



ADVISORY 2017-04

May 12, 2017

To: All County Boards of Elections
Directors, Deputy Directors, and Members

Re: Your County's Interest in New Voting Equipment

BACKGROUND

The Secretary of State's Office, in conjunction with the Ohio Association of Elections Officials (OAEO) and the County Commissioners Association of Ohio (CCAO), has been working with the Ohio Department of Administrative Services (DAS) to obtain information on the estimated cost for each county to purchase new voting equipment. Knowing the estimated cost for procuring new voting equipment is the first step in determining how much state funding may be allocated for counties to purchase new voting equipment in the event that such funding is available in the future. The second step is determining how many counties have a serious interest in purchasing new voting equipment within the next few years.

Accordingly, this Advisory seeks to guide the two county entities statutorily empowered to make any such selection – the board of elections and board of county commissioners – in quantifying the need by identifying counties that are interested in purchasing new voting equipment in the next few years and the number of voting machines that each county is interested in purchasing. Please note that at this time your county is not being asked to select or commit to any particular vendor or system. This information is intended to help all stakeholders determine the estimated cost.

INSTRUCTIONS

A. Discuss Need with County Commissioners

Each board of elections must meet with its board of county commissioners to discuss the county's need for new voting equipment. This meeting should take place before June 1, 2017. Questions about public meetings should be directed to your Prosecuting Attorney. If your county has not replaced the voting equipment that was acquired under the Help America Vote Act (HAVA), it likely needs to procure new voting equipment within the next few years.

There are several voting systems and vendors for your county to consider. DAS met with each vendor that 1) has a voting system certified for use in Ohio, 2) has a voting system that is certified by the U.S. Election Assistance Commission (EAC) but not yet certified for use in Ohio, or 3) has a voting system that currently is undergoing testing with the EAC. DAS obtained

pricing on each system and has posted the pricing. Your county can access the pricing using the following link:

<https://procure.ohio.gov/proc/viewContractsAwards.asp?contractID=34193>

After you click on the link and arrive at the webpage, click on "View Original Contract" and scroll to page 11. The pricing is organized by vendor on page 11 of the contract.

Please note that there might only be precinct-count optical scan voting systems available to you when your county is ready to replace its voting equipment as a result of vendor choices in bringing systems to the EAC and the State of Ohio for testing and certification. DAS received pricing only for one Direct Recording Electronic (DRE) voting system. This system has not yet received certification by the EAC, and the vendor has advised that it has suspended its testing campaign with the EAC.

When determining your county's equipment needs, please apply the following guidelines:

- Each polling location and your in-person absentee voting location must have at least one ADA-accessible voting unit.¹
- Each county should acquire at least one high speed optical scanner for the processing of absentee ballots. We recommend that a county have at least one high speed optical scanner for each 75,000 registered electors.
- If a voting system uses a Direct Recording Electronic (DRE) or touchscreen interface as its primary voting unit, each county must acquire at least one unit per 175 registered electors (minus the number of absentee ballots cast and counted in the last presidential election).²
- If a voting system is an optical scan based system, each county must acquire at least one precinct-based optical scanner per precinct.
- Each county must have some form of ballot-on-demand capability for use at the board of elections' office.

Additionally, keep in mind that your county is likely to use this equipment for several years. Be sure to consider your county's need for backup equipment, equipment necessary for in-person absentee voting, the cost of maintenance and licensing beyond the initial five years of ownership, and your county's population trends.

B. Complete and Return the Statement of Need

After your board of elections has met with its county commissioners, but no later than June 13, 2017, your board must complete and return the "Statement of Need" form. Please note that this "Statement of Need" does not obligate your county to purchase any equipment and does not commit your county to any particular vendor or system.

¹ R.C. 3506.19.

² R.C. 3506.22(B).

The form must be returned by selecting the submit button on the bottom of the form **no later than 4:00 p.m. on June 13, 2017**. The form and instructions for submission will be provided by email under a separate cover.

If you have any questions regarding this Advisory, please contact the Secretary of State's elections counsel that is assigned to your county at (614) 466-2585.

Sincerely,



Jon Husted