



# Members Brief

An informational brief prepared by the LSC staff for members and staff of the Ohio General Assembly

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Volume 135  
March 27, 2024

## Post-Election Day Activities

In Ohio, after an election is held and polls close, there are requirements that the Secretary of State and boards of elections must follow in order to tabulate votes, declare results, and conduct post-election audits. Below is a table that discusses the requirements and corresponding timeline that the Secretary and boards are required to follow after an election so that the candidates elected may take office.

Timeline of Election Day and post-Election Day activities		
Event	Timing	Citation
Election Day	Polls open from 6:30 a.m. to 7:30 p.m. on Election Day.	R.C. 3501.01 and 3501.32.
Unofficial canvass of election results	Conducted on election night in full view of board of elections members and any appointed observer. The board must provide periodic reporting to the public and Secretary of State and a final summary report must be transmitted to the Elections Division of the Secretary of State's office.	R.C. 3505.27, 3505.28, 3505.30, 3509.06, 3509.07, 3511.11, and 3511.13.
Return of absentee ballots	Absentee ballots must be returned in person to the board of elections by close of polls on Election Day or by mail if postmarked no later than the day before Election Day and received by the boards of elections not later than the fourth day after Election Day.	R.C. 3509.05 and 3511.11.
Provisional ballot review	Boards of elections must verify the eligibility of persons who cast provisional ballots during the four days following Election Day.	R.C. 3505.183.
Examination of pollbooks and poll lists	Boards of elections may, before the tenth day after an election, examine the pollbooks, poll lists, and tally sheets received from each polling place and compare the results to the summary statement received from the polling place.	R.C. 3505.32(D).

Timeline of Election Day and post-Election Day activities		
Event	Timing	Citation
Official canvass of election results	Boards of elections must begin to canvass election returns not earlier than the fifth day, and not later than the 15 <sup>th</sup> day, after an election and complete the canvass not later than the 21 <sup>st</sup> day after the election.	R.C. 3505.32.
Declaration of official canvass results	After completing the official canvass of election results, each board of elections must declare the results in writing, which must be signed by at least a majority of the board members. The board must certify abstracts of the results and send those, and the Official Canvass Results, to the Secretary of State.	R.C. 3505.33 and 3505.36.
Secretary of State canvasses abstract of election results	The Secretary of State canvasses the abstracts, not later than ten days after receiving the abstracts, and declares the results of all elections in which electors throughout the entire state voted.	R.C. 3505.35.
Contest of election	Contest must be filed by a petition signed by at least 25 voters who voted in the last election for which the candidate or issue is being contested, or by the defeated candidate, within 15 days after the results of the election are certified, or within ten days after the results of a recount are announced.  The hearing of the contest must be held not less than 15 days, and not more than 30 days, after the filing of the petition.	R.C. 3515.08, 3515.09, and 3515.10.
Automatic recount	The recount must be conducted, at a fixed time and place but not later than ten days after ordered, when the difference between votes cast for a declared winning nominee, candidate, question, or issue and the declared losing nominee, candidate, question, or issue is equal to or less than 0.5% for a local election, or 0.25% for a statewide election, of the total votes cast for the nominee, candidate, question, or issue.	R.C. 3515.011, 3515.03, 3515.04, and 3515.05.
Requested recount	The request must be made within five days after the board of elections or Secretary of State declares the official election results and the recount must be completed not later than ten days after the request.	R.C. 3515.01, 3515.02, and 3515.03.

Timeline of Election Day and post-Election Day activities		
Event	Timing	Citation
Post-election audit	Boards of elections must conduct a post-election audit no sooner than six days after the board certifies the election results. The audit must be completed no later than 21 days after certifying the official results. If a recount is conducted, the audit must begin immediately after the recount results are certified and must be completed not later than 14 days after the board certifies the recount results.	R.C. 3505.331.
Certificate of nomination or election	The Secretary of State or boards of elections, depending on the office, must issue a certificate of nomination or election, as applicable, to persons declared nominated or elected for an office.	R.C. 3505.35 and 3513.22(D) and (E).
Oath of office	Requires each person elected or appointed to an office to take an oath of office before discharging their duties of the office.	Ohio Constitution, Article XV, Section 7 and R.C. 3.22.