



August 30, 2023

Honorable Mike DeWine
Governor, State of Ohio
77 South High Street, 30th Floor
Columbus, Ohio 43215

Honorable Jason Stephens
Speaker, Ohio House of Representatives
77 South High Street, 14th Floor
Columbus, Ohio 43215

Honorable Keith Faber
Auditor, State of Ohio
88 E Broad Street, 5th Floor
Columbus, Ohio 43215

Honorable Allison Russo
Minority Leader, Ohio House
77 South High Street, 14th Floor
Columbus, Ohio 43215

Honorable Matt Huffman
President, Ohio Senate
Ohio Statehouse
Columbus, Ohio 43215

Honorable Nickie J. Antonio
Minority Leader, Ohio Senate
Ohio Statehouse
Columbus, OH 43215

Re: Redistricting Commission

Dear Colleagues:

As your colleague on the Ohio Redistricting Commission and as our state's chief elections officer, I have a duty to emphasize the importance of getting our work done expeditiously. Thanks for giving me the opportunity to describe in detail how the redistricting process could potentially conflict with the statutory requirements of election administration if we don't complete our work and approve final maps by **September 22, 2023**.

Perhaps the most significant date to consider at this point is **December 20, 2023**. That's the date by which candidates who wish to appear on a 2024 partisan primary ballot must file their petition. If we backfill the timeline from that point, the next date to consider is the candidate relocation deadline. The Ohio Constitution affords General Assembly candidates 30 days from the date a new district map is filed with my office to move to a new district.¹ Thirty days prior to December 20, 2023 is **November 20, 2023**. That is not, however, our deadline. Once new House and Senate maps are completed, the General Assembly must provide to my office updated legal descriptions and shape

¹ Ohio Const. Art. XI, Section 9(C).

files to accompany each new district. This information is then sent to the boards so they can reprogram and update their voter registration systems to review, verify, and certify candidate petitions and signatures. The system reprogramming requires approximately two weeks of work, which brings us to **November 6, 2023**. *This is the latest possible date by which we must provide the boards with the new map information.*

It's worth noting here that even if a new district plan is enacted by the Ohio Redistricting Commission in a matter of days, the General Assembly staff, moving at an unprecedented pace last year, took approximately two weeks to provide the entirety of the district legal descriptions after passage of a new plan. If we factor an additional two weeks into the timeline to complete that work, we're now at **October 23, 2023** as *the latest possible date for the Commission to enact a new district plan*. Of course, we must also contemplate the possibility of litigation. The average time for judicial action related to each challenged district plan last year was at least six weeks. While I hope the Commission can approve a district plan that avoids litigation, the recent history of this process shows chaos and delay are commonly used tactics. I suspect that will continue to be the interest of some who now seek to both delay Ohio's March Presidential Primary Election and enact a new constitutional amendment further reforming the redistricting process.

Simply put, time is not our ally. I believe the Ohio Redistricting Commission must approve a new General Assembly district plan no later than September 22, 2023.

Please note that boards of elections must examine and determine the validity or invalidity of signatures on petitions by Tuesday, January 2, 2024.² Protests against the candidacy of any person filing a declaration of candidacy for party nomination must be filed by Friday, January 5, 2024.³ My office must issue the form of the ballot for the March 19, 2024 Presidential Primary Election on Tuesday, January 9, 2024.⁴ I'm leaving out the specifics of many other election administration procedures that must be accomplished to prepare for the March 19 election, including but not limited to updating voter look-up systems, performing logic and accuracy testing on election equipment, and proofing ballots.

As a reminder, the Ohio General Assembly is the only authority under the law that can alter the time, place, or manner of an election.⁵ Therefore, absent a judicial order, the

² R.C. 3513.05; R.C. 1.14.

³ *Id.*

⁴ *Id.*

⁵ R.C. 3501.40.

General Assembly is solely responsible for altering the statutory election deadlines if the Ohio Redistricting Commission fails to timely adopt a new district plan or litigation renders these deadlines and procedures impossible to meet. I for one consider this a bad scenario for Ohioans, and it should be avoided at all costs. Therefore, I encourage you to keep these deadlines and procedures in mind as we reconstitute the redistricting process.

Yours in service,

A handwritten signature in blue ink, appearing to read "Frank LaRose". The signature is fluid and cursive, with a prominent loop at the end.

Frank LaRose

Ohio Secretary of State