Members Brief

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

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Post-Election Day Activities

In Ohio, after the polls close at 7:30 p.m. on Election Day, the Secretary of State and the boards of elections must follow a number of procedures to tabulate the votes, declare the results, and allow the winning candidates to take office. For an election held in early November, the post-election procedures are not complete until the end of January.

Determining the results

Unofficial count

Complete by noon the day after the election

- On election night, the boards of elections count all the ballots cast in person for the election and all the absentee ballots that arrived early enough to be processed before Election Day. Provisional ballots and later-arriving absentee ballots are not included in this count.
- The boards must periodically report to the public and the Secretary of State and send a final summary report to the Secretary of State's office.[1]

Absentee and provisional ballots

During the 8 days after the election

- Absentee ballots must arrive at the board of elections by close of polls on Election Day, except that uniformed services and overseas absent voter's ballots that are returned by mail must arrive at the board of elections by the fourth day after Election Day.[2]
- Absentee and provisional voters whose ballots are incomplete or insufficient must provide the required information to the board by the fourth day after Election Day.
- The boards must determine which ballots are eligible to be counted during the 8 days after the election.[3]

[1] R.C. 3505.27, 3505.28, 3505.30, 3509.06, 3509.07, 3511.11, and 3511.13.

[2] R.C. 3509.05 and 3511.11.

[3] R.C. 3505.183 and 3509.06.

Review and correction of precinct data

During the 9 days after the election

- The boards of elections examine the pollbooks, poll lists, and tally sheets received from each polling place, compare them to the summary statement for the polling place, and make any needed corrections.[4]

Official canvass of local election results

Complete by the 21st day after the election

- Beginning between 5 and 15 days after the election, the boards must complete the official canvass (count) of all the ballots and certify an abstract of the county's election results to the Secretary of State.[5]
- If a local election is decided by a margin of 0.5% or less, the board must order an automatic recount.[6]

Official canvass of statewide election results

Complete by the 31st day after the election

- Within 10 days after receiving the abstracts from the boards, the Secretary of State canvasses them and declares the results of the statewide elections.[7]
- If a statewide election is decided by a margin of 0.25% or less, the Secretary of State must order an automatic recount.[8]

Recounts

Automatic recount

Complete by the 41st day after the election

- The board must conduct any automatic recount within 10 days after it is ordered. The board conducts the recount in the presence of observers. If the county uses direct recording electronic voting machines, the voter verified paper audit trail is used instead of the machine-generated vote totals.[9]

[4] R.C. 3505.32(D).

[5] R.C. 3505.32, 3505.33, and 3505.36.

[6] R.C. 3515.011.

[7] R.C. 3505.35.

[8] R.C. 3515.011.

[9] R.C. 3515.011, 3515.03, 3515.04, and 3515.05.

Requested recount

Complete by the 46th day after the election

- Within 5 days after the results are declared, a candidate or group of voters who meet the requirements to do so may request a recount if no recount is conducted automatically. The recount must be completed within 10 days after the request.[10]

Certificates of nomination or election

All nominations; election of most officials

Complete by the 46th day after the election

- After the deadline to request a recount, and after any recounts are completed, the election officials issue certificates of nomination or election, as applicable, to the winning candidates.[11]
- The winning candidates must take an oath of office before discharging the duties of the office.[12]

Election of certain state officials

First week of January after the election

- The Senate President canvasses the abstracts of the votes and declares the results of elections for Governor, Lieutenant Governor, Secretary of State, Auditor of State, Treasurer of State, and Attorney General. The Secretary of State issues the winning candidates their certificates of election and the Governor issues them commissions.[13]
- The winning candidates must take an oath of office before discharging the duties of the office.[14]

Post-election audit

Complete by the 60th day after the election

- Beginning as soon as six days after the election results are certified, the boards of elections must conduct a post-election audit by hand counting a statistical sample of the ballots to determine the accuracy rate of the official count. If the accuracy rate is too low, a full hand recount is ordered.

[10] R.C. 3515.01, 3515.02, and 3515.03.

[11] R.C. 3505.38, and 3513.22(D) and (E).

[12] Ohio Constitution, Article XV, Section 7 and R.C. 3.22.

[13] R.C. 3505.34.

[14] Ohio Const., art. XV, sec. 7 and R.C. 3.22.

- The audit must be completed by 21 days after the results are declared or 14 days after any recount results are declared.[15]

Canvass deemed final

81st day after the election

- The boards of elections are not permitted to make any further amendments to the official counts, unless otherwise ordered by a court.[16]

Contest of election

Complete by the 86th day after the election

- A candidate or group of voters may file a contest of the election in court.
- The contest must be filed within 15 days after the results are declared or 10 days after a recount is completed. The court must hear the contest between 15 and 30 days after it is filed.[17]

[15] R.C. 3505.331.

[16] R.C. 3505.32.

[17] R.C. 3515.08, 3515.09, and 3515.10.