

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 460**

**Representatives Hambley, Skindell**

**Cosponsors: Representatives Jones, Kick, O'Brien, Keller**

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**A BILL**

To amend sections 1901.07, 3501.01, 3505.03, 1  
3505.04, 3513.07, 3513.257, 3513.31, and 2  
3517.012 of the Revised Code to allow a partisan 3  
judicial candidate to appear on the general 4  
election ballot with a political party 5  
designation. 6

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

**Section 1.** That sections 1901.07, 3501.01, 3505.03, 7  
3505.04, 3513.07, 3513.257, 3513.31, and 3517.012 of the Revised 8  
Code be amended to read as follows: 9

**Sec. 1901.07.** (A) All municipal court judges shall be 10  
elected ~~on the nonpartisan ballot~~ for terms of six years. In a 11  
municipal court in which only one judge is to be elected in any 12  
one year, that judge's term commences on the first day of 13  
January after the election. In a municipal court in which two or 14  
more judges are to be elected in any one year, their terms 15  
commence on successive days beginning the first day of January, 16  
following the election, unless otherwise provided by section 17  
1901.08 of the Revised Code. 18

(B) All candidates for municipal court judge may be 19  
nominated either by nominating petition or by primary election, 20  
except that if the jurisdiction of a municipal court extends 21  
only to the corporate limits of the municipal corporation in 22  
which the court is located and that municipal corporation 23  
operates under a charter, all candidates shall be nominated in 24  
the same manner provided in the charter for the office of 25  
municipal court judge or, if no specific provisions are made in 26  
the charter for the office of municipal court judge, in the same 27  
manner as the charter prescribes for the nomination and election 28  
of the legislative authority of the municipal corporation. 29

If the jurisdiction of a municipal court extends beyond 30  
the corporate limits of the municipal corporation in which it is 31  
located or if the jurisdiction of the court does not extend 32  
beyond the corporate limits of the municipal corporation in 33  
which it is located and no charter provisions apply, all 34  
candidates for party nomination to the office of municipal court 35  
judge shall file a declaration of candidacy and petition not 36  
later than four p.m. of the ninetieth day before the day of the 37  
primary election in the form prescribed by section 3513.07 of 38  
the Revised Code. The petition shall conform to the requirements 39  
provided for those petitions of candidacy contained in section 40  
3513.05 of the Revised Code, except that the petition shall be 41  
signed by at least fifty electors of the territory of the court. 42  
If no valid declaration of candidacy is filed for nomination as 43  
a candidate of a political party for election to the office of 44  
municipal court judge, or if the number of persons filing the 45  
declarations of candidacy for nominations as candidates of one 46  
political party for election to the office does not exceed the 47  
number of candidates that that party is entitled to nominate as 48  
its candidates for election to the office, no primary election 49

shall be held for the purpose of nominating candidates of that 50  
party for election to the office, and the candidates shall be 51  
issued certificates of nomination in the manner set forth in 52  
section 3513.02 of the Revised Code. 53

If the jurisdiction of a municipal court extends beyond 54  
the corporate limits of the municipal corporation in which it is 55  
located or if the jurisdiction of the court does not extend 56  
beyond the corporate limits of the municipal corporation in 57  
which it is located and no charter provisions apply, ~~nonpartisan~~ 58  
independent candidates for the office of municipal court judge 59  
shall file nominating petitions not later than four p.m. of the 60  
day before the day of the primary election in the form 61  
prescribed by section 3513.261 of the Revised Code. The petition 62  
shall conform to the requirements provided for those petitions 63  
of candidacy contained in section 3513.257 of the Revised Code, 64  
except that the petition shall be signed by at least fifty 65  
electors of the territory of the court. 66

The nominating petition or declaration of candidacy for a 67  
municipal court judge shall contain a designation of the term 68  
for which the candidate seeks election. At the following regular 69  
municipal election, the candidacies of the judges nominated 70  
shall be submitted to the electors of the territory on a ~~nonpartisan,~~ 71  
~~judicial~~ an office type ballot in the same manner 72  
as provided for judges of the court of common pleas, except 73  
that, in a municipal corporation operating under a charter, all 74  
candidates for municipal court judge shall be elected in 75  
conformity with the charter if provisions are made in the 76  
charter for the election of municipal court judges. 77

(C) Notwithstanding divisions (A) and (B) of this section, 78  
in the following municipal courts, the judges shall be nominated 79

and elected as follows: 80

(1) In the Cleveland municipal court, the judges shall be 81  
nominated only by petition. The petition shall be signed by at 82  
least fifty electors of the territory of the court. It shall be 83  
in the statutory form and shall be filed in the manner and 84  
within the time prescribed by the charter of the city of 85  
Cleveland for filing petitions of candidates for municipal 86  
offices. Each elector shall have the right to sign petitions for 87  
as many candidates as are to be elected, but no more. The judges 88  
shall be elected by the electors of the territory of the court 89  
in the manner provided by law for the election of judges of the 90  
court of common pleas. 91

(2) In the Toledo municipal court, the judges shall be 92  
nominated only by petition. The petition shall be signed by at 93  
least fifty electors of the territory of the court. It shall be 94  
in the statutory form and shall be filed in the manner and 95  
within the time prescribed by the charter of the city of Toledo 96  
for filing nominating petitions for city council. Each elector 97  
shall have the right to sign petitions for as many candidates as 98  
are to be elected, but no more. The judges shall be elected by 99  
the electors of the territory of the court in the manner 100  
provided by law for the election of judges of the court of 101  
common pleas. 102

(3) In the Akron municipal court, the judges shall be 103  
nominated only by petition. The petition shall be signed by at 104  
least fifty electors of the territory of the court. It shall be 105  
in statutory form and shall be filed in the manner and within 106  
the time prescribed by the charter of the city of Akron for 107  
filing nominating petitions of candidates for municipal offices. 108  
Each elector shall have the right to sign petitions for as many 109

candidates as are to be elected, but no more. The judges shall 110  
be elected by the electors of the territory of the court in the 111  
manner provided by law for the election of judges of the court 112  
of common pleas. 113

(4) In the Hamilton county municipal court, the judges 114  
shall be nominated only by petition. The petition shall be 115  
signed by at least one hundred electors of the judicial district 116  
of the county from which the candidate seeks election, which 117  
petitions shall be signed and filed not later than four p.m. of 118  
the day before the day of the primary election in the form 119  
prescribed by section 3513.261 of the Revised Code. Unless 120  
otherwise provided in this section, the petition shall conform 121  
to the requirements provided for nominating petitions in section 122  
3513.257 of the Revised Code. The judges shall be elected by the 123  
electors of the relative judicial district of the county at the 124  
regular municipal election and in the manner provided by law for 125  
the election of judges of the court of common pleas. 126

(5) In the Franklin county municipal court, the judges 127  
shall be nominated only by petition. The petition shall be 128  
signed by at least fifty electors of the territory of the court. 129  
The petition shall be in the statutory form and shall be filed 130  
in the manner and within the time prescribed by the charter of 131  
the city of Columbus for filing petitions of candidates for 132  
municipal offices. The judges shall be elected by the electors 133  
of the territory of the court in the manner provided by law for 134  
the election of judges of the court of common pleas. 135

(6) In the Auglaize, Brown, Carroll, Clermont, Crawford, 136  
Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, 137  
Perry, Putnam, Sandusky, and Wayne county municipal courts, the 138  
judges shall be nominated only by petition. The petitions shall 139

be signed by at least fifty electors of the territory of the court and shall conform to the provisions of this section.

(D) In the Portage county municipal court, the judges shall be nominated either by nominating petition or by primary election, as provided in division (B) of this section.

(E) As used in this section, as to an election for either a full or an unexpired term, "the territory within the jurisdiction of the court" means that territory as it will be on the first day of January after the election.

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

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

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

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

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

(E) (1) "Primary" or "primary election" means an election 169  
held for the purpose of nominating persons as candidates of 170  
political parties for election to offices, and for the purpose 171  
of electing persons as members of the controlling committees of 172  
political parties and as delegates and alternates to the 173  
conventions of political parties. Primary elections shall be 174  
held on the first Tuesday after the first Monday in May of each 175  
year except in years in which a presidential primary election is 176  
held. 177

(2) "Presidential primary election" means a primary 178  
election as defined by division (E) (1) of this section at which 179  
an election is held for the purpose of choosing delegates and 180  
alternates to the national conventions of the major political 181  
parties pursuant to section 3513.12 of the Revised Code. Unless 182  
otherwise specified, presidential primary elections are included 183  
in references to primary elections. In years in which a 184  
presidential primary election is held, all primary elections 185  
shall be held on the third Tuesday after the first Monday in 186  
March except as otherwise authorized by a municipal or county 187  
charter. 188

(F) "Political party" means any group of voters meeting 189  
the requirements set forth in section 3517.01 of the Revised 190  
Code for the formation and existence of a political party. 191

(1) "Major political party" means any political party 192  
organized under the laws of this state whose candidate for 193  
governor or nominees for presidential electors received not less 194  
than twenty per cent of the total vote cast for such office at 195  
the most recent regular state election. 196

(2) "Minor political party" means any political party 197  
organized under the laws of this state that meets either of the 198

following requirements:	199
(a) Except as otherwise provided in this division, the	200
political party's candidate for governor or nominees for	201
presidential electors received less than twenty per cent but not	202
less than three per cent of the total vote cast for such office	203
at the most recent regular state election. A political party	204
that meets the requirements of this division remains a political	205
party for a period of four years after meeting those	206
requirements.	207
(b) The political party has filed with the secretary of	208
state, subsequent to its failure to meet the requirements of	209
division (F) (2) (a) of this section, a petition that meets the	210
requirements of section 3517.01 of the Revised Code.	211
A newly formed political party shall be known as a minor	212
political party until the time of the first election for	213
governor or president which occurs not less than twelve months	214
subsequent to the formation of such party, after which election	215
the status of such party shall be determined by the vote for the	216
office of governor or president.	217
(G) "Dominant party in a precinct" or "dominant political	218
party in a precinct" means that political party whose candidate	219
for election to the office of governor at the most recent	220
regular state election at which a governor was elected received	221
more votes than any other person received for election to that	222
office in such precinct at such election.	223
(H) "Candidate" means any qualified person certified in	224
accordance with the provisions of the Revised Code for placement	225
on the official ballot of a primary, general, or special	226
election to be held in this state, or any qualified person who	227



claims to be a write-in candidate, or who knowingly assents to 228  
being represented as a write-in candidate by another at either a 229  
primary, general, or special election to be held in this state. 230

(I) "Independent candidate" means any candidate who claims 231  
not to be affiliated with a political party, and whose name has 232  
been certified on the office-type ballot at a general or special 233  
election through the filing of a statement of candidacy and 234  
nominating petition, as prescribed in section 3513.257 of the 235  
Revised Code. 236

(J) "Nonpartisan candidate" means any candidate whose name 237  
is required, pursuant to section 3505.04 of the Revised Code, to 238  
be listed on the nonpartisan ballot, including all candidates 239  
~~for judicial office,~~ for member of any board of education, for 240  
municipal or township offices in which primary elections are not 241  
held for nominating candidates by political parties, and for 242  
offices of municipal corporations having charters that provide 243  
for separate ballots for elections for these offices. 244

(K) "Party candidate" means any candidate who claims to be 245  
a member of a political party and who has been certified to 246  
appear on the office-type ballot at a general or special 247  
election as the nominee of a political party because the 248  
candidate has won the primary election of the candidate's party 249  
for the public office the candidate seeks, has been nominated 250  
under section 3517.012, or is selected by party committee in 251  
accordance with section 3513.31 of the Revised Code. 252

(L) "Officer of a political party" includes, but is not 253  
limited to, any member, elected or appointed, of a controlling 254  
committee, whether representing the territory of the state, a 255  
district therein, a county, township, a city, a ward, a 256  
precinct, or other territory, of a major or minor political 257

party.	258
(M) "Question or issue" means any question or issue certified in accordance with the Revised Code for placement on an official ballot at a general or special election to be held in this state.	259 260 261 262
(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.	263 264
(O) "Voter" means an elector who votes at an election.	265
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	266 267 268
(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.	269 270 271 272
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	273 274 275
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	276 277 278
(T) "Political subdivision" means a county, township, city, village, or school district.	279 280
(U) "Election officer" or "election official" means any of the following:	281 282
(1) Secretary of state;	283
(2) Employees of the secretary of state serving the	284

division of elections in the capacity of attorney,	285
administrative officer, administrative assistant, elections	286
administrator, office manager, or clerical supervisor;	287
(3) Director of a board of elections;	288
(4) Deputy director of a board of elections;	289
(5) Member of a board of elections;	290
(6) Employees of a board of elections;	291
(7) Precinct election officials;	292
(8) Employees appointed by the boards of elections on a	293
temporary or part-time basis.	294
(V) "Acknowledgment notice" means a notice sent by a board	295
of elections, on a form prescribed by the secretary of state,	296
informing a voter registration applicant or an applicant who	297
wishes to change the applicant's residence or name of the status	298
of the application; the information necessary to complete or	299
update the application, if any; and if the application is	300
complete, the precinct in which the applicant is to vote.	301
(W) "Confirmation notice" means a notice sent by a board	302
of elections, on a form prescribed by the secretary of state, to	303
a registered elector to confirm the registered elector's current	304
address.	305
(X) "Designated agency" means an office or agency in the	306
state that provides public assistance or that provides state-	307
funded programs primarily engaged in providing services to	308
persons with disabilities and that is required by the National	309
Voter Registration Act of 1993 to implement a program designed	310
and administered by the secretary of state for registering	311
voters, or any other public or government office or agency that	312

implements a program designed and administered by the secretary 313  
of state for registering voters, including the department of job 314  
and family services, the program administered under section 315  
3701.132 of the Revised Code by the department of health, the 316  
department of mental health and addiction services, the 317  
department of developmental disabilities, the opportunities for 318  
Ohioans with disabilities agency, and any other agency the 319  
secretary of state designates. "Designated agency" does not 320  
include public high schools and vocational schools, public 321  
libraries, or the office of a county treasurer. 322

(Y) "National Voter Registration Act of 1993" means the 323  
"National Voter Registration Act of 1993," 107 Stat. 77, 42 324  
U.S.C.A. 1973gg. 325

(Z) "Voting Rights Act of 1965" means the "Voting Rights 326  
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 327

(AA) "Photo identification" means a document that meets 328  
each of the following requirements: 329

(1) It shows the name of the individual to whom it was 330  
issued, which shall conform to the name in the poll list or 331  
signature pollbook. 332

(2) It shows the current address of the individual to whom 333  
it was issued, which shall conform to the address in the poll 334  
list or signature pollbook, except for a driver's license or a 335  
state identification card issued under section 4507.50 of the 336  
Revised Code, which may show either the current or former 337  
address of the individual to whom it was issued, regardless of 338  
whether that address conforms to the address in the poll list or 339  
signature pollbook. 340

(3) It shows a photograph of the individual to whom it was 341

issued. 342

(4) It includes an expiration date that has not passed. 343

(5) It was issued by the government of the United States 344  
or this state. 345

**Sec. 3505.03.** (A) On the office type ballot shall be 346  
printed the names of all candidates for election to offices  ~~,~~ 347  
~~except judicial offices,~~ who were nominated at the most recent 348  
primary election as candidates of a political party or who were 349  
nominated in accordance with section 3513.02 of the Revised 350  
Code, and the names of all candidates for election to offices 351  
who were nominated by nominating petitions, except candidates 352  
~~for judicial offices,~~ for member of the state board of 353  
education, for member of a board of education, for municipal 354  
offices, and for township offices. 355

(B) The face of the ballot below the stub shall be 356  
substantially in the following form: 357

"OFFICIAL OFFICE TYPE BALLOT 358

~~(A)~~ (1) To vote for a candidate record your vote in the 359  
manner provided next to the name of such candidate. 360

~~(B)~~ (2) If you tear, soil, deface, or erroneously mark 361  
this ballot, return it to the precinct election officers or, if 362  
you cannot return it, notify the precinct election officers, and 363  
obtain another ballot." 364

(C) The order in which the offices shall be listed on the 365  
ballot shall be prescribed by, and certified to each board of 366  
elections by, the secretary of state; provided that for state, 367  
district, and county offices the order from top to bottom shall 368  
be as follows: governor and lieutenant governor, attorney 369

general, auditor of state, secretary of state, treasurer of 370  
state, chief justice of the supreme court, justice of the 371  
supreme court, United States senator, representative to 372  
congress, state senator, state representative, judge of the 373  
court of appeals, county commissioner, county auditor, judge of 374  
the court of common pleas, judge of the county court, 375  
prosecuting attorney, clerk of the court of common pleas, 376  
sheriff, county recorder, county treasurer, county engineer, and 377  
coroner. The offices of governor and lieutenant governor shall 378  
be printed on the ballot in a manner that requires a voter to 379  
cast one vote jointly for the candidates who have been nominated 380  
by the same political party or petition. 381

(D) Within the rectangular space within which the title of 382  
each judicial office is printed on the ballot and immediately 383  
below the title shall be printed the date of the commencement of 384  
the term of the office, if it is a full term, as follows: "Full 385  
term commencing \_\_\_\_\_ (Date) \_\_\_\_\_," or the date of the end of 386  
the term of the office, if it is an unexpired term, as follows: 387  
"Unexpired term ending \_\_\_\_\_ (Date) \_\_\_\_\_" 388

(E) (1) The names of all candidates for an office shall be 389  
arranged in a group under the title of that office, and, except 390  
for absentee ballots or when the number of candidates for a 391  
particular office is the same as the number of candidates to be 392  
elected for that office, shall be rotated from one precinct to 393  
another. On absentee ballots, the names of all candidates for an 394  
office shall be arranged in a group under the title of that 395  
office and shall be so alternated that each name shall appear, 396  
insofar as may be reasonably possible, substantially an equal 397  
number of times at the beginning, at the end, and in each 398  
intermediate place, if any, of the group in which such name 399  
belongs, unless the number of candidates for a particular office 400

is the same as the number of candidates to be elected for that office. 401  
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(2) The method of printing the ballots to meet the rotation requirement of this section shall be as follows: the least common multiple of the number of names in each of the several groups of candidates shall be used, and the number of changes made in the printer's forms in printing the ballots shall correspond with that multiple. The board of elections shall number all precincts in regular serial sequence. In the first precinct, the names of the candidates in each group shall be listed in alphabetical order. In each succeeding precinct, the name in each group that is listed first in the preceding precinct shall be listed last, and the name of each candidate shall be moved up one place. In each precinct using paper ballots, the printed ballots shall then be assembled in tablets. 403  
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~~Under~~ (F) (1) (a) Except as otherwise provided in division (F) (1) (b) of this section, under the name of each candidate nominated at a primary election, nominated by petition under section 3517.012 of the Revised Code, or certified by a party committee to fill a vacancy under section 3513.31 of the Revised Code shall be printed, in less prominent type face than that in which the candidate's name is printed, the name of the political party by which the candidate was nominated or certified. ~~Under~~ 416  
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(b) If the person is a candidate for a judicial office who has requested on the candidate's declaration of candidacy and petition, nominating petition, or written acceptance of a certification that no political party designation appear under the candidate's name, no such designation shall appear under the candidate's name. 424  
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(2) Under the name of each candidate appearing on the 430

ballot who filed a nominating petition and requested a ballot 431  
designation as a nonparty candidate under section 3513.257 of 432  
the Revised Code shall be printed, in less prominent type face 433  
than that in which the candidate's name is printed, the 434  
designation of "nonparty candidate." Under the name of each 435  
candidate appearing on the ballot who filed a nominating 436  
petition and requested a ballot designation as an other-party 437  
candidate under section 3513.257 of the Revised Code shall be 438  
printed, in less prominent type face than that in which the 439  
candidate's name is printed, the designation of "other-party 440  
candidate." No designation shall appear under the name of a 441  
candidate appearing on the ballot who filed a nominating 442  
petition and requested that no ballot designation appear under 443  
the candidate's name under section 3513.257 of the Revised Code, 444  
or who filed a nominating petition and failed to request a 445  
ballot designation either as a nonparty candidate or as an 446  
other-party candidate under that section. 447

(G) Except as provided in this section, no words, 448  
designations, or emblems descriptive of a candidate or the 449  
candidate's political affiliation, or indicative of the method 450  
by which the candidate was nominated or certified, shall be 451  
printed under or after a candidate's name that is printed on the 452  
ballot. 453

**Sec. 3505.04.** On the nonpartisan ballot shall be printed 454  
the names of all nonpartisan candidates for election to ~~judicial~~ 455  
~~office,~~ the office of member of the state board of education, 456  
the office of member of a board of education, municipal or 457  
township offices for municipal corporations and townships in 458  
which primary elections are not held for nomination of 459  
candidates by political parties, and municipal offices of 460  
municipal corporations having charters which provide for 461



separate ballots for elections for such municipal offices. 462

Such ballots shall have printed across the top, and below 463  
the stubs, "Official Nonpartisan Ballot." 464

The order in which the offices are listed on the ballot 465  
shall be prescribed by, and certified to each board of elections 466  
by, the secretary of state; provided that the office of member 467  
of the state board of education shall be listed first on the 468  
ballot, then ~~state, district, and county judicial offices shall~~ 469  
~~be listed on the ballot in such order, followed by~~ municipal and 470  
township offices  ~~,~~ and ~~by~~ offices of member of a board of 471  
education, in the order stated. 472

Within the rectangular space within which the title of 473  
each judicial office is printed on the ballot and immediately 474  
below such title shall be printed the date of the commencement 475  
of the term of the office, if a full term, as follows: "Full 476  
term commencing \_\_\_\_\_ (Date) \_\_\_\_\_," or the date of the end of 477  
the term of the office, if an unexpired term, as follows: 478  
"Unexpired term ending \_\_\_\_\_ (Date) \_\_\_\_\_" 479

The secretary of state shall prescribe the information and 480  
directions to the voter to be printed on the ballot within the 481  
rectangular space in which the title of office of member of the 482  
state board of education appears. 483

Within the rectangular space within which the title of 484  
each office for member of a board of education is printed on the 485  
ballot shall be printed "For Member of Board of Education," and 486  
the number to be elected, directions to the voter as to voting 487  
for one, two, or more, and, if the office to be voted for is 488  
member of a board of education of a city school district, words 489  
shall be printed in said space on the ballot to indicate whether 490

candidates are to be elected from subdistricts or at large. 491

The names of all nonpartisan candidates for an office 492  
shall be arranged in a group under the title of that office, and 493  
shall be rotated and printed on the ballot as provided in 494  
section 3505.03 of the Revised Code. 495

No name or designation of any political party nor any 496  
words, designations, or emblems descriptive of a candidate or 497  
~~his~~ the candidate's political affiliation, or indicative of 498  
the method by which such candidate was nominated or certified, 499  
shall be printed under or after any nonpartisan candidate's name 500  
which is printed on the ballot. 501

**Sec. 3513.07.** ~~The~~ (A) Except as otherwise provided in 502  
divisions (B) and (C) of this section, the form of declaration 503  
of candidacy and petition of a person desiring to be a candidate 504  
for a party nomination or a candidate for election to an office 505  
or position to be voted for at a primary election shall be 506  
substantially as follows: 507

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION 508

I, \_\_\_\_\_ (Name of Candidate), the 509  
undersigned, hereby declare under penalty of election 510  
falsification that my voting residence is in \_\_\_\_\_ 511  
precinct of the \_\_\_\_\_ (Township) or 512  
(Ward and City or Village) in the county of \_\_\_\_\_, 513  
Ohio; that my voting residence is \_\_\_\_\_ (Street and 514  
Number, if any, or Rural Route and Number) of the 515  
\_\_\_\_\_ (City or Village) of 516  
\_\_\_\_\_, Ohio; and that I am a qualified elector in 517  
the precinct in which my voting residence is located. I am a 518  
member of the \_\_\_\_\_ Party. I hereby declare that I desire to 519

be \_\_\_\_\_ (a candidate for nomination as a 520  
candidate of the Party for election to the office of 521  
\_\_\_\_\_) (a candidate for election to the office or 522  
position of \_\_\_\_\_) for the \_\_\_\_\_ in the state, 523  
district, (Full term or unexpired term ending \_\_\_\_\_) 524  
county, city, or village of \_\_\_\_\_, at the primary 525  
election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, 526  
and I hereby request that my name be printed upon the official 527  
primary election ballot of the said \_\_\_\_\_ Party as a 528  
candidate for \_\_\_\_\_ (such nomination) or (such election) as 529  
provided by law. 530

I further declare that, if elected to said office or 531  
position, I will qualify therefor, and that I will support and 532  
abide by the principles enunciated by the \_\_\_\_\_ Party. 533

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ 534

\_\_\_\_\_  
535  
(Signature of candidate) 536

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 537  
FELONY OF THE FIFTH DEGREE. 538

PETITION OF CANDIDATE 539

We, the undersigned, qualified electors of the state of 540  
Ohio, whose voting residence is in the county, city, village, 541  
ward, township, or school district, and precinct set opposite 542  
our names, and members of the 543  
\_\_\_\_\_ Party, hereby certify 544  
that \_\_\_\_\_ (Name of candidate) whose 545  
declaration of candidacy is filed herewith, is a member of the 546  
\_\_\_\_\_ Party, and is, in our opinion, well qualified to 547  
perform the duties of the office or position to which that 548

candidate desires to be elected.	549
Street    City,	550
and    Village or	551
Signature Number    Township    Ward    Precinct    County    Date	552
(Must use address on file with the board of elections)	553
_____	554
_____	555
_____	556
_____ (Name of	557
circulator of petition), declares under penalty of election	558
falsification that the circulator of the petition is a qualified	559
elector of the state of Ohio and resides at the address	560
appearing below the signature of that circulator; that the	561
circulator is a member of the _____ Party; that the	562
circulator is the circulator of the foregoing petition paper	563
containing _____ (Number) signatures; that the	564
circulator witnessed the affixing of every signature; that all	565
signers were to the best of the circulator's knowledge and	566
belief qualified to sign; and that every signature is to the	567
best of the circulator's knowledge and belief the signature of	568
the person whose signature it purports to be or of an attorney	569
in fact acting pursuant to section 3501.382 of the Revised Code.	570
_____	571
(Signature of circulator)	572
_____	573
(Address of circulator's	574
permanent residence in this	575

state) 576

\_\_\_\_\_ 577

(If petition is for a 578

statewide candidate, the 579

name and address of person 580

employing to circulate 581

petition, if any) 582

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 583

FELONY OF THE FIFTH DEGREE." 584

(B) The secretary of state shall prescribe a form of 585

declaration of candidacy and petition, and the form shall be 586

substantially similar to the declaration of candidacy and 587

petition set forth in division (A) of this section, that will be 588

suitable for joint candidates for the offices of governor and 589

lieutenant governor. 590

(C) The secretary of state shall prescribe a version of 591

the form of declaration of candidacy and petition set forth in 592

division (A) of this section to be used by a candidate for 593

nomination to a judicial office. The form shall include an 594

option for the candidate to request that, if the candidate is so 595

nominated, no political party designation appear under the 596

candidate's name on the ballot at the general election. 597

(D) The petition provided for in this section shall be 598

circulated only by a member of the same political party as the 599

candidate. 600

**Sec. 3513.257.** Each person desiring to become an 601

independent candidate for an office for which candidates may be 602

nominated at a primary election, except persons desiring to 603  
become independent joint candidates for the offices of governor 604  
and lieutenant governor and for the offices of president and 605  
vice-president of the United States, shall file no later than 606  
four p.m. of the day before the day of the primary election 607  
immediately preceding the general election at which such 608  
candidacy is to be voted for by the voters, a statement of 609  
candidacy and nominating petition as provided in section 610  
3513.261 of the Revised Code. Persons desiring to become 611  
independent joint candidates for the offices of governor and 612  
lieutenant governor shall file, not later than four p.m. of the 613  
day before the day of the primary election, one statement of 614  
candidacy and one nominating petition for the two of them. 615  
Persons desiring to become independent joint candidates for the 616  
offices of president and vice-president of the United States 617  
shall file, not later than four p.m. of the ninetieth day before 618  
the day of the general election at which the president and vice- 619  
president are to be elected, one statement of candidacy and one 620  
nominating petition for the two of them. The prospective 621  
independent joint candidates' statement of candidacy shall be 622  
filed with the nominating petition as one instrument. 623

The statement of candidacy and separate petition papers of 624  
each candidate or pair of joint candidates shall be filed at the 625  
same time as one instrument. 626

The nominating petition shall contain signatures of 627  
qualified electors of the district, political subdivision, or 628  
portion of a political subdivision in which the candidacy is to 629  
be voted on in an amount to be determined as follows: 630

(A) If the candidacy is to be voted on by electors 631  
throughout the entire state, the nominating petition, including 632

the nominating petition of independent joint candidates for the 633  
offices of governor and lieutenant governor, shall be signed by 634  
no less than five thousand qualified electors, provided that no 635  
petition shall be accepted for filing if it purports to contain 636  
more than fifteen thousand signatures. 637

(B) If the candidacy is to be voted on by electors in any 638  
district, political subdivision, or part thereof in which less 639  
than five thousand electors voted for the office of governor at 640  
the most recent election for that office, the nominating 641  
petition shall contain signatures of not less than twenty-five 642  
qualified electors of the district, political subdivision, or 643  
part thereof, or a number of qualified signatures equal to at 644  
least five per cent of that vote, if this number is less than 645  
twenty-five. 646

(C) If the candidacy is to be voted on by electors in any 647  
district, political subdivision, or part thereof in which five 648  
thousand or more electors voted for the office of governor at 649  
the most recent election for that office, the nominating 650  
petition shall contain a number of signatures equal to at least 651  
one per cent of those electors. 652

All nominating petitions of candidates for offices to be 653  
voted on by electors throughout the entire state shall be filed 654  
in the office of the secretary of state. No nominating petition 655  
for the offices of president and vice-president of the United 656  
States shall be accepted for filing unless there is submitted to 657  
the secretary of state, at the time of filing the petition, a 658  
slate of presidential electors sufficient in number to satisfy 659  
the requirement of the United States Constitution. The secretary 660  
of state shall not accept for filing the statement of candidacy 661  
of a person who desires to be an independent candidate for the 662

office of governor unless it also shows the joint candidacy of a 663  
person who desires to be an independent candidate for the office 664  
of lieutenant governor, shall not accept for filing the 665  
statement of candidacy of a person who desires to be an 666  
independent candidate for the office of lieutenant governor 667  
unless it also shows the joint candidacy of a person who desires 668  
to be an independent candidate for the office of governor, and 669  
shall not accept for filing the statement of candidacy of a 670  
person who desires to be an independent candidate to the office 671  
of governor or lieutenant governor who, for the same election, 672  
has already filed a declaration of candidacy, a declaration of 673  
intent to be a write-in candidate, or a statement of candidacy, 674  
or has become a candidate by the filling of a vacancy under 675  
section 3513.30 of the Revised Code for any other state office 676  
or any federal or county office. 677

Nominating petitions of candidates for offices to be voted 678  
on by electors within a district or political subdivision 679  
comprised of more than one county but less than all counties of 680  
the state shall be filed with the boards of elections of that 681  
county or part of a county within the district or political 682  
subdivision which had a population greater than that of any 683  
other county or part of a county within the district or 684  
political subdivision according to the last federal decennial 685  
census. 686

Nominating petitions for offices to be voted on by 687  
electors within a county or district smaller than a county shall 688  
be filed with the board of elections for such county. 689

No petition other than the petition of a candidate whose 690  
candidacy is to be considered by electors throughout the entire 691  
state shall be accepted for filing if it appears on its face to 692



contain more than three times the minimum required number of 693  
signatures. A board of elections shall not accept for filing a 694  
nominating petition of a person seeking to become a candidate if 695  
that person, for the same election, has already filed a 696  
declaration of candidacy, a declaration of intent to be a write- 697  
in candidate, or a nominating petition, or has become a 698  
candidate by the filling of a vacancy under section 3513.30 of 699  
the Revised Code for any federal, state, or county office, if 700  
the nominating petition is for a state or county office, or for 701  
any municipal or township office, for member of a city, local, 702  
or exempted village board of education, or for member of a 703  
governing board of an educational service center, if the 704  
nominating petition is for a municipal or township office, or 705  
for member of a city, local, or exempted village board of 706  
education, or for member of a governing board of an educational 707  
service center. When a petition of a candidate has been accepted 708  
for filing by a board of elections, the petition shall not be 709  
deemed invalid if, upon verification of signatures contained in 710  
the petition, the board of elections finds the number of 711  
signatures accepted exceeds three times the minimum number of 712  
signatures required. A board of elections may discontinue 713  
verifying signatures when the number of verified signatures on a 714  
petition equals the minimum required number of qualified 715  
signatures. 716

Any ~~nonjudicial~~ candidate who files a nominating petition 717  
may request, at the time of filing, that the candidate be 718  
designated on the ballot as a nonparty candidate or as an other- 719  
party candidate, or may request that the candidate's name be 720  
placed on the ballot without any designation. Any such candidate 721  
who fails to request a designation either as a nonparty 722  
candidate or as an other-party candidate shall have the 723

candidate's name placed on the ballot without any designation. 724

The purpose of establishing a filing deadline for 725  
independent candidates prior to the primary election immediately 726  
preceding the general election at which the candidacy is to be 727  
voted on by the voters is to recognize that the state has a 728  
substantial and compelling interest in protecting its electoral 729  
process by encouraging political stability, ensuring that the 730  
winner of the election will represent a majority of the 731  
community, providing the electorate with an understandable 732  
ballot, and enhancing voter education, thus fostering informed 733  
and educated expressions of the popular will in a general 734  
election. The filing deadline for independent candidates 735  
required in this section prevents splintered parties and 736  
unrestrained factionalism, avoids political fragmentation, and 737  
maintains the integrity of the ballot. The deadline, one day 738  
prior to the primary election, is the least drastic or 739  
restrictive means of protecting these state interests. The 740  
general assembly finds that the filing deadline for independent 741  
candidates in primary elections required in this section is 742  
reasonably related to the state's purpose of ensuring fair and 743  
honest elections while leaving unimpaired the political, voting, 744  
and associational rights secured by the first and fourteenth 745  
amendments to the United States Constitution. 746

**Sec. 3513.31.** (A) If a person nominated in a primary 747  
election as a candidate for election at the next general 748  
election, whose candidacy is to be submitted to the electors of 749  
the entire state, withdraws as that candidate or is disqualified 750  
as that candidate under section 3513.052 of the Revised Code, 751  
the vacancy in the party nomination so created may be filled by 752  
the state central committee of the major political party that 753  
made the nomination at the primary election, if the committee's 754

chairperson and secretary certify the name of the person 755  
selected to fill the vacancy by the time specified in this 756  
division, at a meeting called for that purpose. The meeting 757  
shall be called by the chairperson of that committee, who shall 758  
give each member of the committee at least two days' notice of 759  
the time, place, and purpose of the meeting. If a majority of 760  
the members of the committee are present at the meeting, a 761  
majority of those present may select a person to fill the 762  
vacancy. The chairperson and secretary of the meeting shall 763  
certify in writing and under oath to the secretary of state, not 764  
later than the eighty-sixth day before the day of the general 765  
election, the name of the person selected to fill the vacancy. 766  
The certification must be accompanied by the written acceptance 767  
of the nomination by the person whose name is certified. A 768  
vacancy in a party nomination that may be filled by a minor 769  
political party shall be filled in accordance with the party's 770  
rules by authorized officials of the party. Certification must 771  
be made as in the manner provided for a major political party. 772

(B) If a person nominated in a primary election as a party 773  
candidate for election at the next general election, whose 774  
candidacy is to be submitted to the electors of a district 775  
comprised of more than one county but less than all of the 776  
counties of the state, withdraws as that candidate or is 777  
disqualified as that candidate under section 3513.052 of the 778  
Revised Code, the vacancy in the party nomination so created may 779  
be filled by a district committee of the major political party 780  
that made the nomination at the primary election, if the 781  
committee's chairperson and secretary certify the name of the 782  
person selected to fill the vacancy by the time specified in 783  
this division, at a meeting called for that purpose. The 784  
district committee shall consist of the chairperson and 785

secretary of the county central committee of such political 786  
party in each county in the district. The district committee 787  
shall be called by the chairperson of the county central 788  
committee of such political party of the most populous county in 789  
the district, who shall give each member of the district 790  
committee at least two days' notice of the time, place, and 791  
purpose of the meeting. If a majority of the members of the 792  
district committee are present at the district committee 793  
meeting, a majority of those present may select a person to fill 794  
the vacancy. The chairperson and secretary of the meeting shall 795  
certify in writing and under oath to the board of elections of 796  
the most populous county in the district, not later than four 797  
p.m. of the eighty-sixth day before the day of the general 798  
election, the name of the person selected to fill the vacancy. 799  
The certification must be accompanied by the written acceptance 800  
of the nomination by the person whose name is certified. A 801  
vacancy in a party nomination that may be filled by a minor 802  
political party shall be filled in accordance with the party's 803  
rules by authorized officials of the party. Certification must 804  
be made as in the manner provided for a major political party. 805

(C) If a person nominated in a primary election as a party 806  
candidate for election at the next general election, whose 807  
candidacy is to be submitted to the electors of a county, 808  
withdraws as that candidate or is disqualified as that candidate 809  
under section 3513.052 of the Revised Code, the vacancy in the 810  
party nomination so created may be filled by the county central 811  
committee of the major political party that made the nomination 812  
at the primary election, or by the county executive committee if 813  
so authorized, if the committee's chairperson and secretary 814  
certify the name of the person selected to fill the vacancy by 815  
the time specified in this division, at a meeting called for 816

that purpose. The meeting shall be called by the chairperson of 817  
that committee, who shall give each member of the committee at 818  
least two days' notice of the time, place, and purpose of the 819  
meeting. If a majority of the members of the committee are 820  
present at the meeting, a majority of those present may select a 821  
person to fill the vacancy. The chairperson and secretary of the 822  
meeting shall certify in writing and under oath to the board of 823  
that county, not later than four p.m. of the eighty-sixth day 824  
before the day of the general election, the name of the person 825  
selected to fill the vacancy. The certification must be 826  
accompanied by the written acceptance of the nomination by the 827  
person whose name is certified. A vacancy in a party nomination 828  
that may be filled by a minor political party shall be filled in 829  
accordance with the party's rules by authorized officials of the 830  
party. Certification must be made as in the manner provided for 831  
a major political party. 832

(D) If a person nominated in a primary election as a party 833  
candidate for election at the next general election, whose 834  
candidacy is to be submitted to the electors of a district 835  
within a county, withdraws as that candidate or is disqualified 836  
as that candidate under section 3513.052 of the Revised Code, 837  
the vacancy in the party nomination so created may be filled by 838  
a district committee consisting of those members of the county 839  
central committee or, if so authorized, those members of the 840  
county executive committee in that county of the major political 841  
party that made the nomination at the primary election who 842  
represent the precincts or the wards and townships within the 843  
district, if the committee's chairperson and secretary certify 844  
the name of the person selected to fill the vacancy by the time 845  
specified in this division, at a meeting called for that 846  
purpose. The district committee meeting shall be called by the 847

chairperson of the county central committee or executive 848  
committee, as appropriate, who shall give each member of the 849  
district committee at least two days' notice of the time, place, 850  
and purpose of the meeting. If a majority of the members of the 851  
district committee are present at the district committee 852  
meeting, a majority of those present may select a person to fill 853  
the vacancy. The chairperson and secretary of the district 854  
committee meeting shall certify in writing and under oath to the 855  
board of the county, not later than four p.m. of the eighty- 856  
sixth day before the day of the general election, the name of 857  
the person selected to fill the vacancy. The certification must 858  
be accompanied by the written acceptance of the nomination by 859  
the person whose name is certified. A vacancy in a party 860  
nomination that may be filled by a minor political party shall 861  
be filled in accordance with the party's rules by authorized 862  
officials of the party. Certification must be made as in the 863  
manner provided for a major political party. 864

(E) If a person nominated in a primary election as a party 865  
candidate for election at the next general election, whose 866  
candidacy is to be submitted to the electors of a subdivision 867  
within a county, withdraws as that candidate or is disqualified 868  
as that candidate under section 3513.052 of the Revised Code, 869  
the vacancy in the party nomination so created may be filled by 870  
a subdivision committee consisting of those members of the 871  
county central committee or, if so authorized, those members of 872  
the county executive committee in that county of the major 873  
political party that made the nomination at that primary 874  
election who represent the precincts or the wards and townships 875  
within that subdivision, if the committee's chairperson and 876  
secretary certify the name of the person selected to fill the 877  
vacancy by the time specified in this division, at a meeting 878

called for that purpose. 879

The subdivision committee meeting shall be called by the 880  
chairperson of the county central committee or executive 881  
committee, as appropriate, who shall give each member of the 882  
subdivision committee at least two days' notice of the time, 883  
place, and purpose of the meeting. If a majority of the members 884  
of the subdivision committee are present at the subdivision 885  
committee meeting, a majority of those present may select a 886  
person to fill the vacancy. The chairperson and secretary of the 887  
subdivision committee meeting shall certify in writing and under 888  
oath to the board of the county, not later than four p.m. of the 889  
eighty-sixth day before the day of the general election, the 890  
name of the person selected to fill the vacancy. The 891  
certification must be accompanied by the written acceptance of 892  
the nomination by the person whose name is certified. A vacancy 893  
in a party nomination that may be filled by a minor political 894  
party shall be filled in accordance with the party's rules by 895  
authorized officials of the party. Certification must be made in 896  
the manner provided for a major political party. 897

(F) If a person nominated by petition as an independent or 898  
nonpartisan candidate for election at the next general election 899  
withdraws as that candidate or is disqualified as that candidate 900  
under section 3513.052 of the Revised Code, the vacancy so 901  
created may be filled by a majority of the committee of five, as 902  
designated on the candidate's nominating petition, if a member 903  
of that committee certifies in writing and under oath to the 904  
election officials with whom the candidate filed the candidate's 905  
nominating petition, not later than the eighty-sixth day before 906  
the day of the general election, the name of the person selected 907  
to fill the vacancy. The certification shall be accompanied by 908  
the written acceptance of the nomination by the person whose 909

name is certified and shall be made in the manner provided for a 910  
major political party. 911

(G) If a person nominated in a primary election or 912  
nominated by petition under section 3517.012 of the Revised Code 913  
as a party candidate for election at the next general election 914  
dies, the vacancy so created may be filled by the same committee 915  
in the same manner as provided in this section for the filling 916  
of similar vacancies created by withdrawals or disqualifications 917  
under section 3513.052 of the Revised Code, except that the 918  
certification, when filling a vacancy created by death, may not 919  
be filed with the secretary of state, or with a board of the 920  
most populous county of a district, or with the board of a 921  
county in which the major portion of the population of a 922  
subdivision is located, later than four p.m. of the tenth day 923  
before the day of such general election, or with any other board 924  
later than four p.m. of the fifth day before the day of such 925  
general election. 926

(H) If a person nominated by petition as an independent or 927  
nonpartisan candidate for election at the next general election 928  
dies prior to the tenth day before the day of that general 929  
election, the vacancy so created may be filled by a majority of 930  
the committee of five designated in the nominating petition to 931  
represent the candidate named in it. To fill the vacancy a 932  
member of the committee shall, not later than four p.m. of the 933  
fifth day before the day of the general election, file with the 934  
election officials with whom the petition nominating the person 935  
was filed, a certificate signed and sworn to under oath by a 936  
majority of the members, designating the person they select to 937  
fill the vacancy. The certification must be accompanied by the 938  
written acceptance of the nomination by the person whose name is 939  
so certified. 940



(I) If a person holding an elective office dies or resigns 941  
subsequent to the one hundred fifteenth day before the day of a 942  
primary election and prior to the eighty-sixth day before the 943  
day of the next general election, and if, under the laws of this 944  
state, a person may be elected at that general election to fill 945  
the unexpired term of the person who has died or resigned, the 946  
appropriate committee of each political party, acting as in the 947  
case of a vacancy in a party nomination, as provided in 948  
divisions (A) to (D) of this section, may select a person as the 949  
party candidate for election for such unexpired term at that 950  
general election, and certify the person's name to the 951  
appropriate election official not later than four p.m. on the 952  
eighty-sixth day before the day of that general election, or on 953  
the tenth day following the day on which the vacancy occurs, 954  
whichever is later. When the vacancy occurs on or subsequent to 955  
the eighty-sixth day and six or more days prior to the fortieth 956  
day before the general election, the appropriate committee may 957  
select a person as the party candidate and certify the person's 958  
name, as provided in the preceding sentence, not later than four 959  
p.m. on the tenth day following the day on which the vacancy 960  
occurs. When the vacancy occurs fewer than six days before the 961  
fortieth day before the general election, the deadline for 962  
filing shall be four p.m. on the thirty-sixth day before the 963  
general election. Thereupon the name shall be printed as the 964  
party candidate under proper titles and in the proper place on 965  
the proper ballots for use at the election. If a person has been 966  
nominated in a primary election or nominated by petition under 967  
section 3517.012 of the Revised Code, the authorized committee 968  
of that political party shall not select and certify a person as 969  
the party candidate. 970

(J) Each person desiring to become an independent 971

candidate to fill the unexpired term shall file a statement of 972  
candidacy and nominating petition, as provided in section 973  
3513.261 of the Revised Code, with the appropriate election 974  
official not later than four p.m. on the tenth day following the 975  
day on which the vacancy occurs, provided that when the vacancy 976  
occurs fewer than six days before the fifty-sixth day before the 977  
general election, the deadline for filing shall be four p.m. on 978  
the fiftieth day before the general election. The nominating 979  
petition shall contain at least seven hundred fifty signatures 980  
and no more than one thousand five hundred signatures of 981  
qualified electors of the district, political subdivision, or 982  
portion of a political subdivision in which the office is to be 983  
voted upon, or the amount provided for in section 3513.257 of 984  
the Revised Code, whichever is less. 985

(K) When a person nominated as a candidate by a political 986  
party in a primary election or by nominating petition for an 987  
elective office for which candidates are nominated at a party 988  
primary election withdraws, dies, or is disqualified under 989  
section 3513.052 of the Revised Code prior to the general 990  
election, the appropriate committee of any other major political 991  
party or committee of five that has not nominated a candidate 992  
for that office, or whose nominee as a candidate for that office 993  
has withdrawn, died, or been disqualified without the vacancy so 994  
created having been filled, may, acting as in the case of a 995  
vacancy in a party nomination or nomination by petition as 996  
provided in divisions (A) to (F) of this section, whichever is 997  
appropriate, select a person as a candidate of that party or of 998  
that committee of five for election to the office. 999

(L) A person who is nominated as a party candidate for a 1000  
judicial office by certification under this section may include 1001  
on the person's written acceptance of the nomination a request 1002

that no political party designation appear under the person's 1003  
name on the ballot at the general election. 1004

**Sec. 3517.012.** (A) (1) When a party formation petition 1005  
meeting the requirements of section 3517.01 of the Revised Code 1006  
declaring the intention to organize a political party is filed 1007  
with the secretary of state, the new party comes into legal 1008  
existence on the date of filing and is entitled to nominate 1009  
candidates to appear on the ballot at the general election held 1010  
in even-numbered years that occurs more than one hundred twenty- 1011  
five days after the date of filing. 1012

(2) (a) Upon receiving a party formation petition filed 1013  
under division (A) (1) of this section, the secretary of state 1014  
shall promptly transmit to each board of elections the separate 1015  
petition papers that purport to contain signatures of electors 1016  
of that board's county. 1017

(b) Not later than the one hundred eighteenth day before 1018  
the day of the general election, each board shall examine and 1019  
determine the sufficiency of the signatures on the petition 1020  
papers and shall return them to the secretary of state, together 1021  
with the board's certification of its determination as to the 1022  
validity or invalidity of the signatures on the petition. 1023

(c) Any qualified elector may file a written protest 1024  
against the petition with the secretary of state not later than 1025  
the one hundred fourteenth day before the day of the general 1026  
election. Any such protest shall be resolved in the manner 1027  
specified under section 3501.39 of the Revised Code. 1028

(d) Not later than the ninety-fifth day before the day of 1029  
the general election, the secretary of state shall determine 1030  
whether the party formation petition is sufficient and shall 1031

notify the committee designated in the petition of that 1032  
determination. 1033

(B) (1) (a) Not later than one hundred ten days before the 1034  
day of that general election and not earlier than the day the 1035  
applicable party formation petition is filed, each candidate or 1036  
pair of joint candidates wishing to appear on the ballot at the 1037  
general election as the nominee or nominees of the party that 1038  
filed the party formation petition shall file a nominating 1039  
petition, on a form prescribed by the secretary of state, that 1040  
includes the name of the political party that submitted the 1041  
party formation petition. ~~Except~~ 1042

(b) The secretary of state shall prescribe a version of 1043  
the nominating petition form to be used by a candidate for a 1044  
judicial office. The form shall include a space for the 1045  
candidate to request that, if the candidate appears on the 1046  
ballot at the general election, no political party designation 1047  
appear under the candidate's name on the ballot. 1048

(c) Except as otherwise provided in this section and 1049  
sections 3505.03, 3505.08, 3506.11, 3513.31, 3513.311, and 1050  
3513.312 of the Revised Code, the provisions of the Revised Code 1051  
concerning independent candidates who file nominating petitions 1052  
apply to candidates who file nominating petitions under this 1053  
section. 1054

(2) (a) If the candidacy is to be submitted to electors 1055  
throughout the entire state, the nominating petition, including 1056  
a petition for joint candidates for the offices of governor and 1057  
lieutenant governor, shall be signed by at least fifty qualified 1058  
electors who have not voted as a member of a different political 1059  
party at any primary election within the current year or the 1060  
immediately preceding two calendar years. 1061

(b) ~~Except as otherwise provided in this division, if~~ If 1062  
the candidacy is to be submitted only to electors within a 1063  
district, political subdivision, or portion thereof, the 1064  
nominating petition shall be signed by not less than five 1065  
qualified electors who have not voted as a member of a different 1066  
political party at any primary election within the current year 1067  
or the immediately preceding two calendar years. 1068

(3) (a) Each board of elections that is responsible to 1069  
verify signatures on the nominating petition shall examine and 1070  
determine the sufficiency of those signatures not later than the 1071  
one hundred fifth day before the day of the general election 1072  
~~and shall be resolved as specified in that section .~~ 1073

(b) Written protests against the petition may be filed in 1074  
the manner specified under section 3513.263 of the Revised Code 1075  
not later than the one hundredth day before the general election 1076  
and shall be resolved as specified in that section. 1077

(c) Not later than the ninety-fifth day before the day of 1078  
the general election, the secretary of state or the board of 1079  
elections, as applicable, shall determine whether the nominating 1080  
petition is sufficient and shall notify the candidate and the 1081  
committee designated in the party formation petition of that 1082  
determination. 1083

(C) (1) After being notified that the political party has 1084  
submitted a sufficient party formation petition under division 1085  
(A) of this section, the committee designated in a party 1086  
formation petition shall, not later than the seventy-fifth day 1087  
before the day of the general election, certify to the secretary 1088  
of state a slate of candidates consisting of candidates or joint 1089  
candidates who submitted sufficient nominating petitions under 1090  
division (B) of this section. The slate certifying the 1091

candidates shall be on a form prescribed by the secretary of 1092  
state and signed by all of the individuals of the committee 1093  
designated in the party formation petition. In no event shall 1094  
the slate of candidates include more than one candidate for any 1095  
public office or more than one set of joint candidates for the 1096  
offices of governor and lieutenant governor. The names of the 1097  
candidates or joint candidates so certified shall appear on the 1098  
ballot at the general election as that party's nominees for 1099  
those offices. For purposes of this division, "joint candidates" 1100  
means the joint candidates for the offices of governor and 1101  
lieutenant governor. 1102

(2) If a candidate's nominating petition is insufficient 1103  
or if the committee does not certify the candidate's name under 1104  
division (C)(1) of this section, the candidate shall not appear 1105  
on the ballot in the general election. 1106

(3) If a party formation petition is insufficient, no 1107  
candidate shall appear on the ballot in the general election as 1108  
that political party's nominee, regardless of whether any 1109  
candidate's nominating petition is sufficient. 1110

**Section 2.** That existing sections 1901.07, 3501.01, 1111  
3505.03, 3505.04, 3513.07, 3513.257, 3513.31, and 3517.012 of 1112  
the Revised Code are hereby repealed. 1113

**Section 3.** Section 1901.07 of the Revised Code is 1114  
presented in this act as a composite of the section as amended 1115  
by both H.B. 215 and S.B. 25 of the 132nd General Assembly. The 1116  
General Assembly, applying the principle stated in division (B) 1117  
of section 1.52 of the Revised Code that amendments are to be 1118  
harmonized if reasonably capable of simultaneous operation, 1119  
finds that the composite is the resulting version of the section 1120  
in effect prior to the effective date of the section as 1121

presented in this act.

1122