



Ohio Administrative Code Rule 901:4-5-05 Referendum.

Effective: July 27, 2024

After the director has ruled favorably for a proposed marketing program or amendment to a program, he shall hold a referendum in accordance with division (A) of section 924.06 of the Revised Code.

(A) Referendum:

(1) The director shall designate three consecutive business days to conduct in person voting at polling places.

(2) If opting to vote via mail, return mail ballots must be postmarked no later than midnight on the last day of the referendum and be received by the teller's committee within ten days from the closing date of the referendum.

(B) Polling places:

(1) The director shall designate at least two polling places.

(2) The addresses and telephone numbers of each polling place shall be published in the public notice of the referendum, as well as the dates and times each polling place is to be open.

(3) The director may designate, in addition to the polling place in paragraph (B)(1) of this rule, polling places at meetings of producer associations or general farm organizations. These polling places shall be:

(a) Exempt from telephone request for ballots as specified in division (E) of section 924.06 of the Revised Code;

(b) Published in the public notice, along with the dates and times each polling place is to be open;
and



(c) Required to admit producers, without fee, for the purpose of voting.

(C) Impartial observer:

(1) The director shall appoint an impartial observer at each polling place who will be ineligible to vote in the referendum.

(2) The impartial observers shall determine the eligibility of each voter and upon finding issues with eligibility, shall report such issues of eligibility to the director.

(D) Petition forms, ballot applications, and ballots:

(1) The question(s) to be voted upon shall be presented to voters in common, understandable terms.

(2) The director may determine information required on all petitions, ballot applications, ballots and refund forms. These may include:

(a) Name and address of producer;

(b) Name and address of voter;

(c) County of residence;

(d) Certification statement signed by voter as to eligibility to vote;

(e) Social security or tax identification number on refund forms; or

(f) Any other information deemed necessary by the director.

(3) The director shall approve all ballots, ballot application forms, petitions, and refund forms.

(4) Signatures on petition forms shall be within twelve consecutive months from date of presentation



to the director.

(E) The director shall appoint a teller's committee to count the ballots and determine the results of the referendum in accordance with section 924.06 of the Revised Code.

(F) In situations where a national or regional marketing program is in conflict with a state marketing program, the director, subject to the approval of the operating committee, may make minor technical changes in the state program so long as the intent of the program does not change.