

As Reported by the House State and Local Government Committee

133rd General Assembly

Regular Session

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H. B. No. 460

Representatives Hambley, Skindell

Cosponsors: Representatives Jones, Kick, O'Brien, Keller, Wiggam, Smith, T.

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 party for election to the office, and the candidates shall be issued certificates of nomination in the manner set forth in section 3513.02 of the Revised Code.

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

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

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

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

(Signature of candidate) 535
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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
<u>(B)</u> 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 <u>division (A) of this section</u> , that will be	588
suitable for joint candidates for the offices of governor and	589
lieutenant governor.	590
<u>(C) The secretary of state shall prescribe a version of</u>	591
<u>the form of declaration of candidacy and petition set forth in</u>	592
<u>division (A) of this section to be used by a candidate for</u>	593
<u>nomination to a judicial office. The form shall include an</u>	594
<u>option for the candidate to request that, if the candidate is so</u>	595
<u>nominated, no political party designation appear under the</u>	596
<u>candidate's name on the ballot at the general election.</u>	597
<u>(D)</u> 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