

Sub. S.B. 135
As Passed by the Senate

Topic: Change month of Ohio's primary

_____ moved to amend as follows:

In line 1 of the title, after "To" insert "amend sections 1
511.27, 1545.21, 3501.01, 3503.16, 3513.01, 3513.12, and 3513.262 2
of the Revised Code to change the month of Ohio's presidential 3
primary and to" 4

In line 6, after "**Section 1.**" insert "That sections 511.27, 5
1545.21, 3501.01, 3503.16, 3513.01, 3513.12, and 3513.262 of the 6
Revised Code be amended to read as follows: 7

Sec. 511.27. (A) To defray the expenses of the township park 8
district and for purchasing, appropriating, operating, 9
maintaining, and improving lands for parks or recreational 10
purposes, the board of park commissioners may levy a sufficient 11
tax within the ten-mill limitation, not to exceed one mill on each 12
dollar of valuation on all real and personal property within the 13
township, and on all real and personal property within any 14
municipal corporation that is within the township, that was within 15
the township at the time that the park district was established, 16
or the boundaries of which are coterminous with or include the 17
township. The levy shall be over and above all other taxes and 18
limitations on such property authorized by law. 19

(B) Except as otherwise provided in division (C) of this 20

section, the board of park commissioners, not less than ninety
 days before the day of the election, may declare by resolution
 that the amount of taxes that may be raised within the ten-mill
 limitation will be insufficient to provide an adequate amount for
 the necessary requirements of the district and that it is
 necessary to levy a tax in excess of that limitation for the use
 of the district. The resolution shall specify the purpose for
 which the taxes shall be used, the annual rate proposed, and the
 number of consecutive years the levy will be in effect. Upon the
 adoption of the resolution, the question of levying the taxes
 shall be submitted to the electors of the township and the
 electors of any municipal corporation that is within the township,
 that was within the township at the time that the park district
 was established, or the boundaries of which are coterminous with
 or include the township, at a special election to be held on
 whichever of the following occurs first:

(1) The day of the next ensuing general election;

~~(2) The first Tuesday after the first Monday in May of any
 ealendar year, except that, if a presidential day of the next
 ensuing primary election is held in that calendar year, then the
 day of that election.~~

The rate submitted to the electors at any one election shall
 not exceed two mills annually upon each dollar of valuation. If a
 majority of the electors voting upon the question of the levy vote
 in favor of the levy, the tax shall be levied on all real and
 personal property within the township and on all real and personal
 property within any municipal corporation that is within the
 township, that was within the township at the time that the park
 district was established, or the boundaries of which are
 coterminous with or include the township, and the levy shall be

over and above all other taxes and limitations on such property
authorized by law.

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(C) In any township park district that contains only
unincorporated territory, if the township board of park
commissioners is appointed by the board of township trustees,
before a tax can be levied and certified to the county auditor
pursuant to section 5705.34 of the Revised Code or before a
resolution for a tax levy can be certified to the board of
elections pursuant to section 511.28 of the Revised Code, the
board of park commissioners shall receive approval for its levy
request from the board of township trustees. The board of park
commissioners shall adopt a resolution requesting the board of
township trustees to approve the levy request, stating the annual
rate of the proposed levy and the reason for the levy request. On
receiving this request, the board of township trustees shall vote
on whether to approve the request and, if a majority votes to
approve it, shall issue a resolution approving the levy at the
requested rate.

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Sec. 1545.21. The board of park commissioners, by resolution,
may submit to the electors of the park district the question of
levying taxes for the use of the district. The resolution shall
declare the necessity of levying such taxes, shall specify the
purpose for which such taxes shall be used, the annual rate
proposed, and the number of consecutive years the rate shall be
levied. Such resolution shall be forthwith certified to the board
of elections in each county in which any part of such district is
located, not later than the ninetieth day before the day of the
election, and the question of the levy of taxes as provided in
such resolution shall be submitted to the electors of the district
at a special election to be held on whichever of the following
occurs first:

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(A) The day of the next general election; 82

(B) ~~The first Tuesday after the first Monday in May in any~~ 83
~~calendar year, except that if a presidential day of the next~~ 84
~~primary election is held in that calendar year, then the day of~~ 85
~~that election.~~ The ballot shall set forth the purpose for which 86
the taxes shall be levied, the annual rate of levy, and the number 87
of years of such levy. If the tax is to be placed on the current 88
tax list, the form of the ballot shall state that the tax will be 89
levied in the current tax year and shall indicate the first 90
calendar year the tax will be due. If the resolution of the board 91
of park commissioners provides that an existing levy will be 92
canceled upon the passage of the new levy, the ballot may include 93
a statement that: "an existing levy of ... mills (stating the 94
original levy millage), having ... years remaining, will be 95
canceled and replaced upon the passage of this levy." In such 96
case, the ballot may refer to the new levy as a "replacement levy" 97
if the new millage does not exceed the original millage of the 98
levy being canceled or as a "replacement and additional levy" if 99
the new millage exceeds the original millage of the levy being 100
canceled. If a majority of the electors voting upon the question 101
of such levy vote in favor thereof, such taxes shall be levied and 102
shall be in addition to the taxes authorized by section 1545.20 of 103
the Revised Code, and all other taxes authorized by law. The rate 104
submitted to the electors at any one time shall not exceed two 105
mills annually upon each dollar of valuation unless the purpose of 106
the levy includes providing operating revenues for one of Ohio's 107
major metropolitan zoos, as defined in section 4503.74 of the 108
Revised Code, in which case the rate shall not exceed three mills 109
annually upon each dollar of valuation. When a tax levy has been 110
authorized as provided in this section or in section 1545.041 of 111
the Revised Code, the board of park commissioners may issue bonds 112

pursuant to section 133.24 of the Revised Code in anticipation of 113
the collection of such levy, provided that such bonds shall be 114
issued only for the purpose of acquiring and improving lands. Such 115
levy, when collected, shall be applied in payment of the bonds so 116
issued and the interest thereon. The amount of bonds so issued and 117
outstanding at any time shall not exceed one per cent of the total 118
tax valuation in such district. Such bonds shall bear interest at 119
a rate not to exceed the rate determined as provided in section 120
9.95 of the Revised Code. 121

Sec. 3501.01. As used in the sections of the Revised Code 122
relating to elections and political communications: 123

(A) "General election" means the election held on the first 124
Tuesday after the first Monday in each November. 125

(B) "Regular municipal election" means the election held on 126
the first Tuesday after the first Monday in November in each 127
odd-numbered year. 128

(C) "Regular state election" means the election held on the 129
first Tuesday after the first Monday in November in each 130
even-numbered year. 131

(D) "Special election" means any election other than those 132
elections defined in other divisions of this section. A special 133
election may be held only on the first Tuesday after the first 134
Monday in May, August, or November, or on the day authorized by a 135
particular municipal or county charter for the holding of a 136
primary election, ~~except that in any year in which a presidential~~ 137
~~primary election is held, no special election shall be held in~~ 138
~~May, except as authorized by a municipal or county charter, but~~ 139
~~may be held on the second Tuesday after the first Monday in March.~~ 140

(E)(1) "Primary" or "primary election" means an election held 141
for the purpose of nominating persons as candidates of political 142

parties for election to offices, and for the purpose of electing
 persons as members of the controlling committees of political
 parties and as delegates and alternates to the conventions of
 political parties. Primary elections shall be held on the first
 Tuesday after the first Monday in May of each year ~~except in years~~
~~in which a presidential primary election is held.~~

(2) "Presidential primary election" means a primary election
 as defined by division (E)(1) of this section at which an election
 is held for the purpose of choosing delegates and alternates to
 the national conventions of the major political parties pursuant
 to section 3513.12 of the Revised Code. Unless otherwise
 specified, presidential primary elections are included in
 references to primary elections. ~~In years in which a presidential~~
~~primary election is held, all primary elections shall be held on~~
~~the second Tuesday after the first Monday in March except as~~
~~otherwise authorized by a municipal or county charter.~~

(F) "Political party" means any group of voters meeting the
 requirements set forth in section 3517.01 of the Revised Code for
 the formation and existence of a political party.

(1) "Major political party" means any political party
 organized under the laws of this state whose candidate for
 governor or nominees for presidential electors received not less
 than twenty per cent of the total vote cast for such office at the
 most recent regular state election.

(2) "Minor political party" means any political party
 organized under the laws of this state that meets either of the
 following requirements:

(a) Except as otherwise provided in this division, the
 political party's candidate for governor or nominees for
 presidential electors received less than twenty per cent but not

less than three per cent of the total vote cast for such office at 173
the most recent regular state election. A political party that 174
meets the requirements of this division remains a political party 175
for a period of four years after meeting those requirements. 176

(b) The political party has filed with the secretary of 177
state, subsequent to its failure to meet the requirements of 178
division (F)(2)(a) of this section, a petition that meets the 179
requirements of section 3517.01 of the Revised Code. 180

A newly formed political party shall be known as a minor 181
political party until the time of the first election for governor 182
or president which occurs not less than twelve months subsequent 183
to the formation of such party, after which election the status of 184
such party shall be determined by the vote for the office of 185
governor or president. 186

(G) "Dominant party in a precinct" or "dominant political 187
party in a precinct" means that political party whose candidate 188
for election to the office of governor at the most recent regular 189
state election at which a governor was elected received more votes 190
than any other person received for election to that office in such 191
precinct at such election. 192

(H) "Candidate" means any qualified person certified in 193
accordance with the provisions of the Revised Code for placement 194
on the official ballot of a primary, general, or special election 195
to be held in this state, or any qualified person who claims to be 196
a write-in candidate, or who knowingly assents to being 197
represented as a write-in candidate by another at either a 198
primary, general, or special election to be held in this state. 199

(I) "Independent candidate" means any candidate who claims 200
not to be affiliated with a political party, and whose name has 201
been certified on the office-type ballot at a general or special 202

election through the filing of a statement of candidacy and 203
nominating petition, as prescribed in section 3513.257 of the 204
Revised Code. 205

(J) "Nonpartisan candidate" means any candidate whose name is 206
required, pursuant to section 3505.04 of the Revised Code, to be 207
listed on the nonpartisan ballot, including all candidates for 208
judicial office, for member of any board of education, for 209
municipal or township offices in which primary elections are not 210
held for nominating candidates by political parties, and for 211
offices of municipal corporations having charters that provide for 212
separate ballots for elections for these offices. 213

(K) "Party candidate" means any candidate who claims to be a 214
member of a political party and who has been certified to appear 215
on the office-type ballot at a general or special election as the 216
nominee of a political party because the candidate has won the 217
primary election of the candidate's party for the public office 218
the candidate seeks, has been nominated under section 3517.012, or 219
is selected by party committee in accordance with section 3513.31 220
of the Revised Code. 221

(L) "Officer of a political party" includes, but is not 222
limited to, any member, elected or appointed, of a controlling 223
committee, whether representing the territory of the state, a 224
district therein, a county, township, a city, a ward, a precinct, 225
or other territory, of a major or minor political party. 226

(M) "Question or issue" means any question or issue certified 227
in accordance with the Revised Code for placement on an official 228
ballot at a general or special election to be held in this state. 229

(N) "Elector" or "qualified elector" means a person having 230
the qualifications provided by law to be entitled to vote. 231

(O) "Voter" means an elector who votes at an election.	232
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	233 234 235
(Q) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence therein may vote at the same polling place.	236 237 238 239
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	240 241 242
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	243 244 245
(T) "Political subdivision" means a county, township, city, village, or school district.	246 247
(U) "Election officer" or "election official" means any of the following:	248 249
(1) Secretary of state;	250
(2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor;	251 252 253 254
(3) Director of a board of elections;	255
(4) Deputy director of a board of elections;	256
(5) Member of a board of elections;	257
(6) Employees of a board of elections;	258

(7) Precinct election officials;	259
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	260 261
(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or update the application, if any; and if the application is complete, the precinct in which the applicant is to vote.	262 263 264 265 266 267 268
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current address.	269 270 271 272
(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health and addiction services, the department of developmental disabilities, the opportunities for Ohioans with disabilities agency, and any other agency the secretary of state designates. "Designated agency" does not include public high schools and vocational schools, public libraries, or the office of a county	273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288

treasurer.	289
(Y) "National Voter Registration Act of 1993" means the	290
"National Voter Registration Act of 1993," 107 Stat. 77, 42	291
U.S.C.A. 1973gg.	292
(Z) "Voting Rights Act of 1965" means the "Voting Rights Act	293
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended.	294
(AA) "Photo identification" means a document that meets each	295
of the following requirements:	296
(1) It shows the name of the individual to whom it was	297
issued, which shall conform to the name in the poll list or	298
signature pollbook.	299
(2) It shows the current address of the individual to whom it	300
was issued, which shall conform to the address in the poll list or	301
signature pollbook, except for a driver's license or a state	302
identification card issued under section 4507.50 of the Revised	303
Code, which may show either the current or former address of the	304
individual to whom it was issued, regardless of whether that	305
address conforms to the address in the poll list or signature	306
pollbook.	307
(3) It shows a photograph of the individual to whom it was	308
issued.	309
(4) It includes an expiration date that has not passed.	310
(5) It was issued by the government of the United States or	311
this state.	312
Sec. 3503.16. (A) Except as otherwise provided in division	313
(E) of section 111.44 of the Revised Code, whenever a registered	314
elector changes the place of residence of that registered elector	315
from one precinct to another within a county or from one county to	316

another, or has a change of name, that registered elector shall 317
 report the change by delivering a change of residence or change of 318
 name form, whichever is appropriate, as prescribed by the 319
 secretary of state under section 3503.14 of the Revised Code to 320
 the state or local office of a designated agency, a public high 321
 school or vocational school, a public library, the office of the 322
 county treasurer, the office of the secretary of state, any office 323
 of the registrar or deputy registrar of motor vehicles, or any 324
 office of a board of elections in person or by a third person. Any 325
 voter registration, change of address, or change of name 326
 application, returned by mail, may be sent only to the secretary 327
 of state or the board of elections. 328

A registered elector also may update the registration of that 329
 registered elector by filing a change of residence or change of 330
 name form on the day of a special, primary, or general election at 331
 the polling place in the precinct in which that registered elector 332
 resides or at the board of elections or at another site designated 333
 by the board. 334

(B)(1)(a) Any registered elector who moves within a precinct 335
 on or prior to the day of a general, primary, or special election 336
 and has not filed a notice of change of residence with the board 337
 of elections may vote in that election by going to that registered 338
 elector's assigned polling place, completing and signing a notice 339
 of change of residence, showing identification in the form of a 340
 current and valid photo identification, a military identification, 341
 or a copy of a current utility bill, bank statement, government 342
 check, paycheck, or other government document, other than a notice 343
 of voter registration mailed by a board of elections under section 344
 3503.19 of the Revised Code, that shows the name and current 345
 address of the elector, and casting a ballot. 346

(b) Any registered elector who changes the name of that 347

registered elector and remains within a precinct on or prior to 348
the day of a general, primary, or special election and has not 349
filed a notice of change of name with the board of elections may 350
vote in that election by going to that registered elector's 351
assigned polling place, completing and signing a notice of a 352
change of name, and casting a provisional ballot under section 353
3505.181 of the Revised Code. If the registered elector provides 354
to the precinct election officials proof of a legal name change, 355
such as a marriage license or court order that includes the 356
elector's current and prior names, the elector may complete and 357
sign a notice of change of name and cast a regular ballot. 358

(2) Any registered elector who moves from one precinct to 359
another within a county or moves from one precinct to another and 360
changes the name of that registered elector on or prior to the day 361
of a general, primary, or special election and has not filed a 362
notice of change of residence or change of name, whichever is 363
appropriate, with the board of elections may vote in that election 364
if that registered elector complies with division (G) of this 365
section or does all of the following: 366

(a) Appears at anytime during regular business hours on or 367
after the twenty-eighth day prior to the election in which that 368
registered elector wishes to vote ~~or, if the election is held on~~ 369
~~the day of a presidential primary election, the twenty-fifth day~~ 370
~~prior to the election,~~ through noon of the Saturday prior to the 371
election at the office of the board of elections, appears at any 372
time during regular business hours on the Monday prior to the 373
election at the office of the board of elections, or appears on 374
the day of the election at either of the following locations: 375

(i) The polling place for the precinct in which that 376
registered elector resides; 377

(ii) The office of the board of elections or, if pursuant to 378
 division (C) of section 3501.10 of the Revised Code the board has 379
 designated another location in the county at which registered 380
 electors may vote, at that other location instead of the office of 381
 the board of elections. 382

(b) Completes and signs, under penalty of election 383
 falsification, the written affirmation on the provisional ballot 384
 envelope, which shall serve as a notice of change of residence or 385
 change of name, whichever is appropriate; 386

(c) Votes a provisional ballot under section 3505.181 of the 387
 Revised Code at the polling place, at the office of the board of 388
 elections, or, if pursuant to division (C) of section 3501.10 of 389
 the Revised Code the board has designated another location in the 390
 county at which registered electors may vote, at that other 391
 location instead of the office of the board of elections, 392
 whichever is appropriate, using the address to which that 393
 registered elector has moved or the name of that registered 394
 elector as changed, whichever is appropriate; 395

(d) Completes and signs, under penalty of election 396
 falsification, a statement attesting that that registered elector 397
 moved or had a change of name, whichever is appropriate, on or 398
 prior to the day of the election, has voted a provisional ballot 399
 at the polling place for the precinct in which that registered 400
 elector resides, at the office of the board of elections, or, if 401
 pursuant to division (C) of section 3501.10 of the Revised Code 402
 the board has designated another location in the county at which 403
 registered electors may vote, at that other location instead of 404
 the office of the board of elections, whichever is appropriate, 405
 and will not vote or attempt to vote at any other location for 406
 that particular election. 407

(C) Any registered elector who moves from one county to 408
 another county within the state on or prior to the day of a 409
 general, primary, or special election and has not registered to 410
 vote in the county to which that registered elector moved may vote 411
 in that election if that registered elector complies with division 412
 (G) of this section or does all of the following: 413

(1) Appears at any time during regular business hours on or 414
 after the twenty-eighth day prior to the election in which that 415
 registered elector wishes to vote ~~or, if the election is held on~~ 416
~~the day of a presidential primary election, the twenty-fifth day~~ 417
~~prior to the election,~~ through noon of the Saturday prior to the 418
 election at the office of the board of elections or, if pursuant 419
 to division (C) of section 3501.10 of the Revised Code the board 420
 has designated another location in the county at which registered 421
 electors may vote, at that other location instead of the office of 422
 the board of elections, appears during regular business hours on 423
 the Monday prior to the election at the office of the board of 424
 elections or, if pursuant to division (C) of section 3501.10 of 425
 the Revised Code the board has designated another location in the 426
 county at which registered electors may vote, at that other 427
 location instead of the office of the board of elections, or 428
 appears on the day of the election at the office of the board of 429
 elections or, if pursuant to division (C) of section 3501.10 of 430
 the Revised Code the board has designated another location in the 431
 county at which registered electors may vote, at that other 432
 location instead of the office of the board of elections; 433

(2) Completes and signs, under penalty of election 434
 falsification, the written affirmation on the provisional ballot 435
 envelope, which shall serve as a notice of change of residence; 436

(3) Votes a provisional ballot under section 3505.181 of the 437

Revised Code at the office of the board of elections or, if 438
 pursuant to division (C) of section 3501.10 of the Revised Code 439
 the board has designated another location in the county at which 440
 registered electors may vote, at that other location instead of 441
 the office of the board of elections, using the address to which 442
 that registered elector has moved; 443

(4) Completes and signs, under penalty of election 444
 falsification, a statement attesting that that registered elector 445
 has moved from one county to another county within the state on or 446
 prior to the day of the election, has voted at the office of the 447
 board of elections or, if pursuant to division (C) of section 448
 3501.10 of the Revised Code the board has designated another 449
 location in the county at which registered electors may vote, at 450
 that other location instead of the office of the board of 451
 elections, and will not vote or attempt to vote at any other 452
 location for that particular election. 453

(D) A person who votes by absent voter's ballots pursuant to 454
 division (G) of this section shall not make written application 455
 for the ballots pursuant to Chapter 3509. of the Revised Code. 456
 Ballots cast pursuant to division (G) of this section shall be set 457
 aside in a special envelope and counted during the official 458
 canvass of votes in the manner provided for in sections 3505.32 459
 and 3509.06 of the Revised Code insofar as that manner is 460
 applicable. The board shall examine the pollbooks to verify that 461
 no ballot was cast at the polls or by absent voter's ballots under 462
 Chapter 3509. or 3511. of the Revised Code by an elector who has 463
 voted by absent voter's ballots pursuant to division (G) of this 464
 section. Any ballot determined to be insufficient for any of the 465
 reasons stated above or stated in section 3509.07 of the Revised 466
 Code shall not be counted. 467

Subject to division (C) of section 3501.10 of the Revised Code, a board of elections may lease or otherwise acquire a site different from the office of the board at which registered electors may vote pursuant to division (B) or (C) of this section.

(E) Upon receiving a notice of change of residence or change of name, the board of elections shall immediately send the registrant an acknowledgment notice. If the change of residence or change of name notice is valid, the board shall update the voter's registration as appropriate. If that form is incomplete, the board shall inform the registrant in the acknowledgment notice specified in this division of the information necessary to complete or update that registrant's registration.

(F) Change of residence and change of name forms shall be available at each polling place, and when these forms are completed, noting changes of residence or name, as appropriate, they shall be filed with election officials at the polling place. Election officials shall return completed forms, together with the pollbooks and tally sheets, to the board of elections.

The board of elections shall provide change of residence and change of name forms to the probate court and court of common pleas. The court shall provide the forms to any person eighteen years of age or older who has a change of name by order of the court or who applies for a marriage license. The court shall forward all completed forms to the board of elections within five days after receiving them.

(G) A registered elector who otherwise would qualify to vote under division (B) or (C) of this section but is unable to appear at the office of the board of elections or, if pursuant to division (C) of section 3501.10 of the Revised Code the board has designated another location in the county at which registered

electors may vote, at that other location, on account of personal
illness, physical disability, or infirmity, may vote on the day of
the election if that registered elector does all of the following:

(1) Makes a written application that includes all of the
information required under section 3509.03 of the Revised Code to
the appropriate board for an absent voter's ballot on or after the
twenty-seventh day prior to the election in which the registered
elector wishes to vote through noon of the Saturday prior to that
election and requests that the absent voter's ballot be sent to
the address to which the registered elector has moved if the
registered elector has moved, or to the address of that registered
elector who has not moved but has had a change of name;

(2) Declares that the registered elector has moved or had a
change of name, whichever is appropriate, and otherwise is
qualified to vote under the circumstances described in division
(B) or (C) of this section, whichever is appropriate, but that the
registered elector is unable to appear at the board of elections
because of personal illness, physical disability, or infirmity;

(3) Completes and returns along with the completed absent
voter's ballot a notice of change of residence indicating the
address to which the registered elector has moved, or a notice of
change of name, whichever is appropriate;

(4) Completes and signs, under penalty of election
falsification, a statement attesting that the registered elector
has moved or had a change of name on or prior to the day before
the election, has voted by absent voter's ballot because of
personal illness, physical disability, or infirmity that prevented
the registered elector from appearing at the board of elections,
and will not vote or attempt to vote at any other location or by
absent voter's ballot mailed to any other location or address for

that particular election. 528

Sec. 3513.01. (A) Except as otherwise provided in this 529
section and section 3517.012 of the Revised Code, ~~on the second~~ 530
~~Tuesday after the first Monday in March of 2016 and every fourth~~ 531
~~year thereafter, and on the first Tuesday after the first Monday~~ 532
~~in May of every other year,~~ primary elections shall be held for 533
the purpose of nominating persons as candidates of political 534
parties for election to offices to be voted for at the succeeding 535
general election. 536

(B) The manner of nominating persons as candidates for 537
election as officers of a municipal corporation having a 538
population of two thousand or more, as ascertained by the most 539
recent federal census, shall be the same as the manner in which 540
candidates were nominated for election as officers in the 541
municipal corporation in 1989 unless the manner of nominating such 542
candidates is changed under division (C), (D), or (E) of this 543
section. 544

(C) Primary elections shall not be held for the nomination of 545
candidates for election as officers of any township, or any 546
municipal corporation having a population of less than two 547
thousand, unless a majority of the electors of any such township 548
or municipal corporation, as determined by the total number of 549
votes cast in such township or municipal corporation for the 550
office of governor at the most recent regular state election, 551
files with the board of elections of the county within which such 552
township or municipal corporation is located, or within which the 553
major portion of the population thereof is located, if the 554
municipal corporation is situated in more than one county, not 555
later than one hundred twenty days before the day of a primary 556
election, a petition signed by such electors asking that 557

candidates for election as officers of such township or municipal 558
 corporation be nominated as candidates of political parties, in 559
 which event primary elections shall be held in such township or 560
 municipal corporation for the purpose of nominating persons as 561
 candidates of political parties for election as officers of such 562
 township or municipal corporation to be voted for at the 563
 succeeding regular municipal election. In a township or municipal 564
 corporation where a majority of the electors have filed a petition 565
 asking that candidates for election as officers of the township or 566
 municipal corporation be nominated as candidates of political 567
 parties, the nomination of candidates for a nonpartisan election 568
 may be reestablished in the manner prescribed in division (E) of 569
 this section. 570

(D)(1) The electors in a municipal corporation having a 571
 population of two thousand or more, in which municipal officers 572
 were nominated in the most recent election by nominating petition 573
 and elected by nonpartisan election, may place on the ballot in 574
 the manner prescribed in division (D)(2) of this section the 575
 question of changing to the primary-election method of nominating 576
 persons as candidates for election as officers of the municipal 577
 corporation. 578

(2) The board of elections of the county within which the 579
 municipal corporation is located, or, if the municipal corporation 580
 is located in more than one county, of the county within which the 581
 major portion of the population of the municipal corporation is 582
 located, shall, upon receipt of a petition signed by electors of 583
 the municipal corporation equal in number to at least ten per cent 584
 of the vote cast at the most recent regular municipal election, 585
 submit to the electors of the municipal corporation the question 586
 of changing to the primary-election method of nominating persons 587
 as candidates for election as officers of the municipal 588

corporation. The ballot language shall be substantially as 589
follows: 590

"Shall candidates for election as officers of 591
(name of municipal corporation) in the county of 592
(name of county) be nominated as candidates of political parties? 593
..... yes 594
..... no" 595

The question shall be placed on the ballot at the next 596
general election in an even-numbered year occurring at least 597
ninety days after the petition is filed with the board. If a 598
majority of the electors voting on the question vote in the 599
affirmative, candidates for election as officers of the municipal 600
corporation shall thereafter be nominated as candidates of 601
political parties in primary elections, under division (A) of this 602
section, unless a change in the manner of nominating persons as 603
candidates for election as officers of the municipal corporation 604
is made under division (E) of this section. 605

(E)(1) The electors in a township or municipal corporation in 606
which the township or municipal officers are nominated as 607
candidates of political parties in a primary election may place on 608
the ballot, in the manner prescribed in division (E)(2) of this 609
section, the question of changing to the nonpartisan method of 610
nominating persons as candidates for election as officers of the 611
township or municipal corporation. 612

(2) The board of elections of the county within which the 613
township or municipal corporation is located, or, if the municipal 614
corporation is located in more than one county, of the county 615
within which the major portion of the population of the municipal 616
corporation is located, shall, upon receipt of a petition signed 617

by electors of the township or municipal corporation equal in 618
number to at least ten per cent of the vote cast at the most 619
recent regular township or municipal election, as appropriate, 620
submit to the electors of the township or municipal corporation, 621
as appropriate, the question of changing to the nonpartisan method 622
of nominating persons as candidates for election as officers of 623
the township or municipal corporation. The ballot language shall 624
be substantially as follows: 625

"Shall candidates for election as officers of 626
(name of the township or municipal corporation) in the county of 627
..... (name of county) be nominated as candidates by 628
nominating petition and be elected only in a nonpartisan election? 629
..... yes 630
..... no" 631

The question shall appear on the ballot at the next general 632
election in an even-numbered year occurring at least ninety days 633
after the petition is filed with the board. If a majority of 634
electors voting on the question vote in the affirmative, 635
candidates for officer of the township or municipal corporation 636
shall thereafter be nominated by nominating petition and be 637
elected only in a nonpartisan election, unless a change in the 638
manner of nominating persons as candidates for election as 639
officers of the township or municipal corporation is made under 640
division (C) or (D) of this section. 641

Sec. 3513.12. At a presidential primary election, ~~which shall~~ 642
~~be held on the second Tuesday after the first Monday in March in~~ 643
~~the year 2016 , and similarly in every fourth year thereafter,~~ 644
delegates and alternates to the national conventions of the 645
different major political parties shall be chosen by direct vote 646
of the electors as provided in this chapter. Candidates for 647

delegate and alternate shall be qualified and the election shall 648
be conducted in the manner prescribed in this chapter for the 649
nomination of candidates for state and district offices, except as 650
provided in section 3513.151 of the Revised Code and except that 651
whenever any group of candidates for delegate at large or 652
alternate at large, or any group of candidates for delegates or 653
alternates from districts, file with the secretary of state 654
statements as provided by this section, designating the same 655
persons as their first and second choices for president of the 656
United States, such a group of candidates may submit a group 657
petition containing a declaration of candidacy for each of such 658
candidates. The group petition need be signed only by the number 659
of electors required for the petition of a single candidate. No 660
group petition shall be submitted except by a group of candidates 661
equal in number to the whole number of delegates at large or 662
alternates at large to be elected or equal in number to the whole 663
number of delegates or alternates from a district to be elected. 664

Each person seeking to be elected as delegate or alternate to 665
the national convention of the person's political party shall file 666
with the person's declaration of candidacy and certificate a 667
statement in writing signed by the person in which the person 668
shall state the person's first and second choices for nomination 669
as the candidate of the person's party for the presidency of the 670
United States. The secretary of state shall not permit any 671
declaration of candidacy and certificate of a candidate for 672
election as such delegate or alternate to be filed unless 673
accompanied by such statement in writing. The name of a candidate 674
for the presidency shall not be so used without the candidate's 675
written consent. 676

A person who is a first choice for president of candidates 677
seeking election as delegates and alternates shall file with the 678

secretary of state, prior to the day of the election, a list 679
 indicating the order in which certificates of election are to be 680
 issued to delegate or alternate candidates to whose candidacy the 681
 person has consented, if fewer than all of such candidates are 682
 entitled under party rules to be certified as elected. Each 683
 candidate for election as such delegate or alternate may also file 684
 along with the candidate's declaration of candidacy and 685
 certificate a statement in writing signed by the candidate in the 686
 following form: 687

"Statement of Candidate 688

For Election as (Delegate) (Alternate) to the 689
 (name of political party) National Convention 690

I hereby declare to the voters of my political party in the 691
 State of Ohio that, if elected as (delegate) 692
 (alternate) to their national party convention, I shall, to the 693
 best of my judgment and ability, support that candidate for 694
 President of the United States who shall have been selected at 695
 this primary by the voters of my party in the manner provided in 696
 Chapter 3513. of the Ohio Revised Code, as their candidate for 697
 such office. 698

..... (name), 699

Candidate for 700

(Delegate) (Alternate)" 701

The procedures for the selection of candidates for delegate 702
 and alternate to the national convention of a political party set 703
 forth in this section and in section 3513.121 of the Revised Code 704
 are alternative procedures, and if the procedures of this section 705
 are followed, the procedures of section 3513.121 of the Revised 706
 Code need not be followed. 707

Sec. 3513.262. The nominating petitions of all candidates 708
 required to be filed before four p.m. of the day before the day of 709
 the primary election immediately preceding the general election 710
 shall be processed as follows: 711

If such petition is filed with the secretary of state, the 712
 secretary of state shall, not later than the fifteenth day of June 713
 following the filing of such petition, ~~or if the primary election~~ 714
~~was a presidential primary election, not later than the end of the~~ 715
~~sixth week after the day of that election,~~ transmit to each board 716
 such separate petition papers as purport to contain signatures of 717
 electors of the county of such board. If such petition is filed 718
 with the board of the most populous county of a district or of a 719
 county in which the major portion of the population of a 720
 subdivision is located, such board shall, not later than the 721
 fifteenth day of June, ~~or if the primary election was a~~ 722
~~presidential primary election, not later than the end of the sixth~~ 723
~~week after the day of that election,~~ transmit to each board within 724
 such district such separate petition papers of the petition as 725
 purport to contain signatures of electors of the county of such 726
 board. 727

All petition papers so transmitted to a board and all 728
 nominating petitions filed with a board shall, under proper 729
 regulations, be open to public inspection from the fifteenth day 730
 of June until four p.m. of the thirtieth day of that month, ~~or if~~ 731
~~the primary election was a presidential primary election, from the~~ 732
~~end of the sixth week after the election until four p.m. of the~~ 733
~~end of the seventh week after the election.~~ Each board shall, not 734
 later than the next fifteenth day of July, ~~or if the primary~~ 735
~~election was a presidential primary election, not later than the~~ 736
~~end of the tenth week after the day of that election,~~ examine and 737
 determine the sufficiency of the signatures on the petition papers 738

transmitted to or filed with it, and the validity of the petitions 739
 filed with it, and shall return to the secretary of state all 740
 petition papers transmitted to it by the secretary of state, 741
 together with its certification of its determination as to the 742
 validity or invalidity of signatures thereon, and shall return to 743
 each other board all petition papers transmitted to it by such 744
 other board, as provided in this section, together with its 745
 certification of its determination as to the validity or 746
 invalidity of signatures thereon. A signature on a nominating 747
 petition is not valid if it is dated more than one year before the 748
 date the nominating petition was filed. All other matters 749
 affecting the validity or invalidity of such petition papers shall 750
 be determined by the secretary of state or the board with whom 751
 such petition papers were filed. 752

Written protests against nominating petitions may be filed by 753
 any qualified elector eligible to vote for the candidate whose 754
 nominating petition the elector objects to, not later than four 755
 p.m. of the thirtieth day of July, ~~or if the primary election was~~ 756
~~a presidential primary election, not later than the end of the~~ 757
~~twelfth week after the day of that election.~~ Such protests shall 758
 be filed with the election officials with whom the nominating 759
 petition was filed. Upon the filing of such protest, the election 760
 officials with whom it is filed shall promptly fix the time and 761
 place for hearing it, and shall forthwith mail notice of the 762
 filing of such protest and the time and place for hearing it to 763
 the person whose nomination is protested. They shall also 764
 forthwith mail notice of the time and place fixed for the hearing 765
 to the person who filed the protest. At the time fixed, such 766
 election officials shall hear the protest and determine the 767
 validity or invalidity of the petition. Such determination shall 768
 be final. 769

A protest against the nominating petition filed by joint candidates for the offices of governor and lieutenant governor shall be filed, heard, and determined in the same manner as a protest against the nominating petition of a candidate who files individually.

Section 2. That existing sections 511.27, 1545.21, 3501.01, 3503.16, 3513.01, 3513.12, and 3513.262 of the Revised Code are hereby repealed.

Section 3. Section 3501.01 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 64 and Am. H.B. 153 of the 131st General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.

Section 4."

In line 25, delete "2" and insert "5"; delete "3" and insert "6"

In line 26, delete "2." and insert "5."

In line 56, delete "3." and insert "6."

In line 83, delete "5" and insert "8"

In line 90, delete "5" and insert "8"

In line 105, delete "4." and insert "7."

In line 117, delete "5." and insert "8."

In line 118, delete "2" and insert "5"; delete "4" and insert

"7"	797
In line 146, delete "3" and insert "6"	798
In line 175, delete "2" and insert "5"	799
In line 182, delete "6." and insert "9."	800
In line 187, delete "1, 2, 3," and insert "4, 5, 6, "; delete "5" and insert "8"	801 802

The motion was _____ agreed to.