Exhibit 1
ADVISORY 2020-05  
March 23, 2020

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

Re: Further Guidance re: Director of Health’s Order that All Persons Stay at Home Unless Engaged in Essential Work or Activity

SUMMARY

On March 22, 2020, Director of Health Dr. Amy Acton issued an Order requiring all persons in Ohio to stay at home unless engaged in essential work or activity beginning at 11:59 p.m. on Monday, March 23, 2020. There are several exceptions set forth in the order, including “essential government functions.” Notably, “essential government functions” means “all services provided by the State or any…board and needed to ensure the continuing operation of the government agencies…”

INSTRUCTIONS

PART I – BOARD HOURS AND CLOSURES

Dr. Acton’s Order requires all persons to stay home unless engaged in essential work or activity. The Order states that “[n]othing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions.” For the purposes of the application of this Order to the boards of elections, boards of elections perform essential governmental functions. Specifically, boards of elections are essential to ensure the continuing operations necessary to complete the 2020 Primary Election.

Secretary LaRose is committed to the boards of elections’ health and safety. If local health officials require the board of elections to close or limit in-person working hours, please ensure that at least one Republican and Democrat are able to receive the mail, securely store ballots and process absentee ballot applications that are returned to the board of elections per the instructions set forth in Advisory 2020-04 and Directive 2020-06. The boards of elections should post notice on their front door, on their website, and on their social media if a board of elections is altering their business hours during this emergency.

1 Director’s Order that All Persons Stay at Home Unless Engaged in Essential Work or Activity, Sections 10 and 12g.  
2 Director’s Order that All Persons Stay at Home Unless Engaged in Essential Work or Activity, Sections 10 and 12g.  
3 Director’s Order that All Persons Stay at Home Unless Engaged in Essential Work or Activity, Sections 10 and 12g.  
4 Boards should utilize employees other than those who are considered “elderly” or “people with weakened immune systems and chronic medical conditions.” See Director’s Order In Re: Closure of the Polling Locations in the State of Ohio on Tuesday, March 17, 2020.
Boards of elections that currently have a secure absentee ballot drop box may continue to utilize that drop box so long as it is securely monitored 24/7 and at least one Republican and Democrat are retrieving the drop box’s contents daily. Boards of elections that do not have a secure absentee ballot drop box currently may procure and utilize one as long as it is securely monitored 24/7 and at least one Republican and Democrat are retrieving the drop box’s contents daily.

Please work with the board’s county prosecutor to ensure that if a board is considering holding board meetings electronically and that it will still comply with Ohio’s Open Meetings Act. The March 13, 2020 letter from Ohio Attorney General Dave Yost to local officials is included with this Advisory.

Additionally, board of elections members are encouraged to decide what staffing schedule works best for each board while still performing its essential government function of continuing the operation of the 2020 Primary Election set forth in Advisory 2020-04 and Directive 2020-06.

PART II – SOCIAL DISTANCING

Dr. Acton’s Order also requires at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands. Additionally, the Order suggests designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance; having hand sanitizer and sanitizing products readily available for employees and customers; implementing separate operating hours for elderly and vulnerable customers; and posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

Additional guidance is forthcoming. If you have any questions concerning this Advisory, please contact the Secretary of State’s elections attorneys at (614) 728-8789.

Yours in service,

Frank LaRose
Ohio Secretary of State

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5 See March 13, 2020 Letter from Attorney General Dave Yost.
6 Director’s Order that All Persons Stay at Home Unless Engaged in Essential Work or Activity, Section 15.