



OHIO ELECTION OBSERVERS | FACT SHEET

(Ohio Revised Code [3505.21](#))

Qualifications

- Observers must be qualified electors in the State of Ohio.
- Observers do not need to be registered to vote in the particular county where they are appointed to observe.

Persons not eligible to observe

- No person wearing a uniform (peace officer, state highway patrol trooper, fire department, armed services, etc.)
- No candidate (unless they are a member of a party controlling committee)
- No person carrying a firearm

Oath

- Every observer is required to take an oath
- Election Day observers will have oath recited to them from a Precinct Election Official
- All other observers will have oath recited from an election official or Board of Elections Director or Deputy Director
- When an observer is observing multiple days it's not necessary to administer the oath every day. The observer can affirm each day to an election official.

Audio and Video Devices

- Observers may not use any electronic or communications device that impedes, interferes with, or disrupts an election.
 - Devices cannot produce noise.
 - Devices may not be used to take photographs.
- Observer may not engage in an audible conversation on a communications or audio/video device inside the polling place.



What is an observer's role?

Watching and Inspecting

- The role of an observer is limited to observing the proceedings of an election
- Observer may never handle any election materials
- Observer may move freely around the polling place
- Observer may not interfere with election officials administering the election, although they are permitted to make limited, casual conversation with elections officials, even to gather information about the process

Limitations

- No election campaigning
- No interfering with an elector from the time they arrive to the polling place until they leave
- No carrying a firearm or deadly weapon

Removal (behavior inconsistent with Ohio law or Secretary of State Directive)

- Only the following have the authority to remove observers
 - Voting location managers
 - The Director or Deputy Director of the Board of Elections
 - Law enforcement at the order of the one of the above listed election officials

Who May Appoint an Observer:

- Any political party that is supporting candidates to be voted upon at the election
- Any group of five or more candidates
- A ballot issue committee recognized by the board of elections pursuant to law as supporting or opposing a ballot issue
 - Petitions must be filed no later than 4:00 p.m. on the 20th day before election.
 - If more than one committee files for the same issue, board must make the decision on which committee will be recognized (who are on the same side).

Types of Observers:

- **Observers at an In-Person Absentee Voting Location**
 - An appointing authority is permitted to appoint one observer to the in-person absentee voting location
 - An appointing authority is allowed to substitute observers on different days
 - Timing of Notice of Appointment
 - No later than 11 days before the start of in-person absentee voting
 - Timing of Amendment
 - No later than 4:00 p.m. the day before the observer is appointed to serve

- **Observers at Precincts on Election Day**
 - An appointing authority may appoint one observer per precinct
 - Limitations on observers for ballot questions or issues
 - A precinct cannot have more than six total observers appointed by separate ballot issue committees
 - Where the number of observers exceeds six, the recognized ballot issue committees must agree on which observers will observe
 - If the committees fail to agree, the precinct election officials must choose six observers from the certified appointees
 - Election Day observers are permitted to be present one-half hour before the polling place opens through the time the precinct election officials in that precinct finish processing the ballots cast
 - Timing of Notice of Appointment
 - No later than 11 days before Election Day
 - Timing of Amendment
 - No later than 4:00 p.m. the day before Election Day

- **Observers at a Board of Elections Pre-Election Day, Pre-Official Canvass**
 - An appointing authority is permitted to appoint one observer to the board of elections office
 - Purpose is to observe the casting of provisional ballots at the board office after the close of registration, the casting and counting of ballots at the board of elections office on Election Day, and the processing of absentee ballots and provisional ballots leading up to the canvasses
 - Timing of Notice of Appointment
 - No later than 11 days before the first date the observer is appointed to serve
 - Timing of Amendment
 - No later than 4:00 p.m. the day before the election or the first date the observer is appointed to serve

- **Official Canvass Observers**

- The following appointing authorities are permitted to designate an observer
 - The county executive committee of each political party
 - Each committee designated in the petition nominating of an independent or nonpartisan candidate
 - Each committee designated in a petition to represent a ballot question or issue
 - Any committee opposing a ballot question or issue that was permitted to have a qualified elector
 - They are permitted through filing a form through the Board of Elections prior to the official canvass

- **Recount Observers**

- Observers are permitted at recounts as follows:
 - Candidate Recounts either/or
 - Each candidate in a contest to be recounted may observe the recount *and*
 - Each candidate in a contest to be recounted may designate one other person in addition to him or herself (not necessarily an elector) to also observe the recount *on the candidate's behalf*
 - Question or Issue Recounts
 - The designated chairperson of a committee organized to support or oppose a ballot question or issue may observe a recount
 - The committee may appoint legal counsel to observe the recount
- Timing of Notice of Appointment
 - No later than 5 days following board notification of the day and time of the recount.
 - The recount shall take place no later than 10 days after the application is filed or such order is made

- **Post-Election Audit Observers**

- Any entity that appointed observers pursuant to R.C. 3505.21 or official canvass observer pursuant to R.C. 3505.32 may appoint observers to the post-election audit.
- Timing of Notice of Appointment
 - No later than 5 days after the board gives notice of the date and time of the post-election audit
 - A board must conduct an audit between 6 and 21 days after they certify the official results
- Timing of Amendment
 - No later than the day before the post-election audit.

International Observers

- State law does not permit international observers, limiting the following to be present in a polling place on Election Day:
 - An election official
 - An observer
 - A police officer
 - A person reviewing the 6:30 a.m., 11 a.m. or 4 p.m. list of registered electors
 - A voter
 - A person assisting another person to vote