



Ohio Administrative Code

Rule 111:2-6-07 Ohio Election Integrity Commission Proceedings.

Effective: February 19, 2026

(A) Hearings before the hearing officer.

(1) When a hearing is required pursuant to division (E)(3) of section 3517.16 of the Revised Code, such hearing shall be scheduled within a reasonable time. Parties may request that a hearing is expedited or continued for good cause, but such requests are subject to the discretion of the administrator of the commission, hearing officer, or chairperson of the commission, respectively.

The secretary of state's office may be a complainant or co-complainant in any case before the commission.

(2) Prior to requesting a motion to compel discovery, parties shall reasonably submit to the request of another party and produce the necessary documents, information or other discovery items without the intervention of commission staff or by use of any of the powers available to the commission. If such efforts fail, an aggrieved party may petition the hearing officer to compel the necessary discovery, which request may be granted at the discretion of the hearing officer.

(B) The hearing before the hearing officer.

(1) All parties and counsel shall observe usual decorum as would be expected in a courtroom. The hearing officer shall rule as to admissibility of evidence and/or other matters subject to objection or regarding the conduct of the hearing.

(2) The hearing officer shall call the case by caption and case number and request that the parties, and any counsel for the respective parties, identify themselves and indicate their presence;

(3) The parties shall identify any and all witnesses expected to be called, which witnesses will be sworn to give truthful testimony by the hearing officer. Any party intending to give testimony must be so sworn. A party may then request separation of witnesses;



- (4) The secretary of state's office shall present the results of its investigation into the matter by entering the report created pursuant to division (C) of section 3517.16 of the Revised Code into the record, subject to any redactions or exclusions permitted or required under section 149.43 of the Revised Code, and entering any evidence supporting its report. The testimony of witnesses and presentation of evidence shall then occur as otherwise described in this rule;
- (5) Parties may make opening statements, as directed by the hearing officer, briefly outlining their cases;
- (6) The hearing officer shall direct the testimony of witnesses and presentation of evidence by the parties. Parties shall examine and cross-examine witnesses who shall then be subject to questioning by the hearing officer. Re-direct and re-cross examination of each witness shall continue at the direction of the hearing officer and in a manner which assures fairness and equity to all parties;
- (7) At the conclusion of the complainant's case, a respondent may move to dismiss some or all of the allegations for which the respondent asserts that the complainant did not produce sufficient evidence. The hearing officer will consider such motion and take action consistent with the evidence presented;
- (8) At the conclusion of the respondent's case, a complainant may request an opportunity to present rebuttal witnesses and evidence, which presentation shall be at the reasonable discretion of the hearing officer;
- (9) Parties may make closing statements briefly summarizing their cases and the evidence presented;
- (10) At the conclusion of the presentation of witnesses and evidence by the parties, the hearing officer may:
 - (a) Leave the record open and continue deliberations for the purpose of securing documents or testimony as the hearing officer determines to be necessary in order to effect a just result;
 - (b) Continue the matter for additional time to allow consideration of the record established by the parties as the hearing officer determines to be necessary in order to effect a just result;



(c) Proceed to draft a report and recommendations pursuant to division (A)(1) of section 3517.17 of the Revised Code, and submit such report and recommendation to the commission.

(C) Subpoenas issued by the hearing officer.

(1) A party may file a request for issuance of subpoenas and subpoenas duces tecum or a motion to quash such subpoena and shall do so in a timely manner. The party must include a certification that the party has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without action of the hearing officer. All such requests or motions are subject to the reasonable discretion of the hearing officer.

(2) The hearing officer may issue a subpoena to any person in the state compelling the attendance of such person and the production of relevant papers, books, reports, and other documents at any proceedings before the hearing officer which shall aid the hearing officer in assuring a just, fair, and equitable disposition by the commission. The fees and mileage of the sheriff and subpoenaed witnesses shall be the same as that allowed in the court of common pleas in civil cases in the Franklin county court of common pleas. Fees and mileage shall be paid in the same manner as other expenses of the commission are paid. In order to receive payment for fees and mileage, a subpoenaed witness must submit an application on a form prescribed by the commission.

(D) Rules of evidence for hearing before the hearing officer.

(1) Application of these rules is subject to the reasonable discretion of the hearing officer, whose exercise of such discretion shall be as the interests of justice require.

(2) Prior to the hearing, the parties and/or their counsel are expected to file with the hearing officer a joint, written stipulation as to all matters not at issue and all exhibits which may be introduced without objection.

(3) The hearing officer shall consider all applicable legal privileges, including the privilege against self-incrimination and any other legally recognized privilege under state or federal law.



(4) The hearing officer shall take into account all reliable, probative and material evidence submitted by the parties. The hearing officer may exclude evidence which is cumulative, duplicative or irrelevant and hearsay evidence which lacks indices of reliability.

(5) The hearing officer may accept affidavits into the record. Affidavits offered at a hearing may be excluded by the hearing officer if a party's case will be prejudiced by the absence of an opportunity for cross-examination of the affiant. An affiant's address must be included in or accompany the affidavit.

(6) The hearing officer may accept into the record documents prepared by or file-stamped by the secretary of state, a board of elections, or any other Ohio governmental body, without the necessity for formal certification by such body. Documents which lack the proper certification may be excluded by the hearing officer if a party's case will be prejudiced by the absence of such certification or the documents lack the necessary indices of reliability without such certification. Such determination will be made by the hearing officer at such hearing.

(7) All exhibits shall be consecutively lettered or numbered by the commission as they are received in the office of the commission or at a hearing. Exhibits in support of the allegations shall be lettered. Exhibits submitted by respondents shall be numbered. Exhibits in any preliminary proceeding are carried forward to any hearing in the same case and need not be re-offered at the hearing. The commission may accept copies of documents in lieu of originals.

(8) Unless specifically excluded by the hearing officer, evidence is made a part of the record. A party may proffer evidence excluded by the hearing officer at the time of its exclusion or at the conclusion of the hearing.

(E) Ohio election integrity commission meeting.

Upon review of the report and recommendation of the hearing officer, the commission may refer the matter back to the hearing officer for further investigation and a revised recommendation pursuant to section 3517.17 of the Revised Code. If the commission finds that no violation has occurred, the case is complete and the parties shall be dismissed. If the commission finds that a violation has occurred, it shall either impose a penalty in accordance with section 3517.171 of the Revised Code, or refer the



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matter to the appropriate county prosecutor in accordance with division (B) of section 3517.17 of the Revised Code.