



Ohio Revised Code

Section 1510.05 Procedure for referendum.

Effective: December 19, 2016

Legislation: House Bill 471 - 131st General Assembly

(A) Not later than ninety days after the technical advisory council has approved a marketing program proposed under section 1510.04 of the Revised Code, or an amendment to such a program, the council shall determine by a referendum whether the eligible producers, as determined under division (A)(3) of section 1510.02 of the Revised Code, favor the proposed program or amendment. The council or committee shall cause a ballot request form to be published not less than thirty days before the beginning of the election period established under division (B) of this section in at least two appropriate periodicals designated by the council or committee and shall make the form available for reproduction to any qualified independent producer association.

(B) In a referendum held under this section, each eligible producer is entitled to one vote. The council or committee shall establish a three-day period during which eligible producers may vote either in person during normal business hours at polling places designated by the council or committee or by mailing a ballot to such a polling place. The council or committee shall send a mail-in ballot by first-class mail to any eligible producer who requests one by sending in the ballot request form provided for in division (A) of this section, by calling one of the polling places designated by the council or committee, or by any additional method that the council or committee may provide. A ballot that is returned by mail is not valid if it is postmarked later than the third day of the election period established by the council or committee.

(C) A marketing program or an amendment to a marketing program is favored by producers if a majority of the producers who vote in the referendum vote in favor of the program or amendment. If the producers who vote in the referendum do not favor the proposed program or amendment, the council shall not hold another referendum on the proposed program or amendment during the ten months following the close of the referendum at which the producers did not favor the proposed program or amendment.