

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**S. B. No. 42**

**Senator Dolan**

**Cosponsors: Senators Roegner, Hackett, Maharath, Huffman, S.**

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**A BILL**

To amend sections 3505.03, 3505.04, and 3513.13 of 1  
the Revised Code to require uncontested races to 2  
appear at the end of an election ballot. 3

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

**Section 1.** That sections 3505.03, 3505.04, and 3513.13 of 4  
the Revised Code be amended to read as follows: 5

**Sec. 3505.03.** On the office type ballot shall be printed 6  
the names of all candidates for election to offices, except 7  
judicial offices, who were nominated at the most recent primary 8  
election as candidates of a political party or who were 9  
nominated in accordance with section 3513.02 of the Revised 10  
Code, and the names of all candidates for election to offices 11  
who were nominated by nominating petitions, except candidates 12  
for judicial offices, for member of the state board of 13  
education, for member of a board of education, for municipal 14  
offices, and for township offices. 15

The face of the ballot below the stub shall be 16  
substantially in the following form: 17

"OFFICIAL OFFICE TYPE BALLOT 18

(A) To vote for a candidate record your vote in the manner 19  
provided next to the name of such candidate. 20

(B) If you tear, soil, deface, or erroneously mark this 21  
ballot, return it to the precinct election officers or, if you 22  
cannot return it, notify the precinct election officers, and 23  
obtain another ballot." 24

The order in which the offices shall be listed on the 25  
ballot shall be prescribed by, and certified to each board of 26  
elections by, the secretary of state; ~~provided that for~~. Except 27  
as otherwise provided in this paragraph, the order for state, 28  
district, and county offices ~~the order~~ from top to bottom shall 29  
be as follows: governor and lieutenant governor, attorney 30  
general, auditor of state, secretary of state, treasurer of 31  
state, United States senator, representative to congress, state 32  
senator, state representative, county commissioner, county 33  
auditor, prosecuting attorney, clerk of the court of common 34  
pleas, sheriff, county recorder, county treasurer, county 35  
engineer, and coroner. The offices of governor and lieutenant 36  
governor shall be printed on the ballot in a manner that 37  
requires a voter to cast one vote jointly for the candidates who 38  
have been nominated by the same political party or petition. 39  
Offices for which the number of candidates is the same as the 40  
number of candidates to be elected shall be listed at the end of 41  
the ballot in the order listed above. 42

The names of all candidates for an office shall be 43  
arranged in a group under the title of that office, and, except 44  
for absentee ballots or when the number of candidates for a 45  
particular office is the same as the number of candidates to be 46  
elected for that office, shall be rotated from one precinct to 47  
another. On absentee ballots, the names of all candidates for an 48

office shall be arranged in a group under the title of that 49  
office and shall be so alternated that each name shall appear, 50  
insofar as may be reasonably possible, substantially an equal 51  
number of times at the beginning, at the end, and in each 52  
intermediate place, if any, of the group in which such name 53  
belongs, unless the number of candidates for a particular office 54  
is the same as the number of candidates to be elected for that 55  
office. 56

The method of printing the ballots to meet the rotation 57  
requirement of this section shall be as follows: the least 58  
common multiple of the number of names in each of the several 59  
groups of candidates shall be used, and the number of changes 60  
made in the printer's forms in printing the ballots shall 61  
correspond with that multiple. The board of elections shall 62  
number all precincts in regular serial sequence. In the first 63  
precinct, the names of the candidates in each group shall be 64  
listed in alphabetical order. In each succeeding precinct, the 65  
name in each group that is listed first in the preceding 66  
precinct shall be listed last, and the name of each candidate 67  
shall be moved up one place. In each precinct using paper 68  
ballots, the printed ballots shall then be assembled in tablets. 69

Under the name of each candidate nominated at a primary 70  
election, nominated by petition under section 3517.012 of the 71  
Revised Code, or certified by a party committee to fill a 72  
vacancy under section 3513.31 of the Revised Code shall be 73  
printed, in less prominent type face than that in which the 74  
candidate's name is printed, the name of the political party by 75  
which the candidate was nominated or certified. Under the name 76  
of each candidate appearing on the ballot who filed a nominating 77  
petition and requested a ballot designation as a nonparty 78  
candidate under section 3513.257 of the Revised Code shall be 79

printed, in less prominent type face than that in which the 80  
candidate's name is printed, the designation of "nonparty 81  
candidate." Under the name of each candidate appearing on the 82  
ballot who filed a nominating petition and requested a ballot 83  
designation as an other-party candidate under section 3513.257 84  
of the Revised Code shall be printed, in less prominent type 85  
face than that in which the candidate's name is printed, the 86  
designation of "other-party candidate." No designation shall 87  
appear under the name of a candidate appearing on the ballot who 88  
filed a nominating petition and requested that no ballot 89  
designation appear under the candidate's name under section 90  
3513.257 of the Revised Code, or who filed a nominating petition 91  
and failed to request a ballot designation either as a nonparty 92  
candidate or as an other-party candidate under that section. 93

Except as provided in this section, no words, 94  
designations, or emblems descriptive of a candidate or the 95  
candidate's political affiliation, or indicative of the method 96  
by which the candidate was nominated or certified, shall be 97  
printed under or after a candidate's name that is printed on the 98  
ballot. 99

**Sec. 3505.04.** On the nonpartisan ballot shall be printed 100  
the names of all nonpartisan candidates for election to judicial 101  
office, office of member of the state board of education, office 102  
of member of a board of education, municipal or township offices 103  
for municipal corporations and townships in which primary 104  
elections are not held for nomination of candidates by political 105  
parties, and municipal offices of municipal corporations having 106  
charters which provide for separate ballots for elections for 107  
such municipal offices. 108

Such ballots shall have printed across the top, and below 109

the stubs, "Official Nonpartisan Ballot." 110

The order in which the offices are listed on the ballot 111  
shall be prescribed by, and certified to each board of elections 112  
by, the secretary of state, ~~provided that~~. Except as otherwise 113  
provided in this paragraph, the office of member of the state 114  
board of education shall be listed first on the ballot, then 115  
state, district, and county judicial offices shall be listed on 116  
the ballot in such order, followed by municipal and township 117  
offices, and by offices of member of a board of education, in 118  
the order stated. Offices for which the number of candidates is 119  
the same as the number of candidates to be elected shall be 120  
listed at the end of the ballot in the order listed above. 121

Within the rectangular space within which the title of 122  
each judicial office is printed on the ballot and immediately 123  
below such title shall be printed the date of the commencement 124  
of the term of the office, if a full term, as follows: "Full 125  
term commencing .....(Date).....," or the date of the end of 126  
the term of the office, if an unexpired term, as follows: 127  
"Unexpired term ending .....(Date)....." 128

The secretary of state shall prescribe the information and 129  
directions to the voter to be printed on the ballot within the 130  
rectangular space in which the title of office of member of the 131  
state board of education appears. 132

Within the rectangular space within which the title of 133  
each office for member of a board of education is printed on the 134  
ballot shall be printed "For Member of Board of Education," and 135  
the number to be elected, directions to the voter as to voting 136  
for one, two, or more, and, if the office to be voted for is 137  
member of a board of education of a city school district, words 138  
shall be printed in said space on the ballot to indicate whether 139

candidates are to be elected from subdistricts or at large. 140

The names of all nonpartisan candidates for an office 141  
shall be arranged in a group under the title of that office, and 142  
shall be rotated and printed on the ballot as provided in 143  
section 3505.03 of the Revised Code. 144

No name or designation of any political party nor any 145  
words, designations, or emblems descriptive of a candidate or 146  
~~his~~ the candidate's political affiliation, or indicative of the 147  
method by which such candidate was nominated or certified, shall 148  
be printed under or after any nonpartisan candidate's name which 149  
is printed on the ballot. 150

**Sec. 3513.13.** Separate primary election ballots shall be 151  
provided by the board of elections for each political party 152  
having candidates for nomination or election in a primary 153  
election. Section 3505.08 of the Revised Code governing the kind 154  
of paper, the kind of ink, and the size and style of type to be 155  
used in the printing of ballots for general elections shall 156  
apply in the printing of ballots for primary elections. 157

Primary election ballots shall have printed on the back 158  
thereof "Official ..... (name of party) ..... 159  
primary ballot," the date of the election, and the facsimile 160  
signatures of the members of the board. 161

Such ballots shall have stubs attached at the top thereof 162  
as required on ballots for general elections. 163

On the back of every ballot used there shall be a solid 164  
black line printed opposite the blank rectangular space that is 165  
used to mark the choice of the voter. This line shall be printed 166  
wide enough so that the mark in the blank rectangular space will 167  
not be visible from the back side of the ballot. 168

Such ballots shall have printed at the top thereof and 169  
below the stubs "Official ..... (name of party) ..... 170  
primary ballot" and instructions to the voter to the effect that 171  
to vote for a candidate the voter shall record the vote in the 172  
manner provided on the ballot next to the name of such 173  
candidate, except as provided in section 3513.151 of the Revised 174  
Code, and that if he a voter who tears, soils, defaces, or 175  
erroneously marks the ballot ~~he~~ may return it to the precinct 176  
election officers and obtain another ballot. 177

Except as provided in section 3513.151 of the Revised 178  
Code, primary election ballots shall contain the names of all 179  
persons whose declarations of candidacy and petitions have been 180  
determined to be valid. The name of each candidate for 181  
nomination for, or election to, an office or position shall be 182  
printed in an enclosed rectangular space at the left of which an 183  
enclosed blank rectangular space shall be provided. The names of 184  
candidates shall be printed on the ballot immediately below the 185  
title of the office or position for nomination or election to 186  
which the candidate seeks nomination or election. The order in 187  
which offices and positions shall be listed on the ballot shall 188  
be prescribed by and shall be certified to each board by the 189  
secretary of state, and shall be the same, to the extent the 190  
secretary of state deems practicable, as is provided for the 191  
listing of offices on general election ballots. Except as 192  
otherwise provided in section 3513.02 of the Revised Code, 193  
offices for which the number of candidates for the nomination of 194  
a political party is the same as the number of candidates to be 195  
nominated shall be listed at the end of the ballot in the order 196  
prescribed by the secretary of state. 197

**Section 2.** That existing sections 3505.03, 3505.04, and 198  
3513.13 of the Revised Code are hereby repealed. 199