



# Jon Husted Ohio Secretary of State

180 East Broad Street, 16th Floor  
Columbus, Ohio 43215  
Tel: (877) 767-6446 Fax: (614) 644-0649  
[www.OhioSecretaryofState.gov](http://www.OhioSecretaryofState.gov)

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## **DIRECTIVE 2016-44** **November 4, 2016**

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

Re: Post-Election Cure Period for Absentee and Provisional Ballots

### **BACKGROUND**

The United States Court of Appeals for the Sixth Circuit recently held that the seven day post-election cure period for absentee and provisional ballots established by state law<sup>1</sup> is constitutional.<sup>2</sup> This week, the Supreme Court of the United States denied a petition to stay the appeals court's decision.<sup>3</sup>

The seventh day after the November 8, 2016 Presidential General Election is Tuesday, November 15.

### **INSTRUCTIONS**

Every board of elections must be open to the public on each of the seven calendar days immediately following Election Day, and during the hours specified below, in order for voters to cure a deficiency on an absentee or provisional ballot, as provided for in state law.

- November 9, 10, and 11           8 a.m. – 5 p.m.
- November 12                     8 a.m. – 4 p.m.
- November 13                     1 p.m. – 5 p.m.
- November 14 and 15           8 a.m. – 5 p.m.

If you have any questions regarding this Directive, please contact the Secretary of State's elections counsel assigned to your county.

Sincerely,

  
Jon Husted

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<sup>1</sup> R.C. 3505.181(B); R.C. 3509.06(D).

<sup>2</sup> *NEOCH v. Husted*, Case No's. 16-3603/3691 (6<sup>th</sup> Circuit 2016).

<sup>3</sup> *NEOCH v. Husted*, Order No. 16A405 (Oct. 31, 2016).