

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 93**

**Representative Clyde**

**Cosponsors: Representatives Ramos, Johnson, G., Boyd, Leland, Boggs, Lepore-Hagan, Bocchieri, Ashford, Smith, K., West**

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**A BILL**

To amend sections 111.241, 3505.10, 3513.041, 1  
3513.257, and 3513.31 and to enact section 2  
3505.101 of the Revised Code to require a 3  
candidate for President or Vice-President of the 4  
United States to submit copies of the 5  
candidate's five most recent federal income tax 6  
returns for publication on the Secretary of 7  
State's official web site. 8

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 111.241, 3505.10, 3513.041, 9  
3513.257, and 3513.31 be amended and section 3505.101 of the 10  
Revised Code be enacted to read as follows: 11

**Sec. 111.241.** (A) The secretary of state shall not accept 12  
a document for filing or recording if the document includes any 13  
individual's social security number or federal tax 14  
identification number. If a document presented for filing or 15  
recording includes any individual's social security number or 16  
federal tax identification number and the secretary of state 17  
refuses to accept that document for filing or recording, the 18

secretary of state or the person who attempted to file or record 19  
the document with the secretary of state may immediately redact 20  
the individual's social security number or federal tax 21  
identification number from the document. 22

(B) Division (A) of this section does not apply to ~~either~~ 23  
any of the following: 24

(1) Any document that originates with any court or taxing 25  
authority; 26

(2) Any publicly recorded document that is required by 27  
federal or state law to include an individual's social security 28  
number or federal tax identification number; 29

(3) Any federal income tax return filed with the secretary 30  
of state under section 3505.101 of the Revised Code. 31

(C) This section does not apply to documents that were 32  
executed by an individual prior to ~~the effective date of this~~ 33  
~~section~~September 1, 2008. 34

**Sec. 3505.10.** (A) On the presidential ballot below the 35  
stubs at the top of the face of the ballot shall be printed 36  
"Official Presidential Ballot" centered between the side edges 37  
of the ballot. Below "Official Presidential Ballot" shall be 38  
printed a heavy line centered between the side edges of the 39  
ballot. Below the line shall be printed "Instruction to Voters" 40  
centered between the side edges of the ballot, and below those 41  
words shall be printed the following instructions: 42

"(1) To vote for the candidates for president and vice- 43  
president whose names are printed below, record your vote in the 44  
manner provided next to the names of such candidates. That 45  
recording of the vote will be counted as a vote for each of the 46  
candidates for presidential elector whose names have been 47

certified to the secretary of state and who are members of the 48  
same political party as the nominees for president and vice- 49  
president. A recording of the vote for independent candidates 50  
for president and vice-president shall be counted as a vote for 51  
the presidential electors filed by such candidates with the 52  
secretary of state. 53

(2) To vote for candidates for president and vice- 54  
president in the blank space below, record your vote in the 55  
manner provided and write the names of your choice for president 56  
and vice-president under the respective headings provided for 57  
those offices. Such write-in will be counted as a vote for the 58  
candidates' presidential electors whose names have been properly 59  
certified to the secretary of state. 60

(3) If you tear, soil, deface, or erroneously mark this 61  
ballot, return it to the precinct election officers or, if you 62  
cannot return it, notify the precinct election officers, and 63  
obtain another ballot." 64

(B) Below those instructions to the voter shall be printed 65  
a single vertical column of enclosed rectangular spaces equal in 66  
number to the number of presidential candidates plus one 67  
additional space for write-in candidates. Each of those 68  
rectangular spaces shall be enclosed by a heavy line along each 69  
of its four sides, and such spaces shall be separated from each 70  
other by one-half inch of open space. 71

In each of those enclosed rectangular spaces, except the 72  
space provided for write-in candidates, shall be printed the 73  
names of the candidates for president and vice-president 74  
certified to the secretary of state or nominated in one of the 75  
following manners: 76

(1) Nominated by the national convention of a political party to which delegates and alternates were elected in this state at the next preceding primary election. A political party certifying candidates so nominated shall certify the names of those candidates to the secretary of state on or before the ninetieth day before the day of the general election. The federal income tax returns required under section 3505.101 of the Revised Code shall accompany the certification.

(2) Nominated by nominating petition in accordance with section 3513.257 of the Revised Code. Such a petition shall be filed on or before the ninetieth day before the day of the general election to provide sufficient time to verify the sufficiency and accuracy of signatures on it. The federal income tax returns required under section 3505.101 of the Revised Code shall accompany the petition.

(3) Certified to the secretary of state for placement on the presidential ballot by authorized officials of a minor political party that has held a state or national convention for the purpose of choosing those candidates or that may, without a convention, certify those candidates in accordance with the procedure authorized by its party rules. The officials shall certify the names of those candidates to the secretary of state on or before the ninetieth day before the day of the general election. The certification shall be accompanied by a designation of a sufficient number of presidential electors to satisfy the requirements of law and by the federal income tax returns required under section 3505.101 of the Revised Code.

The names of candidates for electors of president and vice-president shall not be placed on the ballot, but shall be certified to the secretary of state as required by sections

3513.11 and 3513.257 of the Revised Code. A vote for any 107  
candidates for president and vice-president shall be a vote for 108  
the electors of those candidates whose names have been certified 109  
to the secretary of state. 110

(C) The arrangement of the printing in each of the 111  
enclosed rectangular spaces shall be substantially as follows: 112  
Near the top and centered within the rectangular space shall be 113  
printed "For President" in ten-point boldface upper and lower 114  
case type. Below "For President" shall be printed the name of 115  
the candidate for president in twelve-point boldface upper case 116  
type. Below the name of the candidate for president shall be 117  
printed the name of the political party by which that candidate 118  
for president was nominated in eight-point lightface upper and 119  
lower case type. Below the name of such political party shall be 120  
printed "For Vice-President" in ten-point boldface upper and 121  
lower case type. Below "For Vice-President" shall be printed the 122  
name of the candidate for vice-president in twelve-point 123  
boldface upper case type. Below the name of the candidate for 124  
vice-president shall be printed the name of the political party 125  
by which that candidate for vice-president was nominated in 126  
eight-point lightface upper and lower case type. Except for 127  
candidates nominated by petition under section 3517.012 of the 128  
Revised Code, no political identification or name of any 129  
political party shall be printed below the names of presidential 130  
and vice-presidential candidates nominated by petition. 131

The rectangular spaces on the ballot described in this 132  
section shall be rotated and printed as provided in section 133  
3505.03 of the Revised Code. 134

Sec. 3505.101. (A) Except as otherwise provided in 135  
division (B) of this section, all of the following filings 136

concerning candidates for president and vice-president of the 137  
United States shall be accompanied by copies of each candidate's 138  
federal income tax returns for each of the five most recent 139  
taxable years for which the candidate filed a return with the 140  
internal revenue service, along with a statement signed by the 141  
candidate, on a form prescribed by the secretary of state, 142  
consenting to the publication of the returns in accordance with 143  
this section: 144

(1) A political party's certification of the names of its 145  
candidates for president and vice-president of the United States 146  
under division (B) (1) or (3) of section 3505.10 of the Revised 147  
Code; 148

(2) A nominating petition filed by independent joint 149  
candidates for the offices of president and vice-president of 150  
the United States under section 3513.257 of the Revised Code; 151

(3) A declaration of intent to be a write-in candidate 152  
filed by joint candidates for president and vice-president of 153  
the United States under section 3513.041 of the Revised Code; 154

(4) A certification of the name of a candidate for 155  
president or vice-president of the United States who has been 156  
selected to fill a ballot vacancy under section 3513.31 of the 157  
Revised Code. 158

(B) (1) If a candidate for president or vice-president of 159  
the United States has not filed federal income tax returns with 160  
the internal revenue service for five or more taxable years 161  
during the candidate's lifetime, the filing described in 162  
division (A) of this section shall be accompanied by a statement 163  
of that fact, signed by the candidate, on a form prescribed by 164  
the secretary of state, along with copies of every federal 165

income tax return the candidate has filed with the internal 166  
revenue service. 167

(2) A federal income tax return submitted under division 168  
(A) of this section may exclude any social security number; 169  
individual taxpayer identification number; adoption taxpayer 170  
identification number; bank account, debit card, credit card, or 171  
other financial account number; or other information that is 172  
excluded from the definition of a public record under section 173  
149.43 of the Revised Code. The return shall not exclude any 174  
other information. 175

(C) Not later than seven days after receiving a federal 176  
income tax return under division (A) of this section, the 177  
secretary of state shall redact from the return all of the 178  
information listed in division (B)(2) of this section and make 179  
the redacted return available to the public on the secretary of 180  
state's official web site. 181

(D) A certification, nominating petition, or declaration 182  
of intent to be a write-in candidate described in division (A) 183  
of this section is not valid if it is not accompanied by the 184  
federal income tax returns required under that division. If a 185  
presidential or vice-presidential candidate's federal income tax 186  
returns have not been submitted in accordance with this section, 187  
the candidate's name shall not appear on the ballot and shall 188  
not be a valid selection as a write-in candidate. 189

(E) As used in this section, "return" has the same meaning 190  
as in section 6103 of the "Internal Revenue Code of 1986," 26 191  
U.S.C. 6103. 192

**Sec. 3513.041.** A write-in space shall be provided on the 193  
ballot for every office, except in an election for which the 194

board of elections has received no valid declarations of intent 195  
to be a write-in candidate under this section. Write-in votes 196  
shall not be counted for any candidate who has not filed a 197  
declaration of intent to be a write-in candidate pursuant to 198  
this section. A qualified person who has filed a declaration of 199  
intent may receive write-in votes at either a primary or general 200  
election. Any candidate shall file a declaration of intent to be 201  
a write-in candidate before four p.m. of the seventy-second day 202  
preceding the election at which such candidacy is to be 203  
considered. If the election is to be determined by electors of a 204  
county or a district or subdivision within the county, such 205  
declaration shall be filed with the board of elections of that 206  
county. If the election is to be determined by electors of a 207  
subdivision located in more than one county, such declaration 208  
shall be filed with the board of elections of the county in 209  
which the major portion of the population of such subdivision is 210  
located. If the election is to be determined by electors of a 211  
district comprised of more than one county but less than all of 212  
the counties of the state, such declaration shall be filed with 213  
the board of elections of the most populous county in such 214  
district. Any candidate for an office to be voted upon by 215  
electors throughout the entire state shall file a declaration of 216  
intent to be a write-in candidate with the secretary of state 217  
before four p.m. of the seventy-second day preceding the 218  
election at which such candidacy is to be considered. In 219  
addition, candidates for president and vice-president of the 220  
United States shall also file with the secretary of state by 221  
that seventy-second day a slate of presidential electors 222  
sufficient in number to satisfy the requirements of the United 223  
States constitution and the federal income tax returns required 224  
under section 3505.101 of the Revised Code. 225



A board of elections shall not accept for filing the 226  
declaration of intent to be a write-in candidate of a person 227  
seeking to become a candidate if that person, for the same 228  
election, has already filed a declaration of candidacy, a 229  
declaration of intent to be a write-in candidate, or a 230  
nominating petition, or has become a candidate through party 231  
nomination at a primary election or by the filling of a vacancy 232  
under section 3513.30 or 3513.31 of the Revised Code, for any 233  
federal, state, or county office, if the declaration of intent 234  
to be a write-in candidate is for a state or county office, or 235  
for any municipal or township office, for member of a city, 236  
local, or exempted village board of education, or for member of 237  
a governing board of an educational service center, if the 238  
declaration of intent to be a write-in candidate is for a 239  
municipal or township office, or for member of a city, local, or 240  
exempted village board of education, or for member of a 241  
governing board of an educational service center. 242

No person shall file a declaration of intent to be a 243  
write-in candidate for the office of governor unless the 244  
declaration also shows the intent of another person to be a 245  
write-in candidate for the office of lieutenant governor. No 246  
person shall file a declaration of intent to be a write-in 247  
candidate for the office of lieutenant governor unless the 248  
declaration also shows the intent of another person to be a 249  
write-in candidate for the office of governor. No person shall 250  
file a declaration of intent to be a write-in candidate for the 251  
office of governor or lieutenant governor if the person has 252  
previously filed a declaration of intent to be a write-in 253  
candidate to the office of governor or lieutenant governor at 254  
the same primary or general election. A write-in vote for the 255  
two candidates who file such a declaration shall be counted as a 256

vote for them as joint candidates for the offices of governor 257  
and lieutenant governor. 258

The secretary of state shall not accept for filing the 259  
declaration of intent to be a write-in candidate of a person for 260  
the office of governor unless the declaration also shows the 261  
intent of another person to be a write-in candidate for the 262  
office of lieutenant governor, shall not accept for filing the 263  
declaration of intent to be a write-in candidate of a person for 264  
the office of lieutenant governor unless the declaration also 265  
shows the intent of another person to be a write-in candidate 266  
for the office of governor, and shall not accept for filing the 267  
declaration of intent to be a write-in candidate of a person to 268  
the office of governor or lieutenant governor if that person, 269  
for the same election, has already filed a declaration of 270  
candidacy, a declaration of intent to be a write-in candidate, 271  
or a nominating petition, or has become a candidate through 272  
party nomination at a primary election or by the filling of a 273  
vacancy under section 3513.30 or 3513.31 of the Revised Code, 274  
for any other state office or any federal or county office. 275

Protests against the candidacy of any person filing a 276  
declaration of intent to be a write-in candidate may be filed by 277  
any qualified elector who is eligible to vote in the election at 278  
which the candidacy is to be considered. The protest shall be in 279  
writing and shall be filed not later than four p.m. of the 280  
sixty-seventh day before the day of the election. The protest 281  
shall be filed with the board of elections with which the 282  
declaration of intent to be a write-in candidate was filed. Upon 283  
the filing of the protest, the board with which it is filed 284  
shall promptly fix the time for hearing it and shall proceed in 285  
regard to the hearing in the same manner as for hearings set for 286  
protests filed under section 3513.05 of the Revised Code. At the 287

time fixed, the board shall hear the protest and determine the 288  
validity or invalidity of the declaration of intent to be a 289  
write-in candidate. If the board finds that the candidate is not 290  
an elector of the state, district, county, or political 291  
subdivision in which the candidate seeks election to office or 292  
has not fully complied with the requirements of Title XXXV of 293  
the Revised Code in regard to the candidate's candidacy, the 294  
candidate's declaration of intent to be a write-in candidate 295  
shall be determined to be invalid and shall be rejected; 296  
otherwise, it shall be determined to be valid. The determination 297  
of the board is final. 298

The secretary of state shall prescribe the form of the 299  
declaration of intent to be a write-in candidate. 300

**Sec. 3513.257.** Each person desiring to become an 301  
independent candidate for an office for which candidates may be 302  
nominated at a primary election, except persons desiring to 303  
become independent joint candidates for the offices of governor 304  
and lieutenant governor and for the offices of president and 305  
vice-president of the United States, shall file no later than 306  
four p.m. of the day before the day of the primary election 307  
immediately preceding the general election at which such 308  
candidacy is to be voted for by the voters, a statement of 309  
candidacy and nominating petition as provided in section 310  
3513.261 of the Revised Code. Persons desiring to become 311  
independent joint candidates for the offices of governor and 312  
lieutenant governor shall file, not later than four p.m. of the 313  
day before the day of the primary election, one statement of 314  
candidacy and one nominating petition for the two of them. 315  
Persons desiring to become independent joint candidates for the 316  
offices of president and vice-president of the United States 317  
shall file, not later than four p.m. of the ninetieth day before 318

the day of the general election at which the president and vice- 319  
president are to be elected, one statement of candidacy and one 320  
nominating petition for the two of them. The prospective 321  
independent joint candidates' statement of candidacy shall be 322  
filed with the nominating petition as one instrument. 323

The statement of candidacy and separate petition papers of 324  
each candidate or pair of joint candidates shall be filed at the 325  
same time as one instrument. 326

The nominating petition shall contain signatures of 327  
qualified electors of the district, political subdivision, or 328  
portion of a political subdivision in which the candidacy is to 329  
be voted on in an amount to be determined as follows: 330

(A) If the candidacy is to be voted on by electors 331  
throughout the entire state, the nominating petition, including 332  
the nominating petition of independent joint candidates for the 333  
offices of governor and lieutenant governor, shall be signed by 334  
no less than five thousand qualified electors, provided that no 335  
petition shall be accepted for filing if it purports to contain 336  
more than fifteen thousand signatures. 337

(B) If the candidacy is to be voted on by electors in any 338  
district, political subdivision, or part thereof in which less 339  
than five thousand electors voted for the office of governor at 340  
the most recent election for that office, the nominating 341  
petition shall contain signatures of not less than twenty-five 342  
qualified electors of the district, political subdivision, or 343  
part thereof, or a number of qualified signatures equal to at 344  
least five per cent of that vote, if this number is less than 345  
twenty-five. 346

(C) If the candidacy is to be voted on by electors in any 347

district, political subdivision, or part thereof in which five 348  
thousand or more electors voted for the office of governor at 349  
the most recent election for that office, the nominating 350  
petition shall contain a number of signatures equal to at least 351  
one per cent of those electors. 352

All nominating petitions of candidates for offices to be 353  
voted on by electors throughout the entire state shall be filed 354  
in the office of the secretary of state. No nominating petition 355  
for the offices of president and vice-president of the United 356  
States shall be accepted for filing unless there is submitted to 357  
the secretary of state, at the time of filing the petition, a 358  
slate of presidential electors sufficient in number to satisfy 359  
the requirement of the United States Constitution and the 360  
federal income tax returns required under section 3505.101 of 361  
the Revised Code. The secretary of state shall not accept for 362  
filing the statement of candidacy of a person who desires to be 363  
an independent candidate for the office of governor unless it 364  
also shows the joint candidacy of a person who desires to be an 365  
independent candidate for the office of lieutenant governor, 366  
shall not accept for filing the statement of candidacy of a 367  
person who desires to be an independent candidate for the office 368  
of lieutenant governor unless it also shows the joint candidacy 369  
of a person who desires to be an independent candidate for the 370  
office of governor, and shall not accept for filing the 371  
statement of candidacy of a person who desires to be an 372  
independent candidate to the office of governor or lieutenant 373  
governor who, for the same election, has already filed a 374  
declaration of candidacy, a declaration of intent to be a write- 375  
in candidate, or a statement of candidacy, or has become a 376  
candidate by the filling of a vacancy under section 3513.30 of 377  
the Revised Code for any other state office or any federal or 378

county office. 379

Nominating petitions of candidates for offices to be voted 380  
on by electors within a district or political subdivision 381  
comprised of more than one county but less than all counties of 382  
the state shall be filed with the boards of elections of that 383  
county or part of a county within the district or political 384  
subdivision which had a population greater than that of any 385  
other county or part of a county within the district or 386  
political subdivision according to the last federal decennial 387  
census. 388

Nominating petitions for offices to be voted on by 389  
electors within a county or district smaller than a county shall 390  
be filed with the board of elections for such county. 391

No petition other than the petition of a candidate whose 392  
candidacy is to be considered by electors throughout the entire 393  
state shall be accepted for filing if it appears on its face to 394  
contain more than three times the minimum required number of 395  
signatures. A board of elections shall not accept for filing a 396  
nominating petition of a person seeking to become a candidate if 397  
that person, for the same election, has already filed a 398  
declaration of candidacy, a declaration of intent to be a write- 399  
in candidate, or a nominating petition, or has become a 400  
candidate by the filling of a vacancy under section 3513.30 of 401  
the Revised Code for any federal, state, or county office, if 402  
the nominating petition is for a state or county office, or for 403  
any municipal or township office, for member of a city, local, 404  
or exempted village board of education, or for member of a 405  
governing board of an educational service center, if the 406  
nominating petition is for a municipal or township office, or 407  
for member of a city, local, or exempted village board of 408

education, or for member of a governing board of an educational 409  
service center. When a petition of a candidate has been accepted 410  
for filing by a board of elections, the petition shall not be 411  
deemed invalid if, upon verification of signatures contained in 412  
the petition, the board of elections finds the number of 413  
signatures accepted exceeds three times the minimum number of 414  
signatures required. A board of elections may discontinue 415  
verifying signatures when the number of verified signatures on a 416  
petition equals the minimum required number of qualified 417  
signatures. 418

Any nonjudicial candidate who files a nominating petition 419  
may request, at the time of filing, that the candidate be 420  
designated on the ballot as a nonparty candidate or as an other- 421  
party candidate, or may request that the candidate's name be 422  
placed on the ballot without any designation. Any such candidate 423  
who fails to request a designation either as a nonparty 424  
candidate or as an other-party candidate shall have the 425  
candidate's name placed on the ballot without any designation. 426

The purpose of establishing a filing deadline for 427  
independent candidates prior to the primary election immediately 428  
preceding the general election at which the candidacy is to be 429  
voted on by the voters is to recognize that the state has a 430  
substantial and compelling interest in protecting its electoral 431  
process by encouraging political stability, ensuring that the 432  
winner of the election will represent a majority of the 433  
community, providing the electorate with an understandable 434  
ballot, and enhancing voter education, thus fostering informed 435  
and educated expressions of the popular will in a general 436  
election. The filing deadline for independent candidates 437  
required in this section prevents splintered parties and 438  
unrestrained factionalism, avoids political fragmentation, and 439

maintains the integrity of the ballot. The deadline, one day 440  
prior to the primary election, is the least drastic or 441  
restrictive means of protecting these state interests. The 442  
general assembly finds that the filing deadline for independent 443  
candidates in primary elections required in this section is 444  
reasonably related to the state's purpose of ensuring fair and 445  
honest elections while leaving unimpaired the political, voting, 446  
and associational rights secured by the first and fourteenth 447  
amendments to the United States Constitution. 448

**Sec. 3513.31.** (A) If a person nominated in a primary 449  
election as a candidate for election at the next general 450  
election, whose candidacy is to be submitted to the electors of 451  
the entire state, withdraws as that candidate or is disqualified 452  
as that candidate under section 3513.052 of the Revised Code, 453  
the vacancy in the party nomination so created may be filled by 454  
the state central committee of the major political party that 455  
made the nomination at the primary election, if the committee's 456  
chairperson and secretary certify the name of the person 457  
selected to fill the vacancy by the time specified in this 458  
division, at a meeting called for that purpose. The meeting 459  
shall be called by the chairperson of that committee, who shall 460  
give each member of the committee at least two days' notice of 461  
the time, place, and purpose of the meeting. If a majority of 462  
the members of the committee are present at the meeting, a 463  
majority of those present may select a person to fill the 464  
vacancy. The chairperson and secretary of the meeting shall 465  
certify in writing and under oath to the secretary of state, not 466  
later than the eighty-sixth day before the day of the general 467  
election, the name of the person selected to fill the vacancy. 468  
The certification must be accompanied by the written acceptance 469  
of the nomination by the person whose name is certified. A 470



vacancy in a party nomination that may be filled by a minor 471  
political party shall be filled in accordance with the party's 472  
rules by authorized officials of the party. Certification must 473  
be made as in the manner provided for a major political party. 474

(B) If a person nominated in a primary election as a party 475  
candidate for election at the next general election, whose 476  
candidacy is to be submitted to the electors of a district 477  
comprised of more than one county but less than all of the 478  
counties of the state, withdraws as that candidate or is 479  
disqualified as that candidate under section 3513.052 of the 480  
Revised Code, the vacancy in the party nomination so created may 481  
be filled by a district committee of the major political party 482  
that made the nomination at the primary election, if the 483  
committee's chairperson and secretary certify the name of the 484  
person selected to fill the vacancy by the time specified in 485  
this division, at a meeting called for that purpose. The 486  
district committee shall consist of the chairperson and 487  
secretary of the county central committee of such political 488  
party in each county in the district. The district committee 489  
shall be called by the chairperson of the county central 490  
committee of such political party of the most populous county in 491  
the district, who shall give each member of the district 492  
committee at least two days' notice of the time, place, and 493  
purpose of the meeting. If a majority of the members of the 494  
district committee are present at the district committee 495  
meeting, a majority of those present may select a person to fill 496  
the vacancy. The chairperson and secretary of the meeting shall 497  
certify in writing and under oath to the board of elections of 498  
the most populous county in the district, not later than four 499  
p.m. of the eighty-sixth day before the day of the general 500  
election, the name of the person selected to fill the vacancy. 501

The certification must be accompanied by the written acceptance 502  
of the nomination by the person whose name is certified. A 503  
vacancy in a party nomination that may be filled by a minor 504  
political party shall be filled in accordance with the party's 505  
rules by authorized officials of the party. Certification must 506  
be made as in the manner provided for a major political party. 507

(C) If a person nominated in a primary election as a party 508  
candidate for election at the next general election, whose 509  
candidacy is to be submitted to the electors of a county, 510  
withdraws as that candidate or is disqualified as that candidate 511  
under section 3513.052 of the Revised Code, the vacancy in the 512  
party nomination so created may be filled by the county central 513  
committee of the major political party that made the nomination 514  
at the primary election, or by the county executive committee if 515  
so authorized, if the committee's chairperson and secretary 516  
certify the name of the person selected to fill the vacancy by 517  
the time specified in this division, at a meeting called for 518  
that purpose. The meeting shall be called by the chairperson of 519  
that committee, who shall give each member of the committee at 520  
least two days' notice of the time, place, and purpose of the 521  
meeting. If a majority of the members of the committee are 522  
present at the meeting, a majority of those present may select a 523  
person to fill the vacancy. The chairperson and secretary of the 524  
meeting shall certify in writing and under oath to the board of 525  
that county, not later than four p.m. of the eighty-sixth day 526  
before the day of the general election, the name of the person 527  
selected to fill the vacancy. The certification must be 528  
accompanied by the written acceptance of the nomination by the 529  
person whose name is certified. A vacancy in a party nomination 530  
that may be filled by a minor political party shall be filled in 531  
accordance with the party's rules by authorized officials of the 532

party. Certification must be made as in the manner provided for 533  
a major political party. 534

(D) If a person nominated in a primary election as a party 535  
candidate for election at the next general election, whose 536  
candidacy is to be submitted to the electors of a district 537  
within a county, withdraws as that candidate or is disqualified 538  
as that candidate under section 3513.052 of the Revised Code, 539  
the vacancy in the party nomination so created may be filled by 540  
a district committee consisting of those members of the county 541  
central committee or, if so authorized, those members of the 542  
county executive committee in that county of the major political 543  
party that made the nomination at the primary election who 544  
represent the precincts or the wards and townships within the 545  
district, if the committee's chairperson and secretary certify 546  
the name of the person selected to fill the vacancy by the time 547  
specified in this division, at a meeting called for that 548  
purpose. The district committee meeting shall be called by the 549  
chairperson of the county central committee or executive 550  
committee, as appropriate, who shall give each member of the 551  
district committee at least two days' notice of the time, place, 552  
and purpose of the meeting. If a majority of the members of the 553  
district committee are present at the district committee 554  
meeting, a majority of those present may select a person to fill 555  
the vacancy. The chairperson and secretary of the district 556  
committee meeting shall certify in writing and under oath to the 557  
board of the county, not later than four p.m. of the eighty- 558  
sixth day before the day of the general election, the name of 559  
the person selected to fill the vacancy. The certification must 560  
be accompanied by the written acceptance of the nomination by 561  
the person whose name is certified. A vacancy in a party 562  
nomination that may be filled by a minor political party shall 563

be filled in accordance with the party's rules by authorized 564  
officials of the party. Certification must be made as in the 565  
manner provided for a major political party. 566

(E) If a person nominated in a primary election as a party 567  
candidate for election at the next general election, whose 568  
candidacy is to be submitted to the electors of a subdivision 569  
within a county, withdraws as that candidate or is disqualified 570  
as that candidate under section 3513.052 of the Revised Code, 571  
the vacancy in the party nomination so created may be filled by 572  
a subdivision committee consisting of those members of the 573  
county central committee or, if so authorized, those members of 574  
the county executive committee in that county of the major 575  
political party that made the nomination at that primary 576  
election who represent the precincts or the wards and townships 577  
within that subdivision, if the committee's chairperson and 578  
secretary certify the name of the person selected to fill the 579  
vacancy by the time specified in this division, at a meeting 580  
called for that purpose. 581

The subdivision committee meeting shall be called by the 582  
chairperson of the county central committee or executive 583  
committee, as appropriate, who shall give each member of the 584  
subdivision committee at least two days' notice of the time, 585  
place, and purpose of the meeting. If a majority of the members 586  
of the subdivision committee are present at the subdivision 587  
committee meeting, a majority of those present may select a 588  
person to fill the vacancy. The chairperson and secretary of the 589  
subdivision committee meeting shall certify in writing and under 590  
oath to the board of the county, not later than four p.m. of the 591  
eighty-sixth day before the day of the general election, the 592  
name of the person selected to fill the vacancy. The 593  
certification must be accompanied by the written acceptance of 594

the nomination by the person whose name is certified. A vacancy 595  
in a party nomination that may be filled by a minor political 596  
party shall be filled in accordance with the party's rules by 597  
authorized officials of the party. Certification must be made in 598  
the manner provided for a major political party. 599

(F) If a person nominated by petition as an independent or 600  
nonpartisan candidate for election at the next general election 601  
withdraws as that candidate or is disqualified as that candidate 602  
under section 3513.052 of the Revised Code, the vacancy so 603  
created may be filled by a majority of the committee of five, as 604  
designated on the candidate's nominating petition, if a member 605  
of that committee certifies in writing and under oath to the 606  
election officials with whom the candidate filed the candidate's 607  
nominating petition, not later than the eighty-sixth day before 608  
the day of the general election, the name of the person selected 609  
to fill the vacancy. The certification shall be accompanied by 610  
the written acceptance of the nomination by the person whose 611  
name is certified and shall be made in the manner provided for a 612  
major political party. 613

(G) If a person nominated in a primary election or 614  
nominated by petition under section 3517.012 of the Revised Code 615  
as a party candidate for election at the next general election 616  
dies, the vacancy so created may be filled by the same committee 617  
in the same manner as provided in this section for the filling 618  
of similar vacancies created by withdrawals or disqualifications 619  
under section 3513.052 of the Revised Code, except that the 620  
certification, when filling a vacancy created by death, may not 621  
be filed with the secretary of state, or with a board of the 622  
most populous county of a district, or with the board of a 623  
county in which the major portion of the population of a 624  
subdivision is located, later than four p.m. of the tenth day 625

before the day of such general election, or with any other board 626  
later than four p.m. of the fifth day before the day of such 627  
general election. 628

(H) If a person nominated by petition as an independent or 629  
nonpartisan candidate for election at the next general election 630  
dies prior to the tenth day before the day of that general 631  
election, the vacancy so created may be filled by a majority of 632  
the committee of five designated in the nominating petition to 633  
represent the candidate named in it. To fill the vacancy a 634  
member of the committee shall, not later than four p.m. of the 635  
fifth day before the day of the general election, file with the 636  
election officials with whom the petition nominating the person 637  
was filed, a certificate signed and sworn to under oath by a 638  
majority of the members, designating the person they select to 639  
fill the vacancy. The certification must be accompanied by the 640  
written acceptance of the nomination by the person whose name is 641  
so certified. 642

(I) If a person holding an elective office dies or resigns 643  
subsequent to the one hundred fifteenth day before the day of a 644  
primary election and prior to the eighty-sixth day before the 645  
day of the next general election, and if, under the laws of this 646  
state, a person may be elected at that general election to fill 647  
the unexpired term of the person who has died or resigned, the 648  
appropriate committee of each political party, acting as in the 649  
case of a vacancy in a party nomination, as provided in 650  
divisions (A) to (D) of this section, may select a person as the 651  
party candidate for election for such unexpired term at that 652  
general election, and certify the person's name to the 653  
appropriate election official not later than four p.m. on the 654  
eighty-sixth day before the day of that general election, or on 655  
the tenth day following the day on which the vacancy occurs, 656

whichever is later. When the vacancy occurs on or subsequent to 657  
the eighty-sixth day and six or more days prior to the fortieth 658  
day before the general election, the appropriate committee may 659  
select a person as the party candidate and certify the person's 660  
name, as provided in the preceding sentence, not later than four 661  
p.m. on the tenth day following the day on which the vacancy 662  
occurs. When the vacancy occurs fewer than six days before the 663  
fortieth day before the general election, the deadline for 664  
filing shall be four p.m. on the thirty-sixth day before the 665  
general election. Thereupon the name shall be printed as the 666  
party candidate under proper titles and in the proper place on 667  
the proper ballots for use at the election. If a person has been 668  
nominated in a primary election or nominated by petition under 669  
section 3517.012 of the Revised Code, the authorized committee 670  
of that political party shall not select and certify a person as 671  
the party candidate. 672

(J) Each person desiring to become an independent 673  
candidate to fill the unexpired term shall file a statement of 674  
candidacy and nominating petition, as provided in section 675  
3513.261 of the Revised Code, with the appropriate election 676  
official not later than four p.m. on the tenth day following the 677  
day on which the vacancy occurs, provided that when the vacancy 678  
occurs fewer than six days before the fifty-sixth day before the 679  
general election, the deadline for filing shall be four p.m. on 680  
the fiftieth day before the general election. The nominating 681  
petition shall contain at least seven hundred fifty signatures 682  
and no more than one thousand five hundred signatures of 683  
qualified electors of the district, political subdivision, or 684  
portion of a political subdivision in which the office is to be 685  
voted upon, or the amount provided for in section 3513.257 of 686  
the Revised Code, whichever is less. 687

(K) When a person nominated as a candidate by a political party in a primary election or by nominating petition for an elective office for which candidates are nominated at a party primary election withdraws, dies, or is disqualified under section 3513.052 of the Revised Code prior to the general election, the appropriate committee of any other major political party or committee of five that has not nominated a candidate for that office, or whose nominee as a candidate for that office has withdrawn, died, or been disqualified without the vacancy so created having been filled, may, acting as in the case of a vacancy in a party nomination or nomination by petition as provided in divisions (A) to (F) of this section, whichever is appropriate, select a person as a candidate of that party or of that committee of five for election to the office.

(L) A certification of the name of a candidate for president or vice-president of the United States who has been selected to fill a ballot vacancy under this section shall be accompanied by the federal income tax returns required under section 3505.101 of the Revised Code.

**Section 2.** That existing sections 111.241, 3505.10, 3513.041, 3513.257, and 3513.31 of the Revised Code are hereby repealed.