

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 475**

**Representatives Smith, K., Galonski**

**Cosponsors: Representatives Boyd, Blair, Lepore-Hagan, Sobecki**

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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 26 U.S.C. 6103. 191

**Sec. 3513.041.** A write-in space shall be provided on the 192  
ballot for every office, except in an election for which the 193  
board of elections has received no valid declarations of intent 194

to be a write-in candidate under this section. Write-in votes 195  
shall not be counted for any candidate who has not filed a 196  
declaration of intent to be a write-in candidate pursuant to 197  
this section. A qualified person who has filed a declaration of 198  
intent may receive write-in votes at either a primary or general 199  
election. Any candidate shall file a declaration of intent to be 200  
a write-in candidate before four p.m. of the seventy-second day 201  
preceding the election at which such candidacy is to be 202  
considered. If the election is to be determined by electors of a 203  
county or a district or subdivision within the county, such 204  
declaration shall be filed with the board of elections of that 205  
county. If the election is to be determined by electors of a 206  
subdivision located in more than one county, such declaration 207  
shall be filed with the board of elections of the county in 208  
which the major portion of the population of such subdivision is 209  
located. If the election is to be determined by electors of a 210  
district comprised of more than one county but less than all of 211  
the counties of the state, such declaration shall be filed with 212  
the board of elections of the most populous county in such 213  
district. Any candidate for an office to be voted upon by 214  
electors throughout the entire state shall file a declaration of 215  
intent to be a write-in candidate with the secretary of state 216  
before four p.m. of the seventy-second day preceding the 217  
election at which such candidacy is to be considered. In 218  
addition, candidates for president and vice-president of the 219  
United States shall also file with the secretary of state by 220  
that seventy-second day a slate of presidential electors 221  
sufficient in number to satisfy the requirements of the United 222  
States constitution and the federal income tax returns required 223  
under section 3505.101 of the Revised Code. 224

A board of elections shall not accept for filing the 225

declaration of intent to be a write-in candidate of a person 226  
seeking to become a candidate if that person, for the same 227  
election, has already filed a declaration of candidacy, a 228  
declaration of intent to be a write-in candidate, or a 229  
nominating petition, or has become a candidate through party 230  
nomination at a primary election or by the filling of a vacancy 231  
under section 3513.30 or 3513.31 of the Revised Code, for any 232  
federal, state, or county office, if the declaration of intent 233  
to be a write-in candidate is for a state or county office, or 234  
for any municipal or township office, for member of a city, 235  
local, or exempted village board of education, or for member of 236  
a governing board of an educational service center, if the 237  
declaration of intent to be a write-in candidate is for a 238  
municipal or township office, or for member of a city, local, or 239  
exempted village board of education, or for member of a 240  
governing board of an educational service center. 241

No person shall file a declaration of intent to be a 242  
write-in candidate for the office of governor unless the 243  
declaration also shows the intent of another person to be a 244  
write-in candidate for the office of lieutenant governor. No 245  
person shall file a declaration of intent to be a write-in 246  
candidate for the office of lieutenant governor unless the 247  
declaration also shows the intent of another person to be a 248  
write-in candidate for the office of governor. No person shall 249  
file a declaration of intent to be a write-in candidate for the 250  
office of governor or lieutenant governor if the person has 251  
previously filed a declaration of intent to be a write-in 252  
candidate to the office of governor or lieutenant governor at 253  
the same primary or general election. A write-in vote for the 254  
two candidates who file such a declaration shall be counted as a 255  
vote for them as joint candidates for the offices of governor 256

and lieutenant governor. 257

The secretary of state shall not accept for filing the 258  
declaration of intent to be a write-in candidate of a person for 259  
the office of governor unless the declaration also shows the 260  
intent of another person to be a write-in candidate for the 261  
office of lieutenant governor, shall not accept for filing the 262  
declaration of intent to be a write-in candidate of a person for 263  
the office of lieutenant governor unless the declaration also 264  
shows the intent of another person to be a write-in candidate 265  
for the office of governor, and shall not accept for filing the 266  
declaration of intent to be a write-in candidate of a person to 267  
the office of governor or lieutenant governor if that person, 268  
for the same election, has already filed a declaration of 269  
candidacy, a declaration of intent to be a write-in candidate, 270  
or a nominating petition, or has become a candidate through 271  
party nomination at a primary election or by the filling of a 272  
vacancy under section 3513.30 or 3513.31 of the Revised Code, 273  
for any other state office or any federal or county office. 274

Protests against the candidacy of any person filing a 275  
declaration of intent to be a write-in candidate may be filed by 276  
any qualified elector who is eligible to vote in the election at 277  
which the candidacy is to be considered. The protest shall be in 278  
writing and shall be filed not later than four p.m. of the 279  
sixty-seventh day before the day of the election. The protest 280  
shall be filed with the board of elections with which the 281  
declaration of intent to be a write-in candidate was filed. Upon 282  
the filing of the protest, the board with which it is filed 283  
shall promptly fix the time for hearing it and shall proceed in 284  
regard to the hearing in the same manner as for hearings set for 285  
protests filed under section 3513.05 of the Revised Code. At the 286  
time fixed, the board shall hear the protest and determine the 287

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

The secretary of state shall prescribe the form of the 298  
declaration of intent to be a write-in candidate. 299

**Sec. 3513.257.** Each person desiring to become an 300  
independent candidate for an office for which candidates may be 301  
nominated at a primary election, except persons desiring to 302  
become independent joint candidates for the offices of governor 303  
and lieutenant governor and for the offices of president and 304  
vice-president of the United States, shall file no later than 305  
four p.m. of the day before the day of the primary election 306  
immediately preceding the general election at which such 307  
candidacy is to be voted for by the voters, a statement of 308  
candidacy and nominating petition as provided in section 309  
3513.261 of the Revised Code. Persons desiring to become 310  
independent joint candidates for the offices of governor and 311  
lieutenant governor shall file, not later than four p.m. of the 312  
day before the day of the primary election, one statement of 313  
candidacy and one nominating petition for the two of them. 314  
Persons desiring to become independent joint candidates for the 315  
offices of president and vice-president of the United States 316  
shall file, not later than four p.m. of the ninetieth day before 317  
the day of the general election at which the president and vice- 318

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

The statement of candidacy and separate petition papers of 323  
each candidate or pair of joint candidates shall be filed at the 324  
same time as one instrument. 325

The nominating petition shall contain signatures of 326  
qualified electors of the district, political subdivision, or 327  
portion of a political subdivision in which the candidacy is to 328  
be voted on in an amount to be determined as follows: 329

(A) If the candidacy is to be voted on by electors 330  
throughout the entire state, the nominating petition, including 331  
the nominating petition of independent joint candidates for the 332  
offices of governor and lieutenant governor, shall be signed by 333  
no less than five thousand qualified electors, provided that no 334  
petition shall be accepted for filing if it purports to contain 335  
more than fifteen thousand signatures. 336

(B) If the candidacy is to be voted on by electors in any 337  
district, political subdivision, or part thereof in which less 338  
than five thousand electors voted for the office of governor at 339  
the most recent election for that office, the nominating 340  
petition shall contain signatures of not less than twenty-five 341  
qualified electors of the district, political subdivision, or 342  
part thereof, or a number of qualified signatures equal to at 343  
least five per cent of that vote, if this number is less than 344  
twenty-five. 345

(C) If the candidacy is to be voted on by electors in any 346  
district, political subdivision, or part thereof in which five 347

thousand or more electors voted for the office of governor at 348  
the most recent election for that office, the nominating 349  
petition shall contain a number of signatures equal to at least 350  
one per cent of those electors. 351

All nominating petitions of candidates for offices to be 352  
voted on by electors throughout the entire state shall be filed 353  
in the office of the secretary of state. No nominating petition 354  
for the offices of president and vice-president of the United 355  
States shall be accepted for filing unless there is submitted to 356  
the secretary of state, at the time of filing the petition, a 357  
slate of presidential electors sufficient in number to satisfy 358  
the requirement of the United States Constitution and the 359  
federal income tax returns required under section 3505.101 of 360  
the Revised Code. The secretary of state shall not accept for 361  
filing the statement of candidacy of a person who desires to be 362  
an independent candidate for the office of governor unless it 363  
also shows the joint candidacy of a person who desires to be an 364  
independent candidate for the office of lieutenant governor, 365  
shall not accept for filing the statement of candidacy of a 366  
person who desires to be an independent candidate for the office 367  
of lieutenant governor unless it also shows the joint candidacy 368  
of a person who desires to be an independent candidate for the 369  
office of governor, and shall not accept for filing the 370  
statement of candidacy of a person who desires to be an 371  
independent candidate to the office of governor or lieutenant 372  
governor who, for the same election, has already filed a 373  
declaration of candidacy, a declaration of intent to be a write- 374  
in candidate, or a statement of candidacy, or has become a 375  
candidate by the filling of a vacancy under section 3513.30 of 376  
the Revised Code for any other state office or any federal or 377  
county office. 378

Nominating petitions of candidates for offices to be voted 379  
on by electors within a district or political subdivision 380  
comprised of more than one county but less than all counties of 381  
the state shall be filed with the boards of elections of that 382  
county or part of a county within the district or political 383  
subdivision which had a population greater than that of any 384  
other county or part of a county within the district or 385  
political subdivision according to the last federal decennial 386  
census. 387

Nominating petitions for offices to be voted on by 388  
electors within a county or district smaller than a county shall 389  
be filed with the board of elections for such county. 390

No petition other than the petition of a candidate whose 391  
candidacy is to be considered by electors throughout the entire 392  
state shall be accepted for filing if it appears on its face to 393  
contain more than three times the minimum required number of 394  
signatures. A board of elections shall not accept for filing a 395  
nominating petition of a person seeking to become a candidate if 396  
that person, for the same election, has already filed a 397  
declaration of candidacy, a declaration of intent to be a write- 398  
in candidate, or a nominating petition, or has become a 399  
candidate by the filling of a vacancy under section 3513.30 of 400  
the Revised Code for any federal, state, or county office, if 401  
the nominating petition is for a state or county office, or for 402  
any municipal or township office, for member of a city, local, 403  
or exempted village board of education, or for member of a 404  
governing board of an educational service center, if the 405  
nominating petition is for a municipal or township office, or 406  
for member of a city, local, or exempted village board of 407  
education, or for member of a governing board of an educational 408  
service center. When a petition of a candidate has been accepted 409

for filing by a board of elections, the petition shall not be 410  
deemed invalid if, upon verification of signatures contained in 411  
the petition, the board of elections finds the number of 412  
signatures accepted exceeds three times the minimum number of 413  
signatures required. A board of elections may discontinue 414  
verifying signatures when the number of verified signatures on a 415  
petition equals the minimum required number of qualified 416  
signatures. 417

Any nonjudicial candidate who files a nominating petition 418  
may request, at the time of filing, that the candidate be 419  
designated on the ballot as a nonparty candidate or as an other- 420  
party candidate, or may request that the candidate's name be 421  
placed on the ballot without any designation. Any such candidate 422  
who fails to request a designation either as a nonparty 423  
candidate or as an other-party candidate shall have the 424  
candidate's name placed on the ballot without any designation. 425

The purpose of establishing a filing deadline for 426  
independent candidates prior to the primary election immediately 427  
preceding the general election at which the candidacy is to be 428  
voted on by the voters is to recognize that the state has a 429  
substantial and compelling interest in protecting its electoral 430  
process by encouraging political stability, ensuring that the 431  
winner of the election will represent a majority of the 432  
community, providing the electorate with an understandable 433  
ballot, and enhancing voter education, thus fostering informed 434  
and educated expressions of the popular will in a general 435  
election. The filing deadline for independent candidates 436  
required in this section prevents splintered parties and 437  
unrestrained factionalism, avoids political fragmentation, and 438  
maintains the integrity of the ballot. The deadline, one day 439  
prior to the primary election, is the least drastic or 440

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

**Sec. 3513.31.** (A) If a person nominated in a primary 448  
election as a candidate for election at the next general 449  
election, whose candidacy is to be submitted to the electors of 450  
the entire state, withdraws as that candidate or is disqualified 451  
as that candidate under section 3513.052 of the Revised Code, 452  
the vacancy in the party nomination so created may be filled by 453  
the state central committee of the major political party that 454  
made the nomination at the primary election, if the committee's 455  
chairperson and secretary certify the name of the person 456  
selected to fill the vacancy by the time specified in this 457  
division, at a meeting called for that purpose. The meeting 458  
shall be called by the chairperson of that committee, who shall 459  
give each member of the committee at least two days' notice of 460  
the time, place, and purpose of the meeting. If a majority of 461  
the members of the committee are present at the meeting, a 462  
majority of those present may select a person to fill the 463  
vacancy. The chairperson and secretary of the meeting shall 464  
certify in writing and under oath to the secretary of state, not 465  
later than the eighty-sixth day before the day of the general 466  
election, the name of the person selected to fill the vacancy. 467  
The certification must be accompanied by the written acceptance 468  
of the nomination by the person whose name is certified. A 469  
vacancy in a party nomination that may be filled by a minor 470  
political party shall be filled in accordance with the party's 471

rules by authorized officials of the party. Certification must 472  
be made as in the manner provided for a major political party. 473

(B) If a person nominated in a primary election as a party 474  
candidate for election at the next general election, whose 475  
candidacy is to be submitted to the electors of a district 476  
comprised of more than one county but less than all of the 477  
counties of the state, withdraws as that candidate or is 478  
disqualified as that candidate under section 3513.052 of the 479  
Revised Code, the vacancy in the party nomination so created may 480  
be filled by a district committee of the major political party 481  
that made the nomination at the primary election, if the 482  
committee's chairperson and secretary certify the name of the 483  
person selected to fill the vacancy by the time specified in 484  
this division, at a meeting called for that purpose. The 485  
district committee shall consist of the chairperson and 486  
secretary of the county central committee of such political 487  
party in each county in the district. The district committee 488  
shall be called by the chairperson of the county central 489  
committee of such political party of the most populous county in 490  
the district, who shall give each member of the district 491  
committee at least two days' notice of the time, place, and 492  
purpose of the meeting. If a majority of the members of the 493  
district committee are present at the district committee 494  
meeting, a majority of those present may select a person to fill 495  
the vacancy. The chairperson and secretary of the meeting shall 496  
certify in writing and under oath to the board of elections of 497  
the most populous county in the district, not later than four 498  
p.m. of the eighty-sixth day before the day of the general 499  
election, the name of the person selected to fill the vacancy. 500  
The certification must be accompanied by the written acceptance 501  
of the nomination by the person whose name is certified. A 502

vacancy in a party nomination that may be filled by a minor 503  
political party shall be filled in accordance with the party's 504  
rules by authorized officials of the party. Certification must 505  
be made as in the manner provided for a major political party. 506

(C) If a person nominated in a primary election as a party 507  
candidate for election at the next general election, whose 508  
candidacy is to be submitted to the electors of a county, 509  
withdraws as that candidate or is disqualified as that candidate 510  
under section 3513.052 of the Revised Code, the vacancy in the 511  
party nomination so created may be filled by the county central 512  
committee of the major political party that made the nomination 513  
at the primary election, or by the county executive committee if 514  
so authorized, if the committee's chairperson and secretary 515  
certify the name of the person selected to fill the vacancy by 516  
the time specified in this division, at a meeting called for 517  
that purpose. The meeting shall be called by the chairperson of 518  
that committee, who shall give each member of the committee at 519  
least two days' notice of the time, place, and purpose of the 520  
meeting. If a majority of the members of the committee are 521  
present at the meeting, a majority of those present may select a 522  
person to fill the vacancy. The chairperson and secretary of the 523  
meeting shall certify in writing and under oath to the board of 524  
that county, not later than four p.m. of the eighty-sixth day 525  
before the day of the general election, the name of the person 526  
selected to fill the vacancy. The certification must be 527  
accompanied by the written acceptance of the nomination by the 528  
person whose name is certified. A vacancy in a party nomination 529  
that may be filled by a minor political party shall be filled in 530  
accordance with the party's rules by authorized officials of the 531  
party. Certification must be made as in the manner provided for 532  
a major political party. 533

(D) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the electors of a district within a county, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by a district committee consisting of those members of the county central committee or, if so authorized, those members of the county executive committee in that county of the major political party that made the nomination at the primary election who represent the precincts or the wards and townships within the district, if the committee's chairperson and secretary certify the name of the person selected to fill the vacancy by the time specified in this division, at a meeting called for that purpose. The district committee meeting shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the district committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the district committee are present at the district committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the district committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy in a party nomination that may be filled by a minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made as in the manner provided for a major political party.

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

The subdivision committee meeting shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the subdivision committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the subdivision committee are present at the subdivision committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the subdivision committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy in a party nomination that may be filled by a minor political party shall be filled in accordance with the party's rules by

authorized officials of the party. Certification must be made in 597  
the manner provided for a major political party. 598

(F) If a person nominated by petition as an independent or 599  
nonpartisan candidate for election at the next general election 600  
withdraws as that candidate or is disqualified as that candidate 601  
under section 3513.052 of the Revised Code, the vacancy so 602  
created may be filled by a majority of the committee of five, as 603  
designated on the candidate's nominating petition, if a member 604  
of that committee certifies in writing and under oath to the 605  
election officials with whom the candidate filed the candidate's 606  
nominating petition, not later than the eighty-sixth day before 607  
the day of the general election, the name of the person selected 608  
to fill the vacancy. The certification shall be accompanied by 609  
the written acceptance of the nomination by the person whose 610  
name is certified and shall be made in the manner provided for a 611  
major political party. 612

(G) If a person nominated in a primary election or 613  
nominated by petition under section 3517.012 of the Revised Code 614  
as a party candidate for election at the next general election 615  
dies, the vacancy so created may be filled by the same committee 616  
in the same manner as provided in this section for the filling 617  
of similar vacancies created by withdrawals or disqualifications 618  
under section 3513.052 of the Revised Code, except that the 619  
certification, when filling a vacancy created by death, may not 620  
be filed with the secretary of state, or with a board of the 621  
most populous county of a district, or with the board of a 622  
county in which the major portion of the population of a 623  
subdivision is located, later than four p.m. of the tenth day 624  
before the day of such general election, or with any other board 625  
later than four p.m. of the fifth day before the day of such 626  
general election. 627

(H) If a person nominated by petition as an independent or 628  
nonpartisan candidate for election at the next general election 629  
dies prior to the tenth day before the day of that general 630  
election, the vacancy so created may be filled by a majority of 631  
the committee of five designated in the nominating petition to 632  
represent the candidate named in it. To fill the vacancy a 633  
member of the committee shall, not later than four p.m. of the 634  
fifth day before the day of the general election, file with the 635  
election officials with whom the petition nominating the person 636  
was filed, a certificate signed and sworn to under oath by a 637  
majority of the members, designating the person they select to 638  
fill the vacancy. The certification must be accompanied by the 639  
written acceptance of the nomination by the person whose name is 640  
so certified. 641

(I) If a person holding an elective office dies or resigns 642  
subsequent to the one hundred fifteenth day before the day of a 643  
primary election and prior to the eighty-sixth day before the 644  
day of the next general election, and if, under the laws of this 645  
state, a person may be elected at that general election to fill 646  
the unexpired term of the person who has died or resigned, the 647  
appropriate committee of each political party, acting as in the 648  
case of a vacancy in a party nomination, as provided in 649  
divisions (A) to (D) of this section, may select a person as the 650  
party candidate for election for such unexpired term at that 651  
general election, and certify the person's name to the 652  
appropriate election official not later than four p.m. on the 653  
eighty-sixth day before the day of that general election, or on 654  
the tenth day following the day on which the vacancy occurs, 655  
whichever is later. When the vacancy occurs on or subsequent to 656  
the eighty-sixth day and six or more days prior to the fortieth 657  
day before the general election, the appropriate committee may 658

select a person as the party candidate and certify the person's name, as provided in the preceding sentence, not later than four p.m. on the tenth day following the day on which the vacancy occurs. When the vacancy occurs fewer than six days before the fortieth day before the general election, the deadline for filing shall be four p.m. on the thirty-sixth day before the general election. Thereupon the name shall be printed as the party candidate under proper titles and in the proper place on the proper ballots for use at the election. If a person has been nominated in a primary election or nominated by petition under section 3517.012 of the Revised Code, the authorized committee of that political party shall not select and certify a person as the party candidate.

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

(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 690  
section 3513.052 of the Revised Code prior to the general 691  
election, the appropriate committee of any other major political 692  
party or committee of five that has not nominated a candidate 693  
for that office, or whose nominee as a candidate for that office 694  
has withdrawn, died, or been disqualified without the vacancy so 695  
created having been filled, may, acting as in the case of a 696  
vacancy in a party nomination or nomination by petition as 697  
provided in divisions (A) to (F) of this section, whichever is 698  
appropriate, select a person as a candidate of that party or of 699  
that committee of five for election to the office. 700

(L) A certification of the name of a candidate for 701  
president or vice-president of the United States who has been 702  
selected to fill a ballot vacancy under this section shall be 703  
accompanied by the federal income tax returns required under 704  
section 3505.101 of the Revised Code. 705

**Section 2.** That existing sections 111.241, 3505.10, 706  
3513.041, 3513.257, and 3513.31 of the Revised Code are hereby 707  
repealed. 708