



## Ohio Administrative Code

### Rule 901-5-05 Terms of office for society directors and officers and conduct of election.

Effective: [May 2, 2022](#)

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(A) Each society shall annually, and not later than the fifteenth day of November, elect as near as mathematically possible, one third of its directors. The directors shall serve a three year term, not to expire later than the thirtieth day of November.

(B) Any society may:

(1) Specify in its constitution the number of consecutive terms any person may serve as a member of the board of directors; and

(2) Provide in its constitution or by-laws for honorary directors with no voting power.

(C) The president of each society shall appoint three judges and two clerks. The election judges and clerks shall remain impartial and avoid any conflicts of interest while conducting and declaring the results of the election of directors. The election judges and clerks may be county board of election officials, or members of the society. The election judges and clerks shall not be candidates for election. Candidates may witness the count either personally or by proxy.

(D) Each society shall:

(1) Keep polls open not less than four hours between six a.m. and nine p.m. on the day of the elections; and

(2) State the times polls open and close in each notice of the election which is published or mailed in compliance with section 1711.07 of the Revised Code.

(E) The secretary of each society shall supply the membership roll of the society to the election judges.



(F) The election judges shall:

- (1) Verify the right of each member to vote before they issue ballots, including verifying the voter's identity; and
- (2) Permit no member of a society to vote by proxy or by absentee ballot.

(G) The election clerks shall:

- (1) Register the name of each person who votes;
- (2) Tally the count on poll books and tally sheets supplied by the department;
- (3) Place one copy of said poll book and tally sheet on file with the secretary of the society; and
- (4) Mail or submit electronically one copy to the department within ten days after said election.

(H) A majority of the board of directors or any group of twenty-five citizens of legal voting age in a county or district may petition the department to supervise the annual election of directors of the society in said county or district.

Each group shall:

- (1) State the reasons for such request in their petition;
- (2) Include the address of each person who signed the petition; and
- (3) File their petition with the director of agriculture at least fourteen days before the election.

(I) Upon receipt of a petition, or upon receipt of other information which indicates that such action may be desirable, the director of agriculture may:

- (1) Make such investigation as the director of agriculture deems necessary and proper; and



(2) Assign one or more representatives of the department to supervise the election of a society.

(J) If an election results in a tie vote, the election shall be resolved as follows:

(1) In the case of a tie vote on a referendum for a constitutional amendment, provision, by-law or other issue, the referendum shall be deemed defeated.

(2) In the case of a tie vote in an election for a director, the winner shall be determined by a flip of a coin.