



Ohio Administrative Code

Rule 901:13-3-04 Election conduct (successor elections).

Effective: May 11, 2020

(A) Elections shall be conducted by the Ohio soil and water conservation commission or its officially designated agents in accordance with procedures set forth by such commission.

(1) Eligible voters may cast in-person ballots at the dates, times, and locations indicated on the notice. At a minimum, voting will be made available to eligible voters during regular business hours of the soil and water conservation district over a fourteen day period.

(2) Eligible voters may cast absentee ballots by submitting the ballot and ballot application to the district office. Absentee ballots will be provided to interested individuals based on the number of eligible voters located within the household or at the registered address.

(B) Ballots shall be counted and considered valid if the following apply:

(1) The ballot application is complete and indicates that the prospective voter is eligible to vote as described in rule 901:13-3-02 of the Administrative Code.

(2) The ballot is complete and unambiguously demonstrates the chosen candidate(s).

(3) In the case of absentee ballots, the envelope is postmarked and received by the dates listed in the notice as described in rule 901:13-3-03 of the Administrative Code.

(C) Results of elections of successors shall be entered upon the election result form prescribed by the Ohio soil and water conservation commission which is available on the Ohio department of agriculture's website www.agri.ohio.gov.

(1) The form shall provide a tally of votes cast for each eligible candidate, total number of ballot applications, designation of successful candidates, and certification by the Ohio soil and water conservation commission or its officially designated agent as recorded on the election result form.



(2) All ballots and ballot applications shall be delivered to the commission by the officially-designated agent after the election has concluded and will be held for at least sixty days after the election has concluded. After such time, the ballots and ballot applications may be destroyed provided a challenge of the election has not been filed with the Ohio soil and water conservation commission.

(D) The breaking of a tie, resulting from two or more candidates receiving an equal number of votes for one of the expired terms, shall be accomplished by a flip of a coin. The Ohio soil and water conservation commission or its designated agent shall break the tie in the presence of the affected candidates. The result shall be certified by the commission or its designated agent.

(E) A candidate may request a recount of the votes cast by so informing the Ohio soil and water conservation commission or its designated agent no later than ten days following the announcement of the election results. The commission or its designated agent shall set a time and place for conducting such a recount and so inform the concerned parties. Recounts shall be open to public observance. Recount notice does not require giving a due notice. Recount results will be utilized by the commission in the determination of the official election results and the commission's determination shall be final.