the cancellation of the contact. The vendor, however, shall be paid for all services and/or materials provided to the date of termination.
9. **Anti-Discrimination:** The contractor agrees that in the employment of labor, skilled or unskilled, under this Agreement, there shall be no discrimination exercised against any person because of race, religion, national origin, sex, ancestry, age, disability, sexual orientation, or veteran status, and that violation thereof shall be deemed a material breach of said Agreement.

10. **Disability Accommodations:** The Vendor assures that its facilities and services provide reasonable access to all persons with a disability or that reasonable accommodations can be made to provide access. The Vendor agrees to make any and all modifications (that do not impose an undue hardship) to assure access.
11. **Damages:** Vendor is liable to the CCBOE for all actual and direct damages caused by Vendor's default. The CCBOE may buy substitute supplies or services, from a third party, for those that were to be provided by vendor. The CCBOE may recover the costs associated with acquiring substitute supplies or services, less any expenses or costs saved by vendor's default, from vendor. The CCBOE may deduct all or any part of the damages resulting from vendor's default from any part of the price still due on the contract, upon prior written notice to being issued to the vendor by CCBOE. If actual and direct damages are uncertain or difficult to determine, the CCBOE may recover liquidated damages in the following amount:

Damage	Cost
For each equipment delivery not properly completed by the Friday before Election Day and exceeding the "substantial completion" threshold detailed in Section I(E)(6)	\$50 each for first four locations, \$70 each for fifth and subsequent locations
For each equipment delivery not properly completed by Election Day (or each equipment delivery delivered to an incorrect location)	\$160 each for first three locations, \$225 each for fourth and subsequent locations
For each equipment delivery not returned to the CCBOE by the 10th day after Election Day	\$160 each for first three locations, \$225 each for fourth and subsequent locations

12. **Social Security Act:** The Vendor shall be and remain an independent contractor with respect to all services performed hereunder and agrees to and does hereby accept full and exclusive liability for payment of any and all contributions or taxes for social security, unemployment insurance, or old age retirement benefits, pensions, or annuities now or hereafter imposed under any Local, State or Federal Law which are measured by the wages, salaries, or other remuneration paid to persons employed by the Contractor for work performed under the terms of this Contract and further agrees to obey all lawful rules and regulations and to meet all lawful requirements which are now or hereafter may be issued or promulgated under said respective laws by and duly authorized State or Federal officials; and said Contractor also agrees to indemnify and save harmless Cuyahoga County from such contributions or taxes or liability.
13. **Labor and Material:** The Vendor shall well, truly and promptly pay or satisfy the just and equitable claims of all persons who have performed labor or furnished materials or equipment for said Contractor in the execution of this Contract, and all bills, costs or claims of whatever kind which might in law or equity become a lien upon said work.
14. **Assignment:** The Vendor shall not assign, transfer, convey or otherwise dispose of this Contract, or his right to execute it, or his right, title or interest in or to it or any part thereof, or assign, by power of attorney or otherwise, any of the monies due or to become due under this Contract without approval of the County Executive and/or his designee by resolution.
15. **Ownership:** All products produced in response to the contract will be the sole property of the CCBOE.

16. Contract Documents: This RFB and part or all of the successful proposal will be incorporated into the contract.
17. Invoice Requirements. After each election, the vendor shall promptly submit an original invoice to the CCBOE for the ballots and other deliverables actually rendered for such election. The ballots will be listed in line-item detail by type. Other deliverables shall also be listed in line-item detail.
18. Payment Due Date: Payments under this contract will be due on the 60th calendar day after the date of actual receipt of a proper invoice by the CCBOE. The date of the warrant issued in payment will be considered the date payment is made. Interest on late payments will be paid in accordance with Ohio Revised Code Section 126.30.

B. Required Contract Documents

In addition to the contract agreement furnished by CCBOE, the successful vendor shall provide the following documents within fourteen (14) calendar days of the RFB award date. Failure to provide these documents within this time frame may result in a rescission of the award.

1. Signature Authority: A "Signature Authority" document for the vendor's representative who signs the contract:
 - a. For a corporation, a notarized certificate of power of attorney authorizing the individual's signature to bind the corporation or a notarized certificate of corporate resolution authorizing the signature of the document.
 - b. For the sole owner, a notarized statement indicating that the individual is the sole owner and is authorized to sign for and bind the company.
 - c. For a partnership, a certificate of partnership agreement showing the names and address of all partners and authorizing the signatures to bind the partnership.
2. Workers Compensation Certificate: A Worker's Compensation Certificate is required from corporations and partnerships with employees. Sole proprietors and individual consultants are not required to submit this document. The vendor shall provide a Certificate of Premium Payment for Ohio State Worker's Compensation Insurance, or equivalent Worker's Compensation Insurance or letter of indemnification in lieu thereof. This document shall be current for the entire period of the contract.
3. Certificates of Insurance: The vendor shall procure, maintain and pay premiums for the insurance coverage and limits of liability indicated below with respect to products, services, work and/or operations performed in connection with this Contract.
 - a. Commercial General Liability Insurance with limits of liability not less than:
 - \$1,000,000 each occurrence bodily injury & property damage;
 - \$1,000,000 personal & advertising injury;
 - \$2,000,000 general aggregate;
 - \$2,000,000 products/completed operations aggregate.

Such insurance shall be written on an occurrence basis on the Insurance Services Office (ISO) form or its equivalent.

- b. Commercial Automobile Liability Insurance covering all owned, non-owned, hired, and leased vehicles. Such insurance shall provide a limit of not less than \$1,000,000 combined single limit (bodily injury & property damage) each accident;

Such insurance shall be written on an occurrence basis on the Insurance Services Office (ISO) form or its equivalent.

The insurance policies of the vendor required for this contract shall include the "Cuyahoga County Board of Elections and its employees" as an Additional Insured and shall contain the following endorsements:

- (i) Thirty (30) days prior notice of cancellation or material change;
- (ii) A waiver of subrogation wherein the insurer(s) waives all rights of recovery against the CCBOE,
- (iii) The insurance policies are primary and the provider will not seek contribution from any other insurance available to an additional insured.

The insurance required for this contract shall be provided by insurance carrier(s) licensed to transact business and write insurance in the state(s) where operations are performed and shall carry a minimum A.M. Best's rating of A VII or above. The vendor shall also require any and all of its subcontractors to procure, maintain, and pay premiums for the insurance coverages and limits of liability outlined above with respect to products, services, work and/or operations performed in connection with this Contract.

4. Performance Bond: A Performance Bond in an amount not less than 10% of the total amount of the contract from two individual sureties or a surety company authorized to conduct such business in the State of Ohio

END OF SECTION III

INDEX OF EXHIBITS

Exhibit A	Official Bid Form
Exhibit B	Delivery Dates
Exhibit C	Sample "Order to Move" Form
Exhibit D	Sample "Order to Return" Form
Exhibit E	Voting Locations in Cuyahoga County
Exhibit F	Sample Delivery Schedule
Exhibit G	Sample Equipment Pickup Order



18 March, 2021

Berman Moving and Storage was founded in 1912 in Cleveland, Ohio by Swedish immigrants. Since that time, Berman has grown to be a leader in local, national and international moves; both household as well as office and commercial.

For over 100 years, Berman Moving and Storage, Inc. has continued to provide high quality service to its clients in the Cleveland area as well as nationwide. Berman Moving and Storage is a qualified agent for Atlas Van Lines. We believe in honesty and the highest ethical standards. We strive to communicate our value of all people, our objectives of excellent customer service, and how everyone fits into achieving them. We strive for excellence in all that we do.

Sincerely,

A handwritten signature in black ink that reads "JTB".

John Ball
Account Manager
Berman Moving and Storage, Inc.



Updated 02/23/2021

23800 Corbin Dr, Bedford Heights, OH 44128 / 216.663.8816 / bermanmovers.com

Exhibit A - Official Bid Form

Instructions: Enter in the blue highlighted area only. Enter "Current Prices" for each Category. After Totals are calculated, save Excel file to include your Vendor Name and Bid #.

	Tier 1 Pricing: 1 to 5 Precincts and/or Zone Stations	Tier 2 Pricing: 6 to 12 Precincts
Delivery Item	Quantities	Quantities
ADA Ballot Marking Device	1	1
Transport Cart	0 to 2	3 to 5
DS200 Scanner	2 to 5	6 to 8
Ballot Rack	0	4
Bid Price per Location:	\$150.00	\$195.00

Election Date: 8/3/2021	Locations	Price
Tier 1 locations	147	\$22,050.00
Tier 2 locations	14	\$2,730.00
	Total Bid for 8/3/2021:	\$24,780.00

Election Date: 9/14/2021	Locations	Price
Tier 1 locations	157	\$23,550.00
Tier 2 locations	15	\$2,925.00
	Total Bid for 9/14/2021:	\$26,475.00

Election Date: 11/2/2021	Locations	Price
Tier 1 locations	282	\$42,300.00
Tier 2 locations	23	\$4,485.00
	Total Bid for 11/2/2021:	\$46,785.00

Total Amount of Elections Combined: \$98,040.00
Add 10% Contingency: \$9,804.00

Grand Total Amount of Bid	\$107,844.00
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Bid bond must not be less than:	\$10,784.40
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Minimum Special Election Charge:	\$1,500.00
----------------------------------	------------

Vendor Name:	MIDFITZ Inc. DBA Berman Moving & Storage
--------------	--

JOHN BALL
ACCOUNT Mgr
7-18-21

Cuyahoga County Board of Elections Bid# 2021.03.22 - Delivery and Return of Voting Equipment

SUMMARY

- Berman Moving and Storage has 55,000 square feet of storage space
- 8 Tractors / 16 trailers
- 10 Box trucks
- All required equipment and supplies
- 50+ employees

Berman Moving and Storage has had the contract for delivery and pick up of election supplies since 2010 with the exception of one year. Our Account Manager John Ball has worked with the Board of elections since 1993 and has managed the delivery account since 2007 with the exception of two years. Berman Moving and Storage is uniquely qualified and understand the CCBOE needs.



Updated 02/23/2021

23800 Corbin Dr, Bedford Heights, OH 44128 / 216.663.8816 / bermanmovers.com

REFERENCES

JTC Contracting	Ty Morris	216-408-5134
WLS	Brian Golembiewski	216-271-5100
CMSD	Rick Novak	216-551-6928
Relocation Specialists	Jim Pesarchick	440-781-3881
CCBOE		



Updated 02/23/2021

BID BOND

Conforms with The American Institute of Architects, A.I.A. Document No. A-310

KNOW ALL BY THESE PRESENTS, that we, Midfitz, Inc., dba Berman Moving & Storage
23800 Corbin Drive, Cleveland, OH 44128

_____ as Principal, hereinafter called the Principal, and the
Merchants Bonding Company (Mutual), of
P.O. Box 14498, Des Moines, IA 50306, a corporation duly organized under the laws of
the State of Iowa, as Surety, hereinafter called the Surety, are held and firmly bound unto
Cuyahoga County Board of Elections as Obligee, hereinafter called the Obligee, in the sum
of 10% of the amount bid including alternates

Dollars (\$10% of the amount bid including alternates), for the payment of which sum well and truly to be made, the said Principal and the
said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these
presents.

WHEREAS, the Principal has submitted a bid for _____
Delivery & Return of Voting Equipment for all Elections through 11/2/21

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the
Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract
Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor
and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give
bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount
specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the
Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 22nd day of March, 2021.

Midfitz, Inc., dba Berman Moving & Storage (Seal)
Principal

By: _____
Title

Witness

Merchants Bonding Company (Mutual)
Surety

By: [Signature]
Logan Liptak Attorney-in-Fact

[Signature]
R. Scott Liptak Witness

MERCHANTS BONDING COMPANY™ POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually, Daniel A Fedeli; Dellamon Moaley; Kevin S Keller; Logan Liptak; Melanie Blankenburg; R Scott Liptak; Sharon Briskman

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 18, 2016.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 5th day of February, 2020.

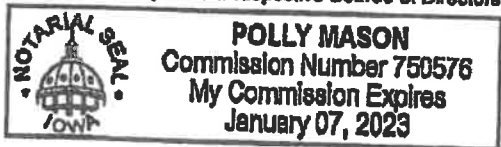


MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 5th day of February 2020, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Polly Mason
Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 22 day of March, 2021



William Warner Jr.
Secretary

Office of Risk Assessment
50 West Town Street
Third Floor - Suite 300
Columbus, Ohio 43215
(614)644-2658
Fax(614)644-3256
www.insurance.ohio.gov

Ohio Department of Insurance

Mike DeWine - Governor

Jillian Froment - Director

Certificate of Compliance



Issued 03/20/2020

Effective 04/02/2020

Expires 04/01/2021

I, Jillian Froment, hereby certify that I am the Director of Insurance in the State of Ohio and have supervision of insurance business in said State and as such I hereby certify that

MERCHANTS BONDING COMPANY (MUTUAL)

of Iowa is duly organized under the laws of this State and is authorized to transact the business of insurance under the following section(s) of the Ohio Revised Code:

Section 3929.01 (A)

Fidelity

Other Liability

Surety

MERCHANTS BONDING COMPANY (MUTUAL) certified in its annual statement to this Department as of December 31, 2019 that it has admitted assets in the amount of \$265,319,464, liabilities in the amount of \$102,628,634, and surplus of at least \$162,690,830.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused my seal to be affixed at Columbus, Ohio, this day and date.

A handwritten signature in cursive script that reads "Jillian Froment".

Jillian Froment, Director





MERCHANTS BONDING COMPANY (MUTUAL)

Statements of Admitted Assets, Liabilities, and Surplus - Statutory Basis

	<u>Dec. 31, 2020</u>
Admitted Assets	
Cash and Invested Assets	
Bonds	\$ 171,268,593
Common Stocks	64,223,827
Real Estate	12,225,554
Cash and Short-Term Investments	14,992,009
Other Invested Assets	1,100,043
Total Cash and Invested Assets	<u>263,810,026</u>
Investment Income Due and Accrued	1,009,338
Premiums in the Course of Collection	12,599,467
Reinsurance Recoverable from Reinsurers	(20,072)
Current Federal Income Taxes Recoverable	468,976
Receivable from Affiliate	12,440,415
Other Assets	10,166,931
Total Admitted Assets	<u>\$ 300,475,081</u>
Liabilities & Surplus	
Liabilities	
Losses	\$ 10,500,255
Reinsurance Payable on Paid Losses and LAE	71,712
Loss Adjustment Expenses	9,463,529
Commissions Payable	2,404,302
Other Expenses	5,982,692
Taxes, Licenses, and Fees	323,386
Net Deferred Tax Liability	50,565
Unearned Premiums	55,580,555
Dividends Declared to Policyholders	4,916,377
Reinsurance Payable to Reinsurers	3,282,812
Amounts Withheld for Others	11,794,766
Total Liabilities	<u>104,370,951</u>
Surplus	<u>196,104,130</u>
Total Liabilities and Policyholders' Surplus	<u>\$ 300,475,081</u>

I, Don Blum, Chief Financial Officer and Treasurer of Merchants Bonding Company (Mutual), do hereby certify that the foregoing is a true and correct statement of the balance sheet of said Corporation as of December 31, 2020, to the best of my knowledge and belief.


Don Blum, CFO & Treasurer

March 2, 2021
Date

street
6700 Westown Parkway
West Des Moines, IA 50266-7754

mailing
P.O. Box 14498
Des Moines, IA 50306-3498

toll free 800.678.8171
local 515.243.8171
fax 515.243.3854

email info@merchantsbonding.com
website merchantsbonding.com

Agenda Item #11

ENCUMBRANCE NO. _____

CM 1356

CONTRACT/AGREEMENT
 CUYAHOGA COUNTY, OHIO

FOR

Election Force-Online Poll Worker Management Solution

WITH

CONTRACTOR	Tenex Software Solutions
FEDERAL ID	59-3647858
REMITTANCE ADDRESS	5021 W Laurel Street Tampa, FL 33604
CONTACT PERSON	Ravi Kallem, President
TELEPHONE NUMBER	(813) 618-3639
CONTRACT TERM	1/1/2021 - 12/31/2025 (60 MONTHS)
CONTRACT/AGREEMENT PRICE	\$250,000.00

Suffix	Various Terms	Accounting Unit	Account	SubAcct	Activity	Amount
-01 [Year 1]	1/1/21-12/31/21	BE290130	54300	200	BE-20-CTCL	\$ 50,000.00
[Year 2]	1/1/22-12/31/22	BE100125	54300	200	—	\$ 50,000.00
[Year 3]	1/1/23-12/31/23	BE100125	54300	200	—	\$ 50,000.00
[Year 4]	1/1/24-12/31/24	BE100125	54300	200	—	\$ 50,000.00
[Year 5]	1/1/25-12/31/25	BE100125	54300	200	—	\$ 50,000.00

SOLE SOURCE CONTRACT

by and between the

CUYAHOGA COUNTY BOARD OF ELECTIONS

and

TENEX SOFTWARE SOLUTIONS

(Election Force)

THIS CONTRACT (the "Contract") is made and entered into on March 12th, 2021, by and between the Cuyahoga County Board of Elections (the "BOARD") in Cleveland, Ohio, a body politic and a political subdivision of the State of Ohio organized and existing under Title 35 of the Ohio Revised Code, and Tenex Software Solutions, ("CONTRACTOR") having principal place of business at 5021 W. Laurel Street, Tampa, FL 33607. The Board and Contractor may hereafter be referred to singularly as a "Party", or jointly as "Parties".

WHEREAS, the Board requires a contractor supplement the regularly employed staff to provide and maintain software to provide an online poll worker management solution with the features the Board requires for the purpose of conducting elections; and

WHEREAS, the Contractor is the only vendor that can provide the online poll worker management solution due to the integration available with the Board's existing system previously furnished by the Contractor under a contract established through a prior competitive selection; and

WHEREAS, the Board and the Contractor intend to memorialize their agreement for the supplies necessary to deliver and provide support maintenance for the Election Force Online Poll Worker Management Solution in accordance with the terms, conditions and provisions contained in this Contract.

NOW, THEREFORE, in consideration of mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Contractor and the Board agree as follows:

I. Term; Amount.

- A. Term.** This Contract shall be effective from January 1, 2021 through December 31, 2025 (the "Initial Term").
- B. Renewal Options.** The Contract automatically renews for an unlimited number of successive One-Year Periods ("Renewal Period") unless notice not to renew is delivered at least 90 days prior to the end of the current Renewal Period.

- C. Amount.** The total amount paid by the Board to Contractor pursuant to this Contract shall not exceed \$50,000.00 per year or \$250,000.00 for the initial term.

II. Scope of Services

- A.** The Contractor is retained to supplement the regularly employed staff of the Board to furnish the supplies necessary for providing connectivity between the Precinct Central electronic poll book system (currently used by the Board) and Election Force, for the purposes of reporting up-to-date poll worker assignments and clock-in/out information on Election Day and maintaining the software application/SaaS license in accordance with the terms, conditions and provisions contained in this Contract for use in all elections conducted by the Board. The Contractor shall render the specific services identified and described in Exhibit A.
- B.** Contractor shall provide connectivity between the Election PAL (polling location and precinct management system currently used by the Board) and Election Force, for the purposes of reporting correct locations and precincts for poll worker assignments.
- C.** Contractor shall provide connectivity between Election Response (help desk management system currently used by the Board) and Election Force, for the purposes of showing up-to-date poll worker assignments and contact information for ticket entry and management.
- D. SaaS License includes:**
- Election Force backend poll worker management software for Board use
 - Election Force frontend poll worker portal for poll worker applications, training class sign-up
 - Connectivity with Election Force for sharing poll worker information and assignments
 - Connectivity with Election Force for sharing poll worker course completion and scores
 - Web-based cloud hosting
 - Server capacity management
 - Security infrastructure maintenance and upgrades
 - Remote technical support during business hours
- E. License.**
- Throughout the Initial Term and any Renewal Period(s), the Contractor hereby grants to the Board, for the purposes set forth in this Contract, an irrevocable, non-exclusive, royalty free, non-transferrable, fully paid up right and license to use, reproduce (for back-up or transition purposes), modify, adapt and disclose, and sublicense others to use, reproduce (for back-up and transition purposes), modify, and adapt on the Boards' behalf, the software and documentation necessary to operate the Election Force Online Poll Worker Management. The License shall include all updates, enhancements, modifications, upgrades, revisions, replacements, upgrades made to or in the place of software or any related documentation including, but not limited to, those that corrects errors, correct safety hazards, to support the Election Force Online Poll Worker Management Training software/license, and all error corrections, patches and bug fixes and any other derivative works created by Contractor during the Term. The Contractor shall provide all revisions, updates, modifications or upgrades as part of its Warranty and Maintenance services and any other routine system updates, modifications or maintenance work made to the software that is required to correct errors, patches or bug fixes or to operate

and maintain the Election Force Online Poll Worker Management Training without any additional compensation.

F. Performance Warranty.

In addition to the warranties described in Exhibit A, the Contractor and its staff shall provide the services contemplated under the Contract in a manner consistent with the same degree of care, skill and diligence as is ordinarily possessed and exercised by members of the profession, currently performing under similar circumstances. The Contractor shall be responsible for the quality services rendered under the Contract and shall promptly make necessary corrections resulting from its negligence, errors, or omissions without any additional compensation. The Contractor's duty of care shall extend to the Board, and the Contractor shall be and remain liable to the Board in accordance with applicable law for all damages to the Board caused by the Contractor's negligent acts, performance, errors or omissions. If no such standards exist, then the Contractor shall perform its services in a workerlike manner with a reasonable degree of care, skill and diligence and as described in this Contract.

G. Service Level Agreement. Vendor shall provide Services that ensure access for all of the County's enrolled users in the event of failure at any one of the hosted locations, with effective contingency planning (including back-up and disaster recovery capabilities) and 24x7 trouble shooting service for inquiries, outages, issue resolutions, etc. All such Services shall be dependable and provide response rates that are as good as or better than industry standards. Services shall meet the target levels of the Service Level Agreements ("SLAs") provided herein and be supported with sufficient connectivity and computing resources to handle daily use and reasonably anticipated peak demand, and shall ensure that sufficient bandwidth and computing resources are dedicated to the Services to meet peak demand times without material degradation in performance. Peak demand times typically begin 90-days prior to election day and continue till 30-days post-election day. Vendor further warrants that the Services will be available and in accordance with this Contract at all times throughout the Term. The level of unavailability shall not exceed one half of one percent (0.05%) per month. In the event of a breach of the foregoing warranty shall apply service level credits based on the actual availability measure for the applicable month as follows:

Availability	Service Level Credit
99.95% or greater	No Service Level Credit
99.949% - 99.500%	10% of the monthly prorated fee
99.499% - 99.000%	25% of the monthly prorated fee
Below 99.000%	50% of the monthly prorated fee

Service level credits for fees paid on an annual or monthly basis shall be based on a monthly equivalent fee. For example, a 5% service level credit on an annual subscription fee shall be 5% of 1/12 of the annual fee. Service level credits shall be applied to the County's next invoice or, if the County has paid the final invoice under this Contract, service level credits shall be paid to the County within thirty (30) calendar days following the determination that the credit is due. In

addition to the foregoing remedies, in the event that Availability is below 99.5% for three (3) consecutive months or is below 70% in anyone (1) month, the County shall have the right, upon notice to, to terminate this Contract and shall promptly refund to the County the unused portion of the fee.

III. Payments.

A. Contract Fee.

The Board shall pay the Contractor \$50,000.00 for the performance required under this Contract, as described in Exhibit A, during the initial year. Thereafter, the Board shall pay the Contractor \$50,000.00 for each year.

B. Payments.

The Board shall not make payment for the initial year until the Election Force Online Poll Worker Management Training software is installed and fully accepted to the satisfaction of the Board. Thereafter, the Board will make payments to the Contractor for each year pursuant the verified performance and annually thereafter based on verified invoices.

C. Reimbursable Expenses.

No extra charges will be assessed for travel time or incidental expenses except as hereinafter provided. The Board will not reimburse the Contractor for any expenses incurred (such as travel expenses).

D. Invoices.

The Contractor will submit the invoice to the Board containing the contract number in the month following the performance of the services to the Board on or about the 10th day of the month after to Cuyahoga county Board of Elections, Fiscal Department, 2925 Euclid Avenue, Cleveland, Ohio, 44115. Undisputed invoices shall be due and payable by the Board within sixty (60) days from the date of receipt thereof. Invoices shall be accompanied by such supporting documentation as required by the Board. The Board may withhold payment for services that have not been properly performed or completed and shall not be responsible for cost overruns incurred by the Contractor.

E. Taxes.

The Board is a tax-exempt entity and will provide the Contractor a copy of the Board's tax exemption certificate. The Board shall not assume responsibility for the payment of any personal property taxes for any materials not owned by the Board, nor shall the Board pay any insurance premiums for any coverage of any property not owned by the County. No conditions shall alter this statement.

IV. GENERAL TERMS AND CONDITIONS

A. **Non-Disclosure.** The Contractor agrees that it will not disclose at any time during or after its services under the Contract, either directly or indirectly, any confidential knowledge or information which the Contractor acquires with respect to the Contract or the Board, except as may be required by law, or in a court of competent jurisdiction.

B. **Publicity.** Any use of or reference to the Contract by the Contractor to promote, solicit, or disseminate information regarding the scope of the Contract is prohibited, unless otherwise agreed to in writing by the Board.

- C. Non-Exclusive Rights.** Nothing in the Contract with the Contractor shall preclude the Board from acquiring other services similar to the services provided for in the Contract.
- D. Audits, Records Retention and Inspection.** The Contractor shall maintain all pertinent financial and accounting records, and evidence pertaining to the Contract in accordance with generally accepted accounting principles and other procedures specified by the State of Ohio. Financial and accounting records shall be made available upon request for review and/or audit by the Director, his representative, or the Ohio Auditor of State's office at any time during the Contract period or for two (2) years from the expiration date and final payment on the Contract, whichever is later. The Contractor represents and warrants that it is not subject to an "unresolved" finding for recovery under Ohio Revised Code Section 9.24.
- E. Compliance with Law.** This Contract is subject to all applicable laws, ordinances, resolutions, regulations, rules, and policies of the County. The Contractor agrees to comply with all applicable federal, state, and local laws and regulations in its performance under the Contract, including without limitation, the laws relating to the payment of wages, campaign contributions, drug-free workplace, non-discrimination in employment, ADA compliance, workplace safety, unemployment compensation, insurance premiums, workers' compensation premiums, income tax deductions, social security deductions, and any and all tax and payroll deductions required for its employees. If any provision of the Contract conflicts with any law or regulation, then such law or regulation shall prevail. It is understood that neither the Contractor nor its employees are construed as employees of the Board for the purpose of the Public Employees Retirement System ("PERS"), Workers' Compensation, or for any other purpose. The Contractor agrees that in its employment of labor, skilled or unskilled, there shall be no discrimination exercised against any person because of race, color, religion, national origin, sex, gender, ancestry, age, disability, sexual orientation, sexual identity, genetic information, military status, or veteran status, and a violation of this term shall be deemed a material breach of this Contract. It shall be the policy of the Contractor to provide equal opportunity to all persons seeking to contract, or otherwise interested in contracting with, the Contractor.
- F. Certification of Compliance with Ethics and Campaign Contribution Laws.** The Contractor certifies with its signature on the Contract that it is aware of and is in compliance with the Ethics provisions of Ohio Revised Code Sections 102.03 and 102.04, and the provisions of Ohio Revised Code Section 3517.13 as they pertain to Campaign Contribution Limitations under Ohio law. The Contractor agrees to remain in compliance with all County Ethics requirements including, as applicable, Vendor Ethics Registration, Vendor Ethics Training, and Registration of all Lobbyists retained by the Vendor.
- G. Conflict of Interest.** The Contractor covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with its performance under this Contract. The Contractor further covenants that no person having any such interest shall be employed in the performance of this Contract. The Vendor acknowledges that this Contract is integral to the Board's ability to administer free and fair elections, which constitutes the essence of the contract. The Vendor will not act or engage in any conduct that gives the appearance of impropriety or exhibits political bias or taints the elections process by reason of any partisanship of any kind, perceived or otherwise. The Vendor agrees i) to conduct its operations so as not to cause disrepute, contempt or scandal on the Board or otherwise interfere, directly or indirectly, with the Board's election administration process, and ii) that the

Vendor acknowledgements and agreements are a material inducement for the Board to select the Vendor for contract award.#

H. Assignment and Subcontracting. The Contractor may not assign, transfer, convey or otherwise transfer or dispose of its rights, title, or interest in, or performance under the Contract to any other person, company, corporation or entity without the prior written approval of the Director of the Board. Any such approved assignment shall not relieve the Contractor from any of its responsibilities under the Contract. All work to be done by subcontractors utilized by the Contractor is subject to preapproval by the Board. All subcontractors or subcontractors selected by the Contractor and approved by the Board must comply with all the terms and conditions contained in the Contract. The Contractor shall not use or subcontract any individual or entity (including any entity that is owned or controlled by any individual) which is the subject of a debarment or suspension hearing or has otherwise been debarred or suspended by the County or any other governmental entity from performing work or services for the Board.

I. Default and Termination.

1. The Contractor shall be in default of the Contract if any of the following occur:

- a. It makes a general assignment for the benefit of creditors, or files a voluntary petition in bankruptcy or a petition under the federal bankruptcy laws or any other law or statute of the United States or any state or local governmental body, or consents to the appointment of a receiver, trustee or liquidator of all or substantially all of the property;
- b. It abandons or discontinues its operations for the Board except when such abandonment or discontinuance is due to a *force majeure* event;
- c. It fails to expeditiously and actively undertake or substantially or timely perform its responsibilities and obligations or fails or refuses to make adequate progress in performing its responsibilities and obligations under this Contract and such failure continues for a period of 10 calendar days after written notice of such failure is given it by the Board, provided that the failure or refusal to perform under this Contract is not is due to a *force majeure* event.

2. Upon the occurrence of any one or more of the events of default set forth in Paragraph 1 of this Section or upon any other default or material breach of this Contract, the Board may, at its option, exercise concurrently or successively any one or more of the following rights and remedies:

- a. The Director, upon written notice of his intention to do so, may terminate this Contract and have the services then uncompleted performed by another contractor or otherwise;
- b. To enjoin any breach or threatened breach by the Contractor of any covenants, Contracts, terms, provisions or conditions of the Contract;
- c. To sue for the performance of any obligation, promise or Contract devolving upon the Contractor for performance or for damages for the non-performance thereof, all without terminating the Contract; and/or

- d. Without waiving any default, to pay any sum required to be paid by the Contractor to others than the Board and which the Contractor has failed to pay under the terms and conditions of this Contract and any amounts to be paid by the Board, with interest thereon at 8% per annum from the date of such payment and all expenses connected therewith, shall be repaid by the Contractor to the Board on demand.
3. The Director may terminate the Contract at any time for any reason upon 30 days' written notice to the Contractor. Additionally, the Board may, at any time during the term, suspend or abandon, in whole or in part, the work under the Contract. In either case, the Board shall pay the Contractor for services rendered up to that time on account of such work. Such payments shall be made to the Contractor for partial services in proportion to the completion of the services upon termination.
 4. All rights and remedies granted to the Board in the Contract and other rights and remedies that the Board may have at law and in equity are declared to be cumulative and not exclusive and the fact that the Board may have exercised any remedy without terminating this Contract shall not impair the Board's rights to later terminate or to exercise any other remedy granted in the Contract or to which it may be otherwise entitled. In no event shall any action or inaction, including any payments to the Contractor, by the Board constitute or be construed to be a waiver by the Board of any breach of covenant or default which may then exist on the part of the Contractor, and the Board's action or inaction when any such breach or default shall exist shall not impair or prejudice any right or remedy available with respect to such breach or default. No assent expressed or implied, to any breach or default shall be deemed or taken to be a waiver of any other breach or default.
- J. **Force Majeure.** The Contractor shall have no liability to the Board if it becomes unable to timely perform the agreed to services due to causes beyond the Contractor's control including fire, explosion, lightning, pest damage, power surges or failures, strikes or labor disputes (except those caused by improper acts or omissions of the Contractor), water, acts of God, the elements, war, civil disturbances, acts of civil or military authorities or the public enemy, terrorist acts, inability to secure raw materials, transportation facilities, fuel or energy shortages, acts or omissions of communications carrier.
- K. **Mediation.** The Board and the Contractor recognize that litigation is an expensive, resource-consuming process for resolving business disputes. Therefore, if a dispute arises between the parties, they will attempt in good faith to settle the dispute expeditiously through mediation within thirty (30) days. The Board and the Contractor shall attempt to mutually agree as to the provider of neutral services, and the parties shall share the costs of such mediation equally. In the event the parties cannot mutually agree to a neutral mediator or the deadline described in this Section is not met, unless an extended time frame is consented to by both parties in writing, either party may commence litigation or any other legal proceeding that is appropriate.
- L. **Insurance.** For any work under the Contract and for the term of the Contract, the Contractor and all subcontractors, shall purchase and maintain at its own expense insurance the specified coverage and promptly furnish to the Board certificates of insurance evidencing that the specified insurance coverages are in effect. The insurance coverage to be purchased and maintained by the Contractor and its subcontractors, as required, shall be primary and non-contributory pertaining to any insurance, self-insurance, or self-funding arrangement maintained by the Board, which shall not contribute thereto. There shall be severability of

interests among the insureds under the insurance policies. Cross liability coverage shall be included in the policies. All policies, endorsements or modifications to the insurance purchased and maintained by the Contractor and its subcontractors shall be provided by companies authorized to write insurance in Ohio and carry a minimum A.M. Best's rating of A VII or above shall be subject to the Board's review and final acceptance.

1. **General Commercial Liability Insurance.** On an occurrence coverage basis (including, without limitation, coverage for bodily injury, personal injury and advertising injury, property damage, and broad-form contractual liability arising from or relating to the Contract, independent contractual, products and completed operations) the Contractor shall purchase general commercial liability insurance policy in the amount of \$1,000,000 each occurrence bodily injury & property damage; \$1,000,000 personal & advertising injury; \$2,000,000 general aggregate; \$2,000,000 products/completed operations aggregate.
2. **Business Automobile Liability Insurance.** Policies covering all owned non-owned, hired, and leased vehicles. Such insurance shall provide a limit of not less than \$1,000,000 combined single limit (bodily injury & property damage) each accident; Such insurance shall be written on an occurrence basis on the Insurance Services Office (ISO) form or its equivalent.
3. **Additional Insured.** The Board, officers, representatives, members, agents, and employees shall be included as additional insureds on the Contractor's Commercial General Liability and Automobile Liability policies. The additional insured coverage afforded under the Contractor's policies shall include both ongoing operations (work in progress) and completed operations (completed work), include the Board on a direct pay endorsement as loss payee, afford the Board thirty (30) days prior notice of cancellation or other material changes and a waiver of subrogation wherein the insurer(s) waives all rights of recovery against the County.

M. Indemnification

1. **General.** The Contractor agrees and shall, to the fullest extent permitted by law, indemnify, hold harmless, and, at the option of the Board as decided in its sole discretion, defend or pay for the defense of the Board, Board members, and its officers, agents, representatives, and employees (the "Indemnified Parties") from and against any and all liability, claims, suits, causes of action, liens, demands, losses, damages, (including fines, penalties, incidental and consequential damages), settlements, judgments, costs, and expenses (including reasonable attorneys' fees and any other costs of defense) of every kind, nature, or description arising out of or in connection with, caused by, resulting from, or occurring during the course of the performance of this Contract, whether directly or indirectly, where such liability is
 - a. founded upon or grows out of, directly or indirectly, the acts, errors, omissions, undertakings, representations or warranties of the Contractor's, its officers, employees, agents, independent subcontractors or subcontractors (or subcontractors or independent subcontractors thereof), or any other person or party for which the Contractor is legally liable, and
 - b. is attributable in any manner and to any extent to bodily injury, personal injury, sickness, disease or death of any person, loss of revenue, delay, or the injury to or damage, destruction, or loss of use of property.

2. **Intellectual Property.** The Contractor shall indemnify and shall hold harmless (including reasonable attorney fees) Indemnified Parties against all liability to third parties (other than liability solely the fault of the Indemnified Party) arising from or in connection with claims of violation of United States patents, trademark, trade secrets, proprietary information, copyrights or other intellectual property rights in existence on the Effective Date resulting from the Contractor's or the Board's use of any equipment, software, technology, documentation, and/or data developed in connection with the services and products described in the Contract. If a third-party claim causes the Board's quiet enjoyment or use of any product supplied by the Contractor to be seriously endangered or disrupted, or, should a court order be issued against the Board restricting its use of any product and should the Contractor determine not to further appeal the claim issue, at the BOARD's sole option, the Contractor shall provide at its sole expense, the following:

- a. Purchase for the Board the rights to continue using the contested product(s); or
- b. Provide substitute products to the Board which are, in the Board's sole opinion, of equal or greater quality, or
- c. Refund all monies paid to the Contractor for the product(s) subject to the court action. The Contractor shall also pay to the Board all reasonable related losses related to the product(s) and for all reasonable expenses related to the installation and conversion to the new product(s).

3. **Conditions.** The indemnity obligations under the Contract shall survive its expiration or earlier termination. Should the Board elect to have the Contractor's defend one or more of the Indemnified Parties, the Board shall have the right, but not the obligation, to associate in such defense, whether directly or through outside legal counsel, or both. Nothing herein shall require the Contractor's to reimburse the Board for damages or liabilities solely caused by the negligent acts, errors or omissions of one or more of the Indemnified Parties. Between the Contractor's and the Board, for purposes of fulfilling the Contractor's indemnity obligations hereunder, the Contractor waives any immunity derived from compliance with the Workers' Compensation Laws of the State of Ohio. The indemnity obligations of the Contractor shall not be limited by the types, terms, conditions, or limits of liability of any insurance purchased and maintained by the Contractor.

N. **Rights to Materials.** The Board shall have unrestricted authority to reproduce, distribute, and use (in whole or in part) any reports, data, or materials prepared pursuant to this Contract. All documents prepared by, or with the cooperation of, the Contractor pursuant to the Contract, including all copyrights, are works for hire under the United States Copyright Act and shall, upon payment therefore, become the property of the Board. If for any reason the results and proceeds of the Contractor's services hereunder are determined at any time not to be a work made for hire, the Contractor irrevocably transfers and assigns to the Board all right, title and interest therein, including all copyrights, as well as all renewals and extensions thereto. Any materials prepared, created, produced by, or with the cooperation of, the Contractor pursuant to the Contract, including all copyrights, are the property of the Board. the Contractor may retain copies, including reproducible copies of such documents for information and reference. The Board may use such materials without any additional compensation to the Contractor.

- O. Governing Law and Jurisdiction.** The Contract shall be construed under and governed by the laws of the State of Ohio. Any litigation arising out of or relating in any way to the Contract or performance thereunder shall be brought and litigated to completion only in the state and federal courts sitting in Ohio, and each party consents to the exclusive jurisdiction of such courts. The Contractor hereby agrees not to challenge this Governing Law and Jurisdiction provision, and further agrees not to attempt to remove any legal action outside of Cuyahoga County for any reason.
- P. Public Records Act.** The Contractor acknowledges that the Board is subject by law to responding to all Public Record requests under Ohio law. The Contractor shall comply with the Public Record Act in all respects and shall not restrict or otherwise inhibit the Board from complying. If the Board is required to defend an action challenging the Contractor's claimed exemption from the Public Records Act, the Contractor agrees to defend and indemnify the Board from all costs and expenses, including reasonable attorney's fees, in action or liability arising under the Public Records Act.
- Q. Security Protocols.** By executing a contract with the Board of Elections, the Vendor agrees to abide by all security protocols, both physical and cyber, required by the Ohio Secretary of State's Office (SOS) as published in SOS Directives and the Election Official Manual, which are hereby incorporated by reference into the contract. The security protocols are subject to change at the discretion of the SOS as published on the website of the Secretary of State, which the Vendor agrees constitutes adequate notice of such changes and the Vendor's failure to give notice of objection to the Board of Elections within 5 days of the publication constitutes the Vendor's acceptance of the change.

Additionally, the vendor acknowledges they are bound by the security requirements set forth in Exhibits C and D of this Contract.

V. GENERAL

- A. Notices.** All notices or communications required or permitted as a part of the Contract shall be in writing (unless another verifiable medium is expressly authorized) and shall be deemed delivered when:
1. Received, or
 2. Upon transmittal through electronic mail with a carbon copy sent through the United States Postal Service with proper postage affixed and addressed to the respective other party at the address set out below or such other address as the party may have designated by notice to the other party, or
 3. Upon delivery by the Board of the notice to a representative of the Contractor while on the Boards' property.

The addresses of the parties to this Contract are as follows:

<p>In the case of the Board: Cuyahoga County Board of Elections ATTN: Fiscal Services Manager 2925 Euclid Avenue Cleveland, Ohio 44115 kazusy@cuyahogacounty.gov</p>	<p>with a copy to: County Prosecutor's Office ATTN: Counsel for the Cuyahoga County Board of Elections 1200 Ontario Street, 9th Floor Cleveland, Ohio 44113</p>
<p>In the case of the Contractor: Tenex Software Solutions ATTN: Ravi Kallem, Founding President 5021 W. Laurel Street Tampa, FL 33607</p>	<p>with a copy to:</p>

- B. Reasonable Behavior.** Each party will act in good faith in the performance of its respective responsibilities under the Contract and will not unreasonably delay, condition or withhold the giving of any consent, decision or approval that is either requested or reasonably required by the other party in order to perform its responsibilities under the Contract.
- C. Integration and Amendment.** The Contract constitutes the entire Contract between the parties and supersedes all other prior or contemporaneous communications between the parties (whether written or oral), and all other communications relating to the subject matter of the Contract. The Contract may be modified or extended by formal amendment of the Contract signed by the parties and made a permanent part of the Contract.
- D. Severability.** The provisions of the Contract will be deemed severable, and the unenforceability of any one or more provisions will not affect the enforceability of any other provisions. In addition, if any provision of the Contract, for any reason, is declared to be unenforceable, the parties will substitute an enforceable provision that, to the maximum extent possible under applicable law, preserves the original intentions and economic positions of the parties.
- E. No Waiver.** No failure or delay by a party in exercising any right, power or remedy will operate as a waiver of that right, power or remedy, and no waiver will be effective unless it is in writing and signed by the waiving party. If a party waives any right, power or remedy, the waiver will not waive any successive or other right, power or remedy the party may have under the Contract. The payment of funds to the Contractor by the Board should in no way be interpreted as acceptance of the system or the waiver of performance requirements.

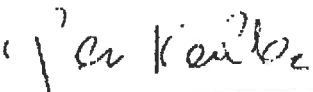
VI. CONSTRUCTION OF CONTRACT

All terms and words used in this Contract, regardless of the number and gender in which they are used, shall be deemed and construed to include any other number, singular or plural, and any other gender, masculine, feminine, or neuter, as the context or sense of this Contract or any paragraph or clause in the Contract may require, the same as if such words have been fully and properly written in the number and gender. Any act to be performed under the Contract by the "Board" may be performed by the Director or by such of its employees or such other persons, corporations or firms as

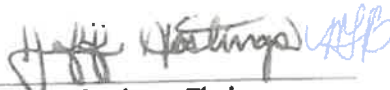
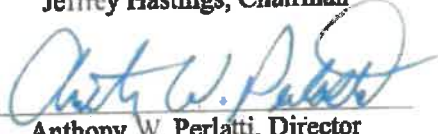
the Director may designate. "Director" when used herein, shall refer to the Director of the Board and include the Chief Information Officer. The headings of Articles and Paragraphs, to the extent used herein, are for reference only, and in no way define, limit, or describe the scope or intent of any provision hereof. This Contract may be executed in multiple counterparts, each of which, when so executed, shall be deemed an original, and all of which shall together constitute one and that same document, and shall be binding on the signatories; and the signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart. The following order of precedence shall govern in any conflict that arises between this Contract and any materials incorporated by reference: (1) this Contract; (2) Exhibit A – Contractor's Quote with Product Description; (3) Exhibit B - Contractor's Sole Source Letter; (4) Exhibit C – Software Security Requirements; and (5) Exhibit D – CIS Albert Cloud Monitoring Service. Provided, however, silence in the Agreement or the materials incorporated herein with respect to an issue shall not be construed as a variance with a provision addressing such issue in another document. The undersigned signatory for the Contractor hereby represents and warrants that he or she has full and complete authority to execute the Contract on behalf of the Contractor. This representation and warranty are made for the purpose of inducing the Board to execute the Contract.

IN WITNESS WHEREOF, the parties have hereto set their respective hands on the day and year first above written and have executed the foregoing Contract.

CONTRACTOR

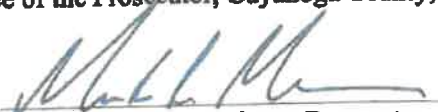
By: 
Printed: Ravi Kallem
Title: President
Date: March 9, 2021

**CUYAHOGA COUNTY
BOARD OF ELECTIONS**

By: 
Jeffrey Hastings, Chairman
By: 
Anthony W. Perlatti, Director
Date: 3.12.21

The legal form and correctness of this Contract is hereby approved:

Office of the Prosecutor, Cuyahoga County, Ohio

By: 
Mark Musson, Assistant Prosecutor

INDEX OF EXHIBITS

EXHIBIT A – Contractor Quote with Product Description

EXHIBIT B – Contractor Sole Source Letter

EXHIBIT C – Software Security Requirements

EXHIBIT D – CIS Albert Cloud Monitoring Service



5021 W. Laurel St.
Tampa, FL 33607

Re: Sole Source Justification – Online Poll Worker Management

January 18, 2021

The Cuyahoga County Board of Elections is currently looking for a poll worker management solution. Tenex Software Solutions, Inc. is a current vendor of the Cuyahoga County Board of Elections, providing electronic poll books, election night reporting, help desk management, polling location management, and asset and inventory management. Because of the integration available with the current BOE systems provided by Tenex, Tenex is the only vendor that can provide the Election Force poll worker management solution with the features the county requires including:

- Connectivity between the Precinct Central electronic poll book system (currently used by the county) and Election Force, for the purposes of reporting up-to-date poll worker assignments and clock-in/out information on Election Day
- Connectivity between Election PAL (polling location and precinct management system currently used by the county) and Election Force, for the purposes of reporting correct locations and precincts for poll worker assignments
- Connectivity between Election Response (help desk management system currently used by the county) and Election Force, for the purposes of showing up-to-date poll worker assignments and contact information for ticket entry and management

We appreciate your consideration of our system. If you need any further information, please let us know.

Regards,

A handwritten signature in black ink that reads 'Ravi Kallem'.

Ravi Kallem



5021 W Laurel Street, Tampa, FL 33607
 (813) 618-3639 | info@tenexsolutions.com

Cuyahoga County Elections, OH - Quote

Date **January 21, 2021**

To: Cuyahoga County
 2925 Euclid Ave.
 Cleveland, OH 44115

From: Tenex Software Solutions, Inc
 5021 W Laurel Street
 Tampa, FL 33607

Qty	Product Description	Price
	SaaS License - Year 1 (January 2021 - December 2021) Includes:	
	- Election Force backend poll worker management software for county use	
	- Election Force frontend poll worker portal for poll worker applications, training class sign-up, and more	
	- Web-based cloud hosting	
	- Server capacity management	
	- Security infrastructure maintenance and upgrades	
1	- Remote technical support during business hours	\$ 50,000.00
	Election Force Online Poll Worker Management	
2	SaaS License - Year 2 (January 2022 - December 2022)	\$ 50,000.00
	Election Force Online Poll Worker Management	
3	SaaS License - Year 3 (January 2023 - December 2023)	\$ 50,000.00
	Election Force Online Poll Worker Management	
4	SaaS License - Year 4 (January 2024 - December 2024)	\$ 50,000.00
	Election Force Online Poll Worker Management	
5	SaaS License - Year 5 (January 2025 - December 2025)	\$ 50,000.00
6	10X University combination and pre-payment discount (\$10k discount per year)	\$ (50,000.00)
Total:		\$ 200,000.00

Terms:

This quote is valid for 90 days and subject to change based upon contract terms and conditions or any change in configuration.

EXHIBIT C – Software Security Requirements

SECURITY:

Data Management: The respondent must meet the following requirements:

- Engage DHS to perform a Risk and Vulnerability Assessment (“RVA”) every two years, in advance of elections. This service includes:
 - Network mapping and vulnerability scanning
 - Phishing tests
 - Web application or database evaluations
 - A full penetration test
- The vendor must submit results and a remediation plan to both the board of elections and the Secretary of CCBOE. Documents must be classified as a security record under ORC 149.433.
- Become a member of the Information Technology ISAC (“IT-ISAC”) and the Elections Infrastructure ISAC (EI-ISAC). An ISAC is a nonprofit organization that provides a central resource for gathering information on cyber threats to critical infrastructure. It also serves as a two-way information sharing mechanism between the private and public sectors.
- Deploy an Albert intrusion detection device, a network security monitoring system that is managed 24/7 by DHS. Several vendors officially use an Albert intrusion detection device as part of their security strategy.
- Notify the Board of Election, Secretary of State's Office, and EI-ISAC of any system breach immediately after they become aware of it.
- Must keep all CCCBOE data within the United States. The respondent must provide written notification of the location of the data and keep the CCCBOE apprised of any change in location of the data.
- Respondent must agree and sign the CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT.

The respondent must use due diligence to ensure computer and telecommunications systems and services involved in storing, using, or transmitting CCBOE Data are secure and that they protect CCBOE Data from unauthorized disclosure, modification, use or destruction. To accomplish this, the respondent must adhere to the following principles:

- Apply appropriate risk management techniques to balance the need for security measures against the sensitivity of the CCBOE Data.
- Ensure that its internal security policies, plans, and procedures address the basic security elements of confidentiality, integrity, and availability of CCBOE Data.
- Maintain plans and policies that include methods to protect against security and integrity threats and vulnerabilities, as well as detect and respond to those threats and vulnerabilities.
- Maintain appropriate identification and authentication processes for information systems and services associated with CCBOE Data.
- Maintain appropriate access control and authorization policies, plans, and procedures to protect system assets and other information resources associated with CCBOE Data.
- Implement and manage security audit logging on information systems, including computers and network devices

Licenses: In addition to licenses covered in Section II.E, the vendor must provide a copy of all current licenses, registrations and certifications issued by federal, state and local agencies, and any other licenses, registrations or certifications from any other governmental entity with jurisdiction, allowing respondent to perform the covered services, including, but not limited to, licenses, registrations, or certifications.

Background Checks: All employees or contracted staff sent to Cuyahoga County Board of Elections (CCCCBOE) for any type of service provided on behalf of the respondent must complete a criminal background check that is kept on file with the respondent.

SOFTWARE WARRANTY:

Upon acceptance and for 12 months after the date of acceptance of any Deliverable that includes software, the Respondent warrants as to all software developed under this contract that: (a) the software will operate on the computer(s) for which the software is intended in the manner described in the relevant software documentation, the Respondent's Proposal, and the Contract Documents; (b) the software will be free of any material defects; (c) the Respondent will deliver and maintain relevant and complete software documentation, commentary, and source code; and (d) the source code language used to code the software is readily available in the commercial market, widely used and accepted for the type of programming involved, and support programming in the language is reasonably available in the open market; and (e) the software and all maintenance will be provided in a professional, timely, and efficient manner.

For Commercial Software licensed from a third party that is incorporated into a Deliverable, and for which the CCBOE has not approved a separate license agreement governing that Commercial Software's warranties as part of the Contracting process, the Respondent represents and warrants that it has done one of the following things: (a) obtained the right from the third-party licensor to commit to the warranties and maintenance obligations in this Section; (b) obtained a binding commitment from the licensor to make those warranties and maintenance obligations directly to the CCBOE; or (c) fully disclosed in the RFB Documents any discrepancies between the requirements of this section and the commitment the third-party licensor has made.

In addition, for Commercial Software that is incorporated into a Deliverable, the Respondent will: (a) maintain or cause the third-party licensor to maintain the Commercial Software so that it operates in the manner described in the Contract Documents (or any attachment referenced in the Contract Documents) and relevant Commercial Software documentation; (b) supply technical bulletins and updated user guides; (c) supply the CCBOE with updates, improvements, enhancements, and modifications to the Commercial Software and documentation and, if available, the commentary and the source code; (d) correct or replace the Commercial Software and/or remedy any material programming error that is attributable to the Respondent or the third-party licensee; (e) maintain or cause the third-party licensor to maintain the Commercial Software and documentation to reflect changes in the subject matter the Commercial Software deals with; (f) maintain or obtain a commitment from the third-party licensor to maintain the Commercial Software so that it will properly operate in conjunction with changes in the operating environment in which it is designed to operate.

For purposes of the warranties and the delivery requirements in this contract, software documentation means well written, readily understood, clear, and concise instructions for the software's users as well as a system administrator. The software documentation will provide the users of the software with meaningful instructions on how to take full advantage of all the capabilities designed for end-users. It also means installation and system administration documentation for a system administrator to allow proper control, configuration, and management of the software. Source code means the uncompiled operating instructions for the software.

The Respondent will not be obligated to provide source code for Commercial Software unless it is readily available from the licensor. The source code must be provided in the language in which it was written and will include commentary that will allow a competent programmer proficient in the source language to readily interpret the source code and understand the purpose of all routines and subroutines contained within the source code.

SOFTWARE MAINTENANCE:

During the warranty period, as well as any optional maintenance periods that the CCBOE exercises, the Respondent must correct any material programming errors that are attributable to the Respondent within a reasonable period. The CCBOE must notify the Respondent, either orally, or in writing, of a problem with the software and provide sufficient information for the Respondent to identify the problem. The Respondent's response to a programming error will depend upon the severity of the problem.

For programming errors that slow the processing of data by a small degree, render minor and non-mandatory functions of the system inoperable or unstable, or require users or administrators to employ workarounds to fully use the software, Respondent will respond to the request for resolution within four business hours.

Furthermore, the Respondent must begin working on a proper solution for the problem within one business day, dedicating the resources required to fix the problem. For any defects with more significant consequences, including those that render key functions of the system inoperable or significantly slow processing of data, the Respondent will respond within two business hours of notice. The Respondent also must begin working on a proper solution for the problem immediately after responding and, if requested, provide on-site assistance, and dedicate all available resources to resolving the problem.

For software classified as Commercial Software in the Ownership of Deliverables section and for which the CCBOE has not signed a separate license agreement, the Respondent must acquire for the CCBOE the right to maintenance for one year. That maintenance must be the third-party licensor's standard maintenance program, but at a minimum, that maintenance program must include all updates, patches, and fixes to the software. It also must include a commitment to keep the software current with the operating environment in which it is designed to function (and, if applicable, the subject matter covered by the software) and to correct material defects in the software in a timely fashion. Additionally, the Respondent must obtain a commitment from the licensor to make maintenance available for the product for at least five years after the first year of maintenance. The Respondent also must obtain a commitment from the licensor to limit increases in the annual Fee for maintenance to no more than 7% annually. If the licensor is unable to provide maintenance during that five-year period, then the licensor must be committed to doing one of the following two things: (a) give the CCBOE a pro rata refund of the license fee based on a five-year useful life; or (b) release the source code for the software (except third party software) to the CCBOE for use by the CCBOE solely for the purpose of maintaining the copy(ies) of the software for which the CCBOE has a proper license. For purposes of receiving the source code, the CCBOE agrees to treat it as confidential and to be obligated to the requirements under the Confidentiality section of this contract with respect to the source code. That is, with respect to the source code that the CCBOE gets under this section, the CCBOE will do all the things that the Confidentiality section requires the Respondent to do in handling the CCBOE's Confidential Information.



Albert Cloud Monitoring Service

Overview of the Albert Cloud Monitoring Service

The Albert Cloud monitoring service brings the Albert network monitoring service to the cloud. It uses the same trusted and proven IDS engine and rules as our on-premise monitoring service to provide piece of mind for cloud instances. The service is built using CIS Hardened Images and is designed to monitor network traffic going in and out of AWS EC2 instances or Azure Virtual Machine instances. If malicious traffic is detected, just like with our on-premise solution, an alert is generated and processed by the Albert backend. There, the raw alert or alerts are turned into events for analysis by our 24x7 SOC. Next, the SOC analyzes the event for escalation. They will either escalate the event via email or, if the event is found to be a false positive, it is marked as a false positive and not escalated.

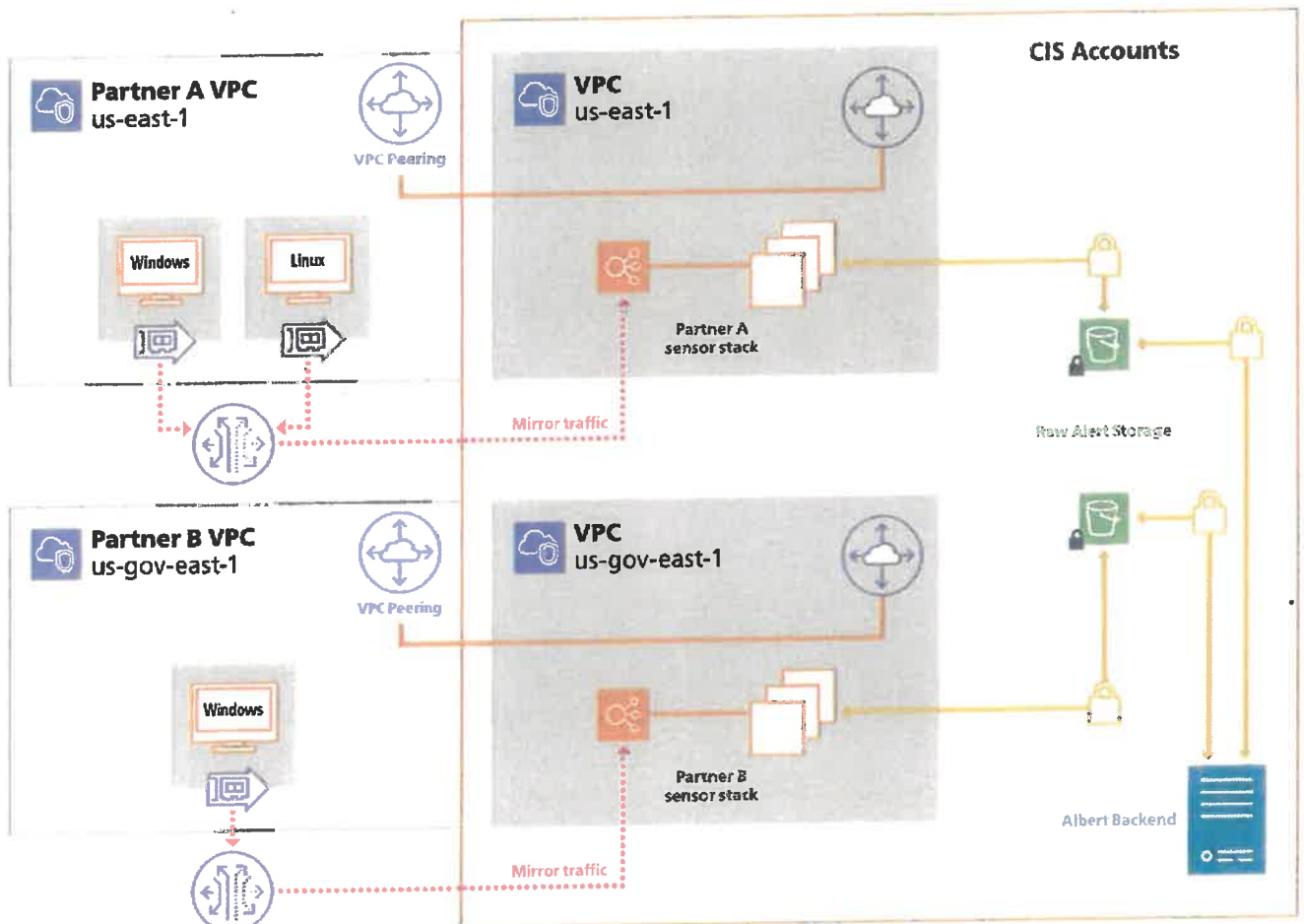
Albert Monitoring for AWS

Albert Cloud monitoring for AWS lets you monitor the network activity of AWS Elastic Compute Cloud or EC2 instances for malicious threats. The Albert service utilizes the native AWS services VPC peering and VPC mirroring to securely send a copy of the traffic going in and out of an instance to an Albert sensor running in CIS's AWS account. Your organization's dedicated Albert sensor or Cloud sensor stack is made up of an Elastic Load balancer and a group of EC2 instances using CIS Hardened Images running in an auto scaling group (ASG). The auto scaling group scales up and down based on network load to reduce costs during times of low traffic. ASGs also provides fault tolerance, from instance or zone failures. The IDS engine running on each instance processes traffic and generates the raw alerts which are encrypted during transmission and at rest in AWS S3 storage. Lastly, the raw alerts are handed off to the Albert backend to be processed, analyzed, and escalated by our SOC Analysts.

Requirements for AWS monitoring

There are minimal requirements for Albert Cloud monitoring in AWS. Currently only Nitro-based EC2 instances can be monitored. This is a requirement of the VPC mirroring service used to mirror traffic from your instance to the Albert sensor stack. Most organizations should be on or planning to migrate to this instance type for EC2 as it is a better cost performance proposition, has enhanced security features, and many other benefits (<https://aws.amazon.com/ec2/nitro/>). You will also need to peer the VPC that the instances to be monitored are in to the VPC that the Albert Cloud sensor is in. Lastly you will need to configure the AWS VPC mirror in your account to use the Albert Cloud sensor. We have developed AWS native automation to assist with these steps so setup of these requirements should be relatively easy.

Albert Monitoring for AWS Logical Diagram



PROPERTY OF CIS – CONFIDENTIAL – SYSTEMS IS STILL IN DEVELOPMENT AND SUBJECT TO CHANGE

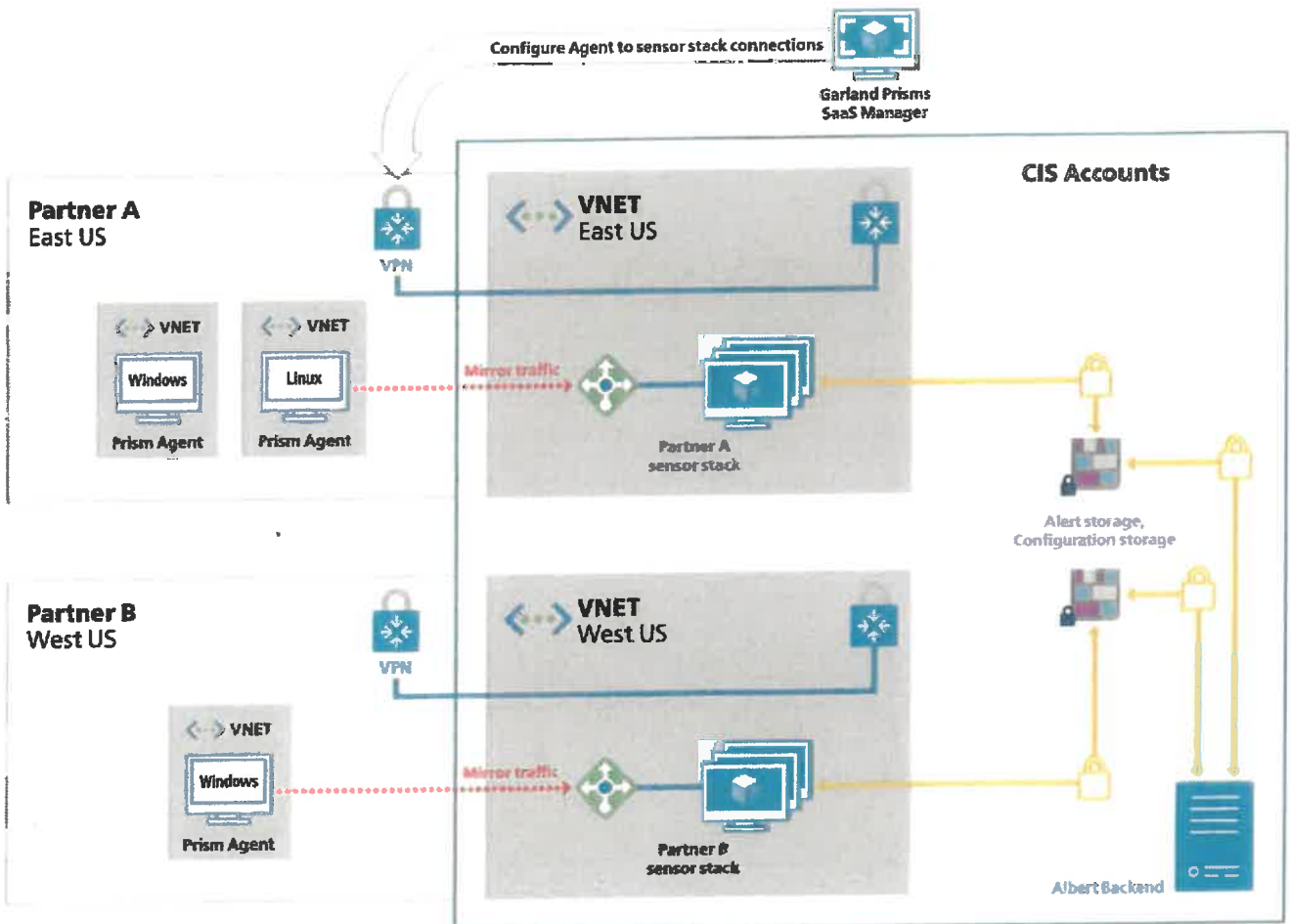
Albert Monitoring for Azure

Albert Cloud monitoring for Azure lets you monitor the network activity of Azure Virtual Machines or VM instances for malicious threats. The monitoring service leverages Garland's Prisms Cloud agent along with Azure VPN to securely send a copy of the traffic going in and out of an instance to an Albert sensor stack running in CIS's Azure account. The mirrored traffic is directed at your organization's dedicated Albert Cloud sensor which is made up of an Azure Load Balancer and a group of VM instances using CIS Hardened Images running in a VM Scale Set. The VM Scale Set scales up and down on demand to reduce costs during times of low traffic and to add fault tolerance if an instance fails. The IDS engine running on each instance processes traffic and generates the raw alerts which are encrypted during transmission and at rest in Azure Blob storage. Lastly, the raw alerts are handed off to the Albert backend to be processed, analyzed, and escalated by our SOC Analysts.

Requirements for Azure monitoring

There are a few additional resources that need to be created in your Azure subscription to support Albert Cloud monitoring in Azure. First a VPN connection must be made using Azure VPN between your organization's VNET and CIS's VNET. The VPN connection provide a cost-efficient method for secure transmission of mirrored traffic to the Albert Cloud sensor. Once that is complete, the Garland Prism agent needs to be installed on each VM to be monitored. The agent is a lightweight process that copies traffic inbound/outbound from your VM to the Albert Cloud sensor. The agent can be installed on Windows or Linux systems using an installer provided by CIS. The installer has a quiet mode to allow for incorporation into any environmental automations your agency may have.

Albert Monitoring for Azure Logical Diagram



PROPERTY OF CIS – CONFIDENTIAL – SYSTEMS IS STILL IN DEVELOPMENT AND SUBJECT TO CHANGE

Albert Cloud Leverages CIS Hardened Images

Albert Cloud uses services specific to the particular cloud service provider (CSP) as well as CIS Hardened Images. CIS Hardened Images are virtual machine images pre-configured to applicable CIS Benchmark recommendations. CIS Benchmarks and their corresponding CIS Hardened Images are used by thousands of organizations for compliance support with DoD Cloud Computing SRG, FedRAMP, PCI DSS, NIST, and HIPAA standards. They help mitigate common threats such as malware, insufficient authorization, and remote intrusion, and are updated every month to address patching and vulnerabilities.

Contact CIS

Visit www.cisecurity.org or email CIS_Services@cisecurity.org.

Agenda Item #12

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Jeff Hastings
Chairman

Inajo Davis Chappell
Member

Lisa M. Stickan
Member

David J. Wondolowski
Member

Anthony W. Perlatti
Director

Anthony N. Kaloger
Deputy Director

CHALLENGED VOTER PACKET

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 - D. Copy of correspondence from the Office of the Chapter 13 Trustee
 - E. Cuyahoga County Property Summary Report
 - F. Voter Confirmation Form for Andrea Sheron (Registered voter at 2178 E. 70th Street)
3. Ohio Revised Code, Section 3503.24, Application for correction of precinct registration list or challenge of right to vote
4. Richard Starr
 - A. Voter Information Report
 - B. Registration Form
 - C. Voter History
5. Delores Gray
 - A. Voter Information Report
 - B. Voter Registration Form
 - C. Voter History

SUMMARY STATEMENT

CHALLENGED VOTER

Delores Gray
2373 East 28th Street
Cleveland, Ohio 44115

Is challenging the right to vote of:

Richard Starr
2178 East 70th Street
Cleveland, Ohio 44103

A Challenge of Right to Vote and Correction of Registration List (SOS Form #257), dated January 22, 2022 was received from elector Delores Gray. Ms. Delores Gray is a qualified elector, in Cleveland Ward-5. She believes Richard Staff lives at 9855 Memphis Avenue, Brooklyn, Ohio 44114 and not the address he has on file with the CCBOE. Ms. Gray stated that Mr. Starr indicated an "incorrect address "on his Declaration of Candidacy Nonpartisan Primary Election Petition for the office of City Council, Ward 5, Cleveland, Ohio. She further states that the "petition filed on 6-16-2020" lists his address at "2178 East 70th Street; Richard Starr did not live at this address when he filed for the Council seat in Ward 5".

This challenge before the CCBOE pertains only to the registration address of Richard Starr and does not involve his candidacy or current position as Cleveland Ward 5 Councilman.

Information Submitted by the Challenger:

- Ms. Gray submitted copies of Mr. Starr's Declaration of Candidacy Nonpartisan Primary Election Petition for the office of Cleveland Council Ward 5.
- The petition was filed with the CCBOE on June 16, 2021, and contained Mr. Starr's signature attesting his permanent address is 2178 East 70th Street, Cleveland, Ohio 44103. This information is collected in the Circulator Statement.
- A copy of a Direct Deposit Voucher from the Boys & Girls Clubs of Northeast Ohio dated April 2, 2021, for a Richard Starr. The address on the voucher is 9855 Memphis Avenue, Apt. 8, Brooklyn, Ohio, 44114.
- A Notice of Intention to Pay Claims from the Office of the Chapter 13 Trustee Lauren A. Helbling dated July 30, 2021. The communication is addressed to Richard A. Staff, 9855 Memphis Avenue #8, Cleveland, Ohio 44144.

Staff Research:

As a result of the Challenge Form received from Ms. Gray, an investigation was conducted by the Registration Department into the voter registration record of Mr. Richard Starr. The following information is provided:

- Mr. Starr originally registered to vote in Cuyahoga County on April 2, 2007, at 4810 Walford Road, Warrensville Hts., Ohio.
- Mr. Starr changed voter registration addresses multiple times over the years.
- Mr. Starr updated his voter registration address to 2178 East 70th Street, Cleveland, Ohio 44103 on July 17, 2017. This is his current address of record with the CCBOE. Mr. Starr is a regular voter voting in ten (10) elections from this address.

Additional Information:

- Richard Starr won the Cleveland Ward-5 Council Race against Delores Gray and is the current member of council.
- According to Cuyahoga County Property Summary Report, Andrea A. Hayes is the property owner at 2178 East 70th Street, Cleveland, Ohio, 44103.
- There are two individuals registered to vote from the 2178 East 70th Street address, Richard Starr and Andrea Sheron.
- The Parkview Estates apartments are located at the 9855 Memphis Avenue, Brooklyn, Ohio address.
- The CCBOE voter registration records do not currently have anyone registered at the 9855 Memphis Avenue address.

Challenge of Right to Vote and Correction of Registration List

R.C. 3503.24

(To be filed with the Board of Elections not later than 30 days prior to the election)

22 JAN 12 PM 2:46:15

I, DELORAS GRAY, am a qualified elector of Cuyahoga (County)

My address is 2373 EAST 28th (Street Address), Cleveland (City), 216-334-6351 (Phone Number)

I hereby: (check one box below and fill in remaining information)

Challenge the Right to Vote of Richard Storr (Name of Person Challenged)

whose Address is 9855 Memphis (Street Address), Cleveland (City), Cuyahoga (County)

Request correction of the registration list of Precinct _____ Ward 5

I file this challenge or correction for the following reason(s): IN CORRECT ADDRESS ON
PETITION FILED 6-16-21 - 2178 EAST 70th AVE
RICHARD STORR DIDNT LIVE AT THIS ADDRESS WHEN FILE FOR
COUNCIL - SEAT WARD-5

PLEASE NOTE: The return of mail, sent by an elections official or any other individual, as undeliverable, unable to forward, or a change of address on file (NCOA) alone is insufficient to grant a challenge or application for correction. Evidence of a foreclosure action alone is insufficient to grant a challenge or correction. The fact that a voter's status is recorded in the Statewide Voter Registration Database as "active-confirmation" (also known as "inactive") alone is insufficient ground to grant a challenge or correction.

I hereby declare under penalty of election falsification that the statements above are true based on my personal knowledge, information or belief.

[Signature]
Signature of Elector

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

For Board of Elections use only - Do not write in this box
 Office Sought: Cleveland Council Ward 5
145 200-660 6/16 @ 4:00
 Filing Fee Signatures Filing Deadline

(2)

**Declaration of Candidacy
 Nonpartisan Primary Election
 For Elective Offices of Cities or Villages**

To be filed with the Board of Elections not later than 4 p.m. of the 90th day before the primary election.

R.C. 3513.05, .07, .09, .10, .191, 3501.38

Declaration of Candidacy

NOTE- The candidate must fill in, sign and date this declaration of candidacy before the signatures of electors are affixed.

I, Richard A. Starr, the undersigned, hereby declare under penalty of election falsification that
Printed Name of Candidate
 my voting residence address is 2178 E. 70th Street, Cleveland, Ohio 44103,
Street Number and Address (or rural route and number) City or Village Zip Code
 and I am a qualified elector.

I further declare that I desire to be a candidate for nomination to the office of City Council Ward 5
Office (If Ward Council, must include the Ward)
 in the municipality of Cleveland, for the:
Municipality (City or Village)

Check full term or unexpired term ending _____, at the primary election to be held on the

14th day of September, 2021.
Day Month Year

Unexpired Term Ending Date

Dated this 8th day of May, 2021.
Day Month Year

BOARD USE ONLY	
City, Ward & Precinct	
Voter ID	
Signature	
Initials	

Richard A. Starr
Print name as it should appear on ballot
 *** Case Sensitive ***

[Signature]
Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, _____, hereby designate the persons named below as a committee to represent me:

Name	Residence

Petition for Candidate

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township, set opposite our names, hereby certify that Richard A. Starr,
Printed Name of Candidate
 whose declaration of candidacy is filed herewith, is in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

Signatures on this petition should be from only one county and must be written in ink.

SIGNATURE	PRINTED NAME OF SIGNER	FULL STREET ADDRESS (Must use address on file with the Board of Elections)	CITY, VILLAGE OR TOWNSHIP (REQUIRED)	DATE OF SIGNING
<u>[Signature]</u>	<u>ROACH</u>	<u>2562 4th B</u>	<u>Cleveland</u>	<u>5-15-2021</u>
<u>[Signature]</u>	<u>JOHN JIM</u>	<u>5725 HECTOR</u>	<u>Cleveland</u>	<u>5-22-21</u>
<u>[Signature]</u>	<u>OLIVER LANE</u>	<u>25 NEEPER AV</u>	<u>CLEVELAND</u>	<u>5-22-21</u>
<u>[Signature]</u>	<u>RICHARD FROENKEL</u>	<u>125 HECTOR AV</u>	<u>CLEVELAND</u>	<u>5/22/21</u>

SIGNATURE	PRINTED NAME OF SIGNER	FULL STREET ADDRESS (Must use address on file with the Board of Elections)	CITY, VILLAGE OR TOWNSHIP (REQUIRED)	DATE OF SIGNING
<i>Ethan E Kerr</i>	ETHAN E. KERR	5125 ⁸⁷²⁰ HecTOR Ave	Cleveland	5-22-21
<i>Don Harris</i>	DON HARRIS	5125 Hector Ave	Cleveland	5-22-21
<i>Diane Phinizee</i>	Diane Phinizee	5125 Hector Ave	Cleveland	5-22-21
<i>Auretta Blake</i>	Auretta Blake	5125 Hector Ave #703	Clev	5-22-21
<i>Ruby S. Ray</i>	Ruby RAY	5125 Hector ^{PR 409}	Clev.	5/22/21
<i>Valeria Thomas</i>	VALERIA THOMAS	5125 Hector Ave ⁴⁰⁶	Cleveland	5-22-21
<i>Bonnie Todd</i>	Bonnie Todd	5111 Hector Ave ⁴¹²	Cleveland	5-22-21
<i>Beverly Williams</i>	Beverly Williams	5111 Hector Ave ⁴¹⁴	Cleveland	5-22-21
<i>Tim Hardy</i>	TIM HARDING	5111 Hector	Cleveland	5/22/21
<i>William Thomas</i>	William THOMAS	5111 Hector	Cleveland	5/22/21
<i>Calos Cotton</i>	Calos Cotton	5111 Hector ^{#204}	Cleveland	5-22-21
<i>James William</i>	James William	5111 Hector ²¹⁶	Cleveland	5-22-21
<i>Nate Arthur</i>	Nate ^{Anthony} ARTHUR	5111 Hector	Cleveland	5-22-21

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

Circulator Statement

Must be completed and signed by the circulator.

I, Richard Starr, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 10 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Richard Starr

Signature of Circulator

2178 E. 70th

Permanent Residence Address

Cleveland

City or Village

OH

State

44103

Zip Code

Acceptance of Nomination
(if required by municipal charter)

_____, 20____

I hereby accept the within nomination.

Signature of Candidate

Address

City and Zip Code

SIGNATURE	PRINTED NAME OF SIGNER	FULL STREET ADDRESS (Must use address on file with the Board of Elections)	CITY, VILLAGE OR TOWNSHIP (REQUIRED)	DATE OF SIGNING
<i>Kim Sellers</i>	Kim Sellers	2327 East 61st	Cleveland	5-8-21
<i>Clara Paul</i>	Clara Paul	5125 Hec ³¹³	Cleveland	5/27/21
<i>Thorne Richmond</i>	Thorne Richmond	5125 Hec ³¹⁰	Cleveland	5/27/21
<i>Katherine Obey</i>	Katherine Obey	5125 Hec ³⁰⁹	Cleveland	5/27/21
<i>Henry</i>	Henry	5125 Hec ³⁰⁹	Cleveland	5-27-21
<i>Ronald Patton</i>	RONALD PATTON	5125 Hec ³⁰⁹	Cleveland	5-22
<i>Cornelia</i>	Cornelia	5175 Hec ³⁰⁹	Cleveland	5-22
<i>Russell Taylor</i>	Russell Taylor	5111 Hec ³⁰⁹	Cleveland	5-22
<i>Andrea Walton</i>	Diedra Walton	5111 Hec ³⁰⁹	Cleveland	5-22
<i>Lisa Jones</i>	Lisa Jones	5125 Hec ³⁰⁹	Cleveland	5/22/21
<i>Talenna Baker</i>	Talenna Baker	2591 E 55 th	Cleveland	5-22-21
<i>Eugene Bell</i>	Eugene Bell	2185 5 th St	Cleveland	5-27-21
<i>Lavinia Bowman</i>	LAVINIA Bowman	2241 E 68 th St	Cleveland	5-29-21

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

Circulator Statement

Must be completed and signed by the circulator.

I, Richard Star, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 18 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Richard Star
 Signature of Circulator
2178 E. 170th
 Permanent Residence Address
Cleveland OH 44103
 City or Village State Zip Code

Acceptance of Nomination
 (if required by municipal charter)

_____, 20____

I hereby accept the within nomination.

Signature of Candidate

Address

City and Zip Code

DIRECT DEPOSIT VOUCHER

Direct Deposits Type Amount
 FAITH C 1,951.83
 COMMUNIT
 Total Direct Deposits 1,951.83

101246 200-201 215 5223 4817 101246
 Richard Starr
 9835 Memphis Ave Apt. 8
 Brooklyn, OH 44144

Non Negotiable - This is not a check - Non Negotiable

Boys & Girls Clubs of Northeast Ohio

Richard Starr

Employee ID 215 Fed Taxable Income 2,669.88 Check Date April 2, 2021 Earnings Statement
 Location 200-201 Fed Filing Status S-1 Period Beginning March 13, 2021 Voucher Number 5223
 Salary State Filing Status S-1 Period Ending March 26, 2021 Net Pay 1,951.83

Earnings	Rate	Hours	Amount	YTD	Deductions	Amount	YTD
481 MATC	3.00	0.00	81.62	533.39	DENTAL INS	2.97	20.79
Employee C		0.00	179.90	1,259.30	LIFE INS	13.85	96.95
Holiday Mc			0.00	0.00	MEDICAL INS	44.98	314.86
PTO Memo			0.00	0.00	Short Term Disability	3.46	24.22
REGULAR	15.00	40.00	600.00	17,780.08	VISION	2.04	20.58
REGULAR	26.51	0.00	2,120.77		Deductions	60.20	477.40
Regular Mc		85.07	0.00	0.00	Direct Deposits		
SNOW ME			0.00	0.00	FAITH COMMUNITY UNITED C.U.		
Gross Earnings		125.07	2,726.77	17,780.08	Total Direct Deposits		1,951.83

Taxes	Amount	YTD	Time Off	To Use	Used
FUTA	354.05	2,199.98	Families	80.00	0.00
MED	38.71	252.64	Floating	16.00	0.00
OH	75.69	484.11	PTO	200.00	40.00
OH-CLEI	66.75	433.60	SICK	268.00	32.00
SS	165.54	1,080.28	Other	0.00	0.00
Taxes	700.74	4,452.61			

OFFICE OF THE CHAPTER 13 TRUSTEE
LAUREN A. HELBLING, TRUSTEE
For Cases Filed under Chapter 13 in the United States Bankruptcy Court
Northern District of Ohio - Eastern Division (Cleveland)

IN RE: RICHARD A STARR
9855 MEMPHIS AVE #8
CLEVELAND, OH 44144

Case Number: 21-11340-jps
Chapter 13 Proceedings
Judge Jessica E. Price Smith

Debtor(s)

NOTICE OF INTENTION TO PAY CLAIMS

This Notice of Intention to Pay Claims ("Notice") lists the proofs of claim that have been filed in the above captioned Chapter 13 bankruptcy case. This Notice is being served upon the Debtor(s) and the attorney for the Debtor(s) so that claims may be reviewed and a determination made whether any claim should be objected to, whether the Debtor(s) should file a claim for any creditor that has failed to file a claim, and whether the Debtor(s)' bankruptcy plan should be modified due to the claims that have been filed.

Unless a party in interest files an objection to a claim and requests a hearing before the United States Bankruptcy Court, Northern District of Ohio - Eastern Division within 30 days of the date this notice is filed with court, said claims will be paid according to the terms of the plan.

A claim may appear on this notice more than once if the claim filed or the confirmed Chapter 13 plan specifies that a claim is to be divided into portions with separate treatment for each portion. Creditors may appear to have both "filed" and "not filed" claims as Debtor(s) may owe the same creditor on multiple accounts. As debts are often times bought and sold, Debtor(s) may not recognize the names of some of the creditors listed. Bankruptcy counsel should be able to answer questions regarding any claims shown in this Notice.

Copies of this Notice have been served on the Debtor(s) and the attorney for the Debtor(s) on this day at their address as it appears in this proceeding.

NOTICE TO DEBTOR(S): FOR YOUR CASE TO BE SUCCESSFUL IT IS IMPORTANT TO REVIEW THIS DOCUMENT WITH YOUR ATTORNEY.

/s/ Lauren A. Helbling

Lauren A. Helbling
Chapter 13 Trustee
200 Public Square, Suite 3860
Cleveland OH 44114-2321
Phone (216) 621-4268 Fax (216) 621-4806
Email: 13Trustee@ch13cleve.com
Website: www.13trusteecleveland.com

DATE: Jul 30, 2021

2-D-1

2. During the last 3 years, have you lived anywhere other than where you live now?

No

Yes. List all of the places you lived in the last 3 years. Do not include where you live now.

Debtor 1 Prior Address:

2178 East 70th Street
Cleveland, OH 44103

Dates Debtor 1
lived there

From-To:
2018-2020

Debtor 2 Prior Address:

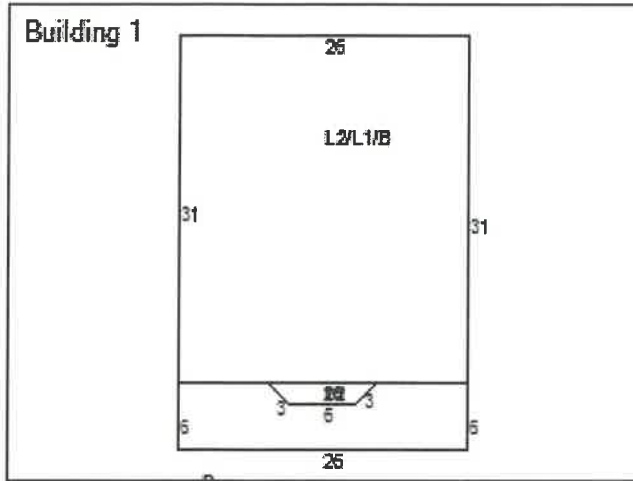
Same as Debtor 1

Dates Debtor 2
lived there

Same as Debtor 1
From-To:

Owner HAYES, ANDREA A
Address 2178 E 70 ST
CLEVELAND, OH, 44103
Land Use (5100) R - 1-FAMILY PLATTED LOT
Legal Description 335 C&VANT 0105 ALL
Neighborhood Code 01136

SKETCH



MAP VIEW



BUILDING INFORMATION

Building Record Number	1	Occupancy	1-FAMILY	Story Height	2
Style	COLONIAL	Year Built	2003	Exterior Walls	ALUM/VINYL
Condition	AVERAGE	Construction Quality	B+ / GOOD+	Roof Type	GABLE
Roof Material	ASPH-SHINGLE	Heat Type	FORCED-AIR	Air Conditioning	CENTRAL
Attic Type	NONE	Basement Type	BASEMENT	Basement Square Feet	806
Basement Finished	N/A	Rooms	7	Bedrooms	3
Bathrooms (Full/Half)	2/1	Garage Type	DETACHED	Garage Capacity	2
Year Garage Built	2003	Garage Size	400	Living Area Basement	
Living Area 1	806	Living Area 2	822	Living Area Upper	
Living Area Total	1,628	Floor Location		Party Wall	

LAND

Code	Frontage	Depth	Acreage	Sq Ft
PRM	40	138	0.13	5,520

VALUATION

2021 Values	Taxable Market Value	Exempt Market Value	Assessed Market Value	Assessed Taxable Value
Land Value	\$4,400	\$0	\$0	\$1,540
Building Value	\$90,100	\$0	\$0	\$31,540
Total Value	\$94,500	\$0	\$0	\$33,080
Land Use	5100			SINGLE FAMILY DWELLING

PERMITS

Tax Year	Reason	Tax Change	Exempt Change	Percent Complete	Reinspect	Notes
2004	30 - New Construction	\$143,400	\$	100%	No	NEW DWLG/GARAGE 100% COMP 1-1-2004
2004	70 - Change of class	\$	\$	100%	No	CLASS-CHANGE 2004

IMPROVEMENTS

Type	Description	Size	Height Depth
------	-------------	------	--------------

SALES

Date	Buyer	Seller	Price
5/30/2003	HAYES, ANDREA A	Bfr Partners Co Llc	\$144,400
5/31/2002	Burten Bell Carr Dev Inc	Cleveland City Of Lb91	\$0
6/4/2002	Bfr Partners Co Llc	Burten Bell Carr Dev Inc	\$0
1/30/1991	Cleveland City Of Lb91	Neyland Joseph L	\$0
6/5/1980	Neyland Joseph L	Vitner Donald	\$0
10/17/1979	Vitner Donald	Geneva Z Potts	\$5,000
10/17/1979	Geneva Z Potts	Jeanette F Potts	\$0
8/27/1979	Jeanette F Potts	Potts Jeanette F	\$0
3/5/1976	Potts Jeanette F	Potts Geneva Z	\$7,500
1/1/1975	Potts Geneva Z		\$0

Taxes

2021 Taxes	Charges	Payments	Balance Due
Tax Balance Summary	\$2,469.58	\$1,234.79	\$1,234.79

a-e

CONFIRMATION FORM (please print)



ANDREA A SHERON

1 FULL LEGAL NAME Last SHERON First ² Andrea Middle A Suffix _____

2 DATE OF BIRTH Month 04 Day 09 Year 1966 *Do not print today's date here.*

3 RESIDENTIAL ADDRESS 2178 E 70th St.

CITY, STATE & ZIP Cleveland, Ohio 44103

MAILING ADDRESS SAME

4 FORM OF IDENTIFICATION *You must provide at least one form of identification.*

Ohio Driver's License Number RT691101 Last four digits of your Social Security Number 4790

If you cannot provide one of the above numbers, you must provide a copy of one of the following forms of identification: Current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document (except notification from boards of elections) that shows your name and address.

I hereby declare, under penalty of election falsification, that the statements above are complete and true to the best of my knowledge and belief.

5 SIGNATURE Andrea Sheron 6 TODAY'S DATE 6-30-15

0018478

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE SUPP

a-f

Section 3503.24 | Application for correction of precinct registration list or challenge of right to vote.

Ohio Revised Code / Title 35 Elections /
Chapter 3503 Voters - Qualifications; Registration

Effective: March 20, 2019 Latest Legislation: House Bill 41 - 132nd General Assembly

(A) Application for the correction of any precinct registration list or a challenge of the right to vote of any registered elector may be made by any qualified elector at the office of the board of elections not later than the thirtieth day before the day of the election. The applications or challenges, with the reasons for the application or challenge, shall be filed with the board in person or by mail on a form prescribed by the secretary of state and shall be signed under penalty of election falsification.

(B) On receiving an application or challenge filed under this section, the board of elections promptly shall review the board's records. If the board is able to determine that an application or challenge should be granted or denied solely on the basis of the records maintained by the board, the board immediately shall vote to grant or deny that application or challenge.

If the board is not able to determine whether an application or challenge should be granted or denied solely on the basis of the records maintained by the board, the director shall promptly set a time and date for a hearing before the board. The hearing shall be held, and the application or challenge shall be decided, no later than ten days after the board receives the application or challenge. The director shall send written notice to any elector whose right to vote is challenged and to any person whose name is alleged to have been omitted from a registration list. The notice shall inform the person of the time and date of the hearing, and of the person's right to appear and testify, call witnesses, and be represented by counsel. The notice shall be sent by first class mail no later than three days before the day of any scheduled hearing. Except as otherwise provided in division (D) of this section,

the director shall also provide the person who filed the application or challenge with such written notice of the date and time of the hearing.

At the request of either party or any member of the board, the board shall issue subpoenas to witnesses to appear and testify before the board at a hearing held under this section. All witnesses shall testify under oath. The board shall reach a decision on all applications and challenges immediately after hearing.

(C) If the board decides that any such person is not entitled to have the person's name on the registration list, the person's name shall be removed from the list and the person's registration forms canceled. If the board decides that the name of any such person should appear on the registration list, it shall be added to the list, and the person's registration forms placed in the proper registration files. All such corrections and additions shall be made on a copy of the precinct lists, which shall constitute the poll lists, to be furnished to the respective precincts with other election supplies on the day preceding the election, to be used by the election officials in receiving the signatures of voters and in checking against the registration forms.

(D) If an elector who is the subject of an application or challenge hearing has a confidential voter registration record, as described in section [111.44](#) of the Revised Code, all of the following apply:

(1) If the elector's right to vote has been challenged, the person who filed the challenge shall not receive notice of the date and time of any hearing held concerning the challenge, shall not be permitted to attend the hearing, and shall not receive notice of the disposition of the challenge.

(2) If the elector is the subject of an application for the correction of the precinct registration list and the elector is not the person who filed the application, the person who filed the application shall not receive notice of the date and time of any hearing held

concerning the application, shall not be permitted to attend the hearing, and shall not receive notice of the disposition of the application.

(3) Notwithstanding section [121.22](#) of the Revised Code, any hearing held concerning the application or challenge shall not be open to the public.

(4) Any records created as a result of the application or challenge that include the elector's residence address or precinct shall not be open to public inspection.

Available Versions of this Section

August 15, 2012 – Senate Bill 295 - 129th General Assembly

September 8, 2016 – Amended by House Bill 359 - 131st General Assembly

March 20, 2019 – Amended by House Bill 41 - 132nd General Assembly

VOTER INFORMATION REPORT

RICHARD ANTWON STARR

PRINTED ON: 1/18/2022

VOTER ID: 2249976

NAME: RICHARD ANTWON STARR

RESIDENCE: 2178 E 70TH ST

CITY/STATE/ZIP: CLEVELAND, OH 44103

CARE OF:

STREET/BX:

MAIL CITY:

MAIL STATE/ZIP:

COUNTRY:

PHONE NUMBER: (216) 331-9505

STATUS: ACTIVE

PARTY: DEMOCRAT

REG DATE: 09/28/2020

PRECINCT: CLEVE05H.01

PRECINCT NAME: CLEVELAND -05-H

POLLING PLACE: FAIRFAX RECREATION CENTER

2335 EAST 82ND STREET

SIGNATURE:



I hereby certify that the above document is a true and correct copy of the original filed at the Cuyahoga County Board of Elections.

VOTE

**CUYAHOGA COUNTY
BOARD OF ELECTIONS**

Election Official: Jerry Grant Edwards

Title: REGISTRATION MANAGER

Date: Jan 18, 2022

Signature: Jerry Grant Edwards

4-A

I am: Registering as an Ohio voter / Registrarme para votar en Ohio Updating my address / Actualizar mi domicilio Updating my name / Actualizar mi nombre

1. Are you a U.S. citizen? / ¿Es usted ciudadano de los EE.UU.? Yes / Sí No / No
 2. Will you be at least 18 years of age on or before the next general election? / Tendrá usted al menos 18 años de edad el día de las próximas elecciones generales o antes? Yes / Sí No / No
 If you answered NO to either of the questions, do not complete this form.
 Si respondió NO a cualquiera de las preguntas, no complete este formulario.

3. Last Name / Apellido: Starr First Name / Nombre: Richard Middle Name or Initial / Segundo Nombre o Inicial: A Jr., II, etc.

4. House Number and Street / (Enter new address if changed) / Número de Casa y Calle (Escriba la nueva dirección si ha cambiado): 2178 East 70th Street Apt. or Lot # / Apt. o No. de Parcela: 5. City or Post Office / Ciudad u Oficina de Correos: Cleveland 6. ZIP Code / Código Postal: 44103

7. Additional Mailing Address (if necessary) / Dirección Postal Adicional (si es necesario): 8. County (where you live) / Condado (donde vive): Cuyahoga

9. Birthdate (MO-DAY-YR) (inglés/d) / Fecha de Nacimiento (MES-DÍA-AÑO): 1988 10. Ohio Driver's License No. OR last four digits of Social Security No. (Este form of ID required to be listed or provided) / No. de la licencia de conducir de Ohio o últimos cuatro dígitos del No. del Seguro Social (es necesario): 11. Phone No. (voluntary) / No. Tfn. (voluntario):

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street / DOMICILIO ANTERIOR SI ESTA ACTUALIZANDO EL REGISTRO ACTUAL - Número de Casa y Calle Anterior: 11005 Nelson Ave

Previous City or Post Office / Ciudad u Oficina de Correos: Cleveland County / Condado: Cuyahoga State / Estado: Ohio

13. CHANGE OF NAME ONLY Former Legal Name / SOLO CAMBIO DE NOMBRE Nombre Legal Anterior: Full/First Signature / Firma Anterior:

14. I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election. Declaro, so pena de fraude electoral, que soy ciudadano de los Estados Unidos, que habré vivido en este estado durante al menos los 30 días previos a las elecciones siguientes y que tendré al menos 18 años de edad en el momento de las elecciones generales.

Your Signature / Su firma: [Signature] Date / Fecha: 7.17.17
 MO / MES: 7 DAY / DÍA: 17 YR / AÑO: 17

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 SEC4010 (Rev. 6/14)
 City, Village, Twp.
 Ward
 Precinct
 School Dist.
 Cong. Dist.
 Senate Dist.
 House Dist.

JUL 18 17 AM 8:35

4-3

#	Date	Title	Elig	V...	Cons Prec	Party	Poll Voter	AV Req...	AV Return...	Prov Req...	Prov Retu...	Org. Party
1	11/02/2021	November 2, 2021 General Election	Y	Y	CLEVE05H		Y	N	N	N	N	
2	09/14/2021	SEPTEMBER 14, 2021 PRIMARY ELECTION	Y	Y	CLEVE05H	NOP...	Y	N	N	N	N	DEM
3	08/03/2021	AUGUST 3, 2021 SPECIAL CONGRESSIONA...	Y	Y	CLEVE05H	DEM	Y	N	N	N	N	DEM
4	11/03/2020	November 3, 2020 Presidential General Election	Y	Y	CLEVE05H		N	Y	Y	N	N	
5	03/17/2020	MARCH 17, 2020 PRIMARY ELECTION - EXT...	Y	Y	CLEVE05H	DEM	N	Y	Y	N	N	DEM
6	11/05/2019	November 5, 2019 General Election	Y	Y	CLEVE05H		Y	N	N	N	N	
7	11/06/2018	November 6, 2018 General Election	Y	Y	CLEVE05H		Y	N	N	N	N	
8	05/08/2018	MAY 8, 2018 PRIMARY ELECTION	Y	Y	CLEVE05H	DEM	Y	N	N	N	N	DEM
9	11/07/2017	NOVEMBER 7, 2017 GENERAL ELECTION	Y	Y	CLEVE05H		N	Y	Y	N	N	
10	09/12/2017	SEPTEMBER 12, 2017 PRIMARY ELECTION	Y	Y	CLEVE05H	NOP...	N	Y	Y	N	N	DEM
11	11/08/2016	NOVEMBER 8, 2016 PRESIDENTIAL GENER...	Y	Y	BEHT03A		N	N	N	N	N	
12	03/15/2016	MARCH 15, 2016 PRIMARY ELECTION	Y	Y	BEHT03A	DEM	N	N	N	N	N	NOPTY
13	12/08/2015	DECEMBER 8, 2015 EAST CLEVELAND WA...	Y	Y			N	N	N	N	N	
14	11/03/2015	NOVEMBER 3, 2015 GENERAL ELECTION	Y	N			N	N	N	N	N	
15	11/04/2014	NOVEMBER 4, 2014 GENERAL ELECTION	Y	N			N	N	N	N	N	
16	05/06/2014	MAY 6, 2014 PRIMARY ELECTION	Y	N			N	N	N	N	N	
17	11/05/2013	NOVEMBER 5, 2013 GENERAL ELECTION	Y	N			N	N	N	N	N	
18	10/01/2013	OCTOBER 1, 2013 PRIMARY ELECTION	Y	N			N	N	N	N	N	
19	11/06/2012	NOVEMBER 6, 2012 PRESIDENTIAL GENER...	Y	Y	ECL03F		Y	N	N	N	N	
20	03/06/2012	MARCH 6, 2012 PRIMARY ELECTION	Y	N			N	N	N	N	N	
21	11/08/2011	NOVEMBER 8, 2011 GENERAL ELECTION	Y	N			N	N	N	N	N	
22	11/04/2008	2008 NOV GENERAL	Y	Y			N	N	N	N	N	
23	11/06/2007	2007 NOV GENERAL	Y	N			N	N	N	N	N	

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VOTER INFORMATION REPORT

DELORES L GRAY

PRINTED ON: 1/18/2022

VOTER ID: 2441711
NAME: DELORES L GRAY
RESIDENCE: 2373 E 28TH ST
CITY/STATE/ZIP: CLEVELAND, OH 44115

CARE OF:
STREET/BX:
MAIL CITY:
MAIL STATE/ZIP:
COUNTRY:

PHONE NUMBER:

STATUS: ACTIVE
PARTY: DEMOCRAT
REG DATE: 12/28/2021

PRECINCT: CLEVE05G.01
PRECINCT NAME: CLEVELAND -05-G

POLLING PLACE: JANE ADDAMS BUSINESS CAREERS CENT
2373 EAST 30TH STREET

SIGNATURE:



I hereby certify that the above document is a true and correct copy of the original filed at the Cuyahoga County Board of Elections.

VOTE
CUYAHOGA COUNTY
BOARD OF ELECTIONS

Election Official

Title:

Date:

Signature:

Jerry Grant Edwards

REGISTRATION MANAGER

Jan 18, 2022

Jerry Grant Edwards

Mandatory Fields

Espacios Obligatorios

I am: Registering as an Ohio Voter
Quiero: Registrarme para votar en Ohio

Updating my address
Actualizar mi domicilio

Updating my name
Actualizar mi nombre

1. Are you a U.S. citizen? / ¿Es usted ciudadano de los EE.UU.? Yes / Sí No / No
2. Will you be at least 18 years of age on or before the next general election? Yes / Sí No / No / ¿Tendrá usted al menos 18 años de edad el día de las próximas elecciones generales o antes?
If you answered NO to either of the questions, do not complete this form. / Si respondió NO a cualquiera de las preguntas, no complete este formulario.

3. Last Name / Apellido: Gray
First Name / Nombre: Delores
Middle Name or Initial / Segundo Nombre o Inicial: L
Jr., II, etc:

4. House Number and Street (Enter new address if changed) / Número de Casa y Calle (Escriba la nueva dirección si ha cambiado): 2373 EAST 28th St
Apt. or Lot # / Apt. o No. de Parcela:
5. City or Post Office / Ciudad u Oficina de Correos: Cleveland
6. ZIP Code / Código Postal: 44115

7. Additional Mailing Address (if necessary) / Dirección Postal Adicional (si es necesario):
8. County (where you live) / Condado (donde vive):
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SEC4010 (Rev. 12/15)

9. Birthdate (required) / Fecha de Nacimiento (obligatoria): 11-65
10. Ohio driver's license No. OR last four digits of Social Security No. (one form of ID required to be listed or provided) / No. de la licencia de conducir de Ohio o los últimos cuatro dígitos del No. del Seguro Social (es necesario indicar o facilitar una forma de identificación):
11. Phone No. (voluntary) / No. Tfn. (voluntaria):

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street / DIRECCIÓN RESIDENCIAL ANTERIOR SI ESTÁ ACTUALIZANDO EL REGISTRO ACTUAL - Número de Casa y Calle Anterior

Previous City or Post Office / Ciudad u Oficina de Correos: County / Condado: State / Estado:

13. CHANGE OF NAME ONLY Former Legal Name / SÓLO CAMBIO DE NOMBRE Nombre Legal Anterior: Former Signature / Firma Anterior:

14. I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.
Date / Fecha: 12 / 28 / 21
MO / DAY / YR
MES / DÍA / AÑO

Your Signature / Su firma ↓



FOR BOARD USE ONLY
SEC4010 (Rev. 12/15)
City, Village, Twp.
Ward
Precinct
School Dist.
Cong. Dist.
Senate Dist.
House Dist.

#	Date	Title	Elig	Voted	Cons Prec	Party	Poll Voter	AV Req...	AV Return...	Prov ...	Prov Returned	Org. Party
1	11/02/2021	November 2, 2021 General Election	Y	Y	CLEVE096	N	Y	Y		N		
2	09/14/2021	SEPTEMBER 14, 2021 PRIMARY ELECTION	Y	Y	CLEVE096	NOP ...	N	Y	Y	N		DEM
3	08/03/2021	AUGUST 3, 2021 SPECIAL CONGRESSIONA...	Y	Y	CLEVE096	DEM	N	Y	Y	N		DEM
4	11/03/2020	November 3, 2020 Presidential General Election	Y	Y	CLEVE096	N	Y	Y	Y	N		N
5	03/17/2020	MARCH 17, 2020 PRIMARY ELECTION - EXT...	Y	Y	CLEVE096	DEM	N	Y	Y	N		DEM
6	11/05/2019	November 5, 2019 General Election	Y	Y	CLEVE096	N	Y	N	N	N		N
7	11/06/2018	November 6, 2018 General Election	Y	Y	CLEVE096	N	Y	N	N	N		N
8	05/08/2018	MAY 8, 2018 PRIMARY ELECTION	Y	Y	CLEVE096	DEM	Y	N	N	N		DEM
9	11/07/2017	NOVEMBER 7, 2017 GENERAL ELECTION	Y	Y	CLEVE096	N	Y	Y	Y	N		N
10	09/12/2017	SEPTEMBER 12, 2017 PRIMARY ELECTION	Y	Y	CLEVE096	NOP ...	N	Y	Y	N		DEM
11	11/08/2016	NOVEMBER 8, 2016 PRESIDENTIAL GENER...	Y	Y	CLEVE096	N	Y	Y	Y	N		N
12	03/15/2016	MARCH 15, 2016 PRIMARY ELECTION	Y	Y	CLEVE096	DEM	Y	N	N	N		DEM
13	11/03/2015	NOVEMBER 3, 2015 GENERAL ELECTION	Y	Y	CLEVE096	N	Y	N	N	N		N
14	11/04/2014	NOVEMBER 4, 2014 GENERAL ELECTION	Y	Y	CLEVE096	N	Y	N	N	N		N
15	05/06/2014	MAY 6, 2014 PRIMARY ELECTION	Y	Y	CLEVE096	DEM	Y	N	N	N		DEM
16	11/05/2013	NOVEMBER 5, 2013 GENERAL ELECTION	Y	Y	CLEVE096	N	Y	N	N	N		N
17	11/06/2012	NOVEMBER 6, 2012 PRESIDENTIAL GENER...	Y	Y	CLEVE096	N	Y	Y	Y	N		N
18	03/06/2012	MARCH 6, 2012 PRIMARY ELECTION	Y	Y	CLEVE096	DEM	Y	N	N	N		DEM
19	11/08/2011	NOVEMBER 8, 2011 GENERAL ELECTION	Y	Y	CLEVE096	N	Y	Y	Y	N		N
20	11/02/2010	NOVEMBER 2, 2010 GENERAL ELECTION	Y	Y	CLEVE096	N	Y	N	N	N		N
21	09/07/2010	SEPTEMBER 7, 2010 PRIMARY ELECTION	Y	Y	CLEVE096	DEM	Y	N	N	N		DEM
22	05/04/2010	MAY 4, 2010 PRIMARY ELECTION	Y	Y	CLEVE096	DEM	Y	N	N	N		NOP/PT

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P