

Chair Roegner, Vice-Chair Gavarone and Ranking Member Blacksheaar:

My name is Anthony Perlatti, and I am the Director of the Cuyahoga County Board of Elections. The Cuyahoga Board of Elections is neutral as to whether Rank Choice Voting should or should not be allowed in Ohio. However, the Cuyahoga Board of Elections does have serious concerns regarding administering a Rank Choice Voting election with the current certified voting systems, Ohio's election laws, and Secretary of State Directives.

To the best of my knowledge none of the five (5) voting systems currently certified in Ohio are able to execute a rank choice voting election. This includes our ability to create the physical ballot for voters to mark and subsequently tabulate the voted ballots. Regarding ballot creation, the voting systems would need to be configured to create ballots that contain both rank choice and non-rank choice contests. Regarding voter tabulation, I do not know how election boards could report results for both rank choice and non-rank choice contests with current equipment or the time constraints of the Secretary of State's Office.

Beyond this most critical component of not having equipment and, or software to conduct a rank choice voting election, there are several requirements in Ohio election law and Secretary of State Directives that will need reviewed. The initial review would have to be conducted to determine if in their current state the laws and Directives work for both rank choice and non-rank choice voting and if new legislation is needed to facilitate effective election administration.

We are all aware that election day denotes the final day to cast a ballot and unofficial election results are tabulated. These results are just that, unofficial with the official election results being certified twenty-one (21) days after election day. During the certification period voters can cure provisional and absentee ballots during designated times, and post-election absentee ballots eligible for processing are prepared for tabulation. Also, during the certification period election boards must determine the validity of provisional ballots cast in the election that are ripe for tabulation.

My assumption is these valid absentees, and provisional ballots would be included in the ranking process. However, the election board could not utilize these ballots in ranking calculations until official certification occurs 21 days following election day. Then after certifying round one of the rank choice voting contest results, would each subsequent round of ranking results need to be certified prior to advancing to the next round? You can see this is an involved and timely process. Laws would also need to be reviewed regarding recounts, election audits, and ballot page layout to accommodate rank choice voting.

Finally, there will need to be a long runway to implementing rank choice voting as massive voter education efforts will be needed. It is my understanding that the number of overvoted contests substantially increases as voters are very confused with the ranking process. Especially contests that allow voting for multiple candidates, such as in a municipal at-large council contest.

The Cuyahoga County Board of Elections will conduct the elections required of them, but need the critical elements, such as equipment, rules, and laws, in place well in advance of executing any new style of elections.

Thank you for your time. I would be happy to answer any questions the committee might have.