

H. B. No. 471  
As Introduced

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, delete the first "and" and insert ","; after 1  
"3513.05" insert ", 3513.06, 3513.07, 3513.261, and 3513.271" 2

In line 5 of the title, after "grounds" insert "and to provide space 3  
on candidacy forms for former names" 4

In line 6, delete "and" and insert ","; after "3513.05" insert ", 5  
3513.06, 3513.07, 3513.261, and 3513.271" 6

After line 339, insert: 7

"Sec. 3513.06. If any person desiring to become a 8  
candidate for public office has had a change of name within five 9  
years immediately preceding the filing of the person's 10  
declaration of candidacy, the person's declaration of candidacy 11  
and petition shall both contain, immediately following the 12  
person's present name, on a space provided for the purpose, the 13  
person's former names. Any person who has been elected under the 14  
person's changed name, without submission of the person's former 15  
name, shall be immediately suspended from the office and the 16  
office declared vacated, and shall be liable to the state for 17



any salary ~~he~~ the person has received while holding such office. 18  
The attorney general in the case of candidates for state 19  
offices, the prosecuting attorney of the most populous county in 20  
a district in the case of candidates for district offices, and 21  
the prosecuting attorney of the county in the case of all other 22  
candidates shall institute necessary action to enforce this 23  
section. 24

This section does not apply to a change of name by reason 25  
of marriage; to a candidate for a state office who has once 26  
complied with this section and who has previously been elected 27  
to a state office; to a candidate for a district office who has 28  
once complied with this section and who has previously been 29  
elected to a state or district office; to a candidate for a 30  
county office who has once complied with this section and has 31  
previously been elected to a state, district, or county office; 32  
to a candidate for a municipal office who has once complied with 33  
this section and has previously been elected to a municipal 34  
office; or to a candidate for a township office who has once 35  
complied with this section and has previously been elected to a 36  
township office; provided that such previous election was one at 37  
which ~~his~~ the candidate's candidacy complied with this section. 38

**Sec. 3513.07.** The form of declaration of candidacy and 39  
petition of a person desiring to be a candidate for a party 40  
nomination or a candidate for election to an office or position 41  
to be voted for at a primary election shall be substantially as 42  
follows: 43

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION 44

I, \_\_\_\_\_ (Name of Candidate), the 45  
undersigned, formerly \_\_\_\_\_ (any former 46  
names used by the Candidate within the last five years, except 47

where the change of name was the result of marriage), hereby 48  
declare under penalty of election falsification that my voting 49  
residence is in \_\_\_\_\_ precinct of the 50  
\_\_\_\_\_ (Township) or (Ward and City or 51  
Village) in the county of \_\_\_\_\_, Ohio; that my voting 52  
residence is \_\_\_\_\_ (Street and Number, if any, or 53  
Rural Route and Number) of the \_\_\_\_\_ 54  
(City or Village) of \_\_\_\_\_, Ohio; and that I am a 55  
qualified elector in the precinct in which my voting residence 56  
is located. I am a member of the \_\_\_\_\_ Party. I hereby 57  
declare that I desire to be \_\_\_\_\_ (a candidate 58  
for nomination as a candidate of the Party for election to the 59  
office of \_\_\_\_\_) (a candidate for election to the office 60  
or position of \_\_\_\_\_) for the \_\_\_\_\_ in the 61  
state, district, (Full term or unexpired term ending 62  
\_\_\_\_\_) county, city, or village of 63  
\_\_\_\_\_, at the primary election to be held on the 64  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and I hereby request that 65  
my name be printed upon the official primary election ballot of 66  
the said \_\_\_\_\_ Party as a candidate for \_\_\_\_\_ (such 67  
nomination) or (such election) as provided by law. 68

I further declare that, if elected to said office or 69  
position, I will qualify therefor, and that I will support and 70  
abide by the principles enunciated by the \_\_\_\_\_ Party. 71

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ 72

\_\_\_\_\_  
(Signature of candidate) 74

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 75  
FELONY OF THE FIFTH DEGREE. 76

PETITION OF CANDIDATE

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We, the undersigned, qualified electors of the state of Ohio, whose voting residence is in the county, city, village, ward, township, or school district, and precinct set opposite our names, and members of the

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\_\_\_\_\_ Party, hereby certify that \_\_\_\_\_ (Name of candidate), formerly \_\_\_\_\_ (any former names used by the candidate within the last five years, except where the change of name was the result of marriage), whose declaration of candidacy is filed herewith, is a member of the \_\_\_\_\_ Party, and is, in our opinion, well qualified to perform the duties of the office or position to which that candidate desires to be elected.

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Street City,

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and Village or

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Signature Number Township Ward Precinct County Date

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(Must use address on file with the board of elections)

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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\_\_\_\_\_ (Name of circulator of petition), declares under penalty of election falsification that the circulator of the petition is a qualified elector of the state of Ohio and resides at the address appearing below the signature of that circulator; that the circulator is a member of the \_\_\_\_\_ Party; that the circulator is the circulator of the foregoing petition paper containing \_\_\_\_\_ (Number) signatures; that the circulator witnessed the affixing of every

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signature; that all signers were to the best of the circulator's 106  
knowledge and belief qualified to sign; and that every signature 107  
is to the best of the circulator's knowledge and belief the 108  
signature of the person whose signature it purports to be or of 109  
an attorney in fact acting pursuant to section 3501.382 of the 110  
Revised Code. 111

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(Signature of circulator) 112  
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(Address of circulator's 114  
permanent residence in this 115  
state) 116  
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(If petition is for a 118  
statewide candidate, the 119  
name and address of person 120  
employing to circulate 121  
petition, if any) 122  
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WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 124  
FELONY OF THE FIFTH DEGREE." 125

The secretary of state shall prescribe a form of 126  
declaration of candidacy and petition, and the form shall be 127  
substantially similar to the declaration of candidacy and 128  
petition set forth in this section, that will be suitable for 129  
joint candidates for the offices of governor and lieutenant 130

governor. 131

The petition provided for in this section shall be 132  
circulated only by a member of the same political party as the 133  
candidate. 134

**Sec. 3513.261.** A nominating petition may consist of one 135  
or more separate petition papers, each of which shall be 136  
substantially in the form prescribed in this section. If the 137  
petition consists of more than one separate petition paper, the 138  
statement of candidacy of the candidate or joint candidates 139  
named need be signed by the candidate or joint candidates on 140  
only one of such separate petition papers, but the statement of 141  
candidacy so signed shall be copied on each other separate 142  
petition paper before the signatures of electors are placed on 143  
it. Each nominating petition containing signatures of electors 144  
of more than one county shall consist of separate petition 145  
papers each of which shall contain signatures of electors of 146  
only one county; provided that petitions containing signatures 147  
of electors of more than one county shall not thereby be 148  
declared invalid. In case petitions containing signatures of 149  
electors of more than one county are filed, the board of 150  
elections shall determine the county from which the majority of 151  
the signatures came, and only signatures from this county shall 152  
be counted. Signatures from any other county shall be invalid. 153

All signatures on nominating petitions shall be written in 154  
ink or indelible pencil. 155

At the time of filing a nominating petition, the candidate 156  
designated in the nominating petition, and joint candidates for 157  
governor and lieutenant governor, shall pay to the election 158  
officials with whom it is filed the fees specified for the 159  
office under divisions (A) and (B) of section 3513.10 of the 160

Revised Code. The fees shall be disposed of by those election officials in the manner that is provided in section 3513.10 of the Revised Code for the disposition of other fees, and in no case shall a fee required under that section be returned to a candidate.

Candidates or joint candidates whose names are written on the ballot, and who are elected, shall pay the same fees under section 3513.10 of the Revised Code that candidates who file nominating petitions pay. Payment of these fees shall be a condition precedent to the granting of their certificates of election.

Each nominating petition shall contain a statement of candidacy that shall be signed by the candidate or joint candidates named in it or by an attorney in fact acting pursuant to section 3501.382 of the Revised Code. Such statement of candidacy shall contain a declaration made under penalty of election falsification that the candidate desires to be a candidate for the office named in it, and that the candidate is an elector qualified to vote for the office the candidate seeks.

The form of the nominating petition and statement of candidacy shall be substantially as follows:

"STATEMENT OF CANDIDACY

I, \_\_\_\_\_ (Name of candidate), formerly \_\_\_\_\_ (any former names used by the Candidate within the last five years, except where the change of name was the result of marriage), the undersigned, hereby declare under penalty of election falsification that my voting residence is in \_\_\_\_\_ Precinct of the \_\_\_\_\_ (Township)

or (Ward and City, or Village) in the county of \_\_\_\_\_ 190  
Ohio; that my post-office address is 191  
\_\_\_\_\_ (Street and Number, if any, or 192  
Rural Route and Number) of the \_\_\_\_\_ 193  
(City, Village, or post office) of \_\_\_\_\_, Ohio; 194  
and that I am a qualified elector in the precinct in which my 195  
voting residence is located. I hereby declare that I desire to 196  
be a candidate for election to the office of \_\_\_\_\_ in 197  
the \_\_\_\_\_ (State, District, County, City, 198  
Village, Township, or School District) for the 199  
\_\_\_\_\_ (Full term or unexpired 200  
term ending \_\_\_\_\_) at the General Election to be held 201  
on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ 202

I further declare that I am an elector qualified to vote 203  
for the office I seek. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 204  
\_\_\_\_\_ 205

\_\_\_\_\_ 206  
(Signature of candidate) 207

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 208  
FELONY OF THE FIFTH DEGREE. 209

I, \_\_\_\_\_, hereby constitute 210  
the persons named below a committee to represent me: 211

Name	Residence	
_____	_____	212
_____	_____	213
_____	_____	214
_____	_____	215
_____	_____	216



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NOMINATING PETITION

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We, the undersigned, qualified electors of the state of Ohio, whose voting residence is in the County, City, Village, Ward, Township or Precinct set opposite our names, hereby nominate \_\_\_\_\_, formerly \_\_\_\_\_ (any former names used by the candidate within the last five years, except where the change of name was the result of marriage), as a candidate for election to the office of \_\_\_\_\_ in the \_\_\_\_\_ (State, District, County, City, Village, Township, or School District) for the \_\_\_\_\_ (Full term or unexpired term ending \_\_\_\_\_) to be voted for at the general election next hereafter to be held, and certify that this person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

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A	Street						
B	Address						
C	or R.F.D.						
D	(Must use						
E	address on	City,					

F	file with	Village						
G	the board of	or				Date of		
H	Signature	elections)	Township	Ward	Precinct	County	Signing	
	_____							235
	_____							236
	_____							237
	_____, declares under penalty of election							238
	falsification that such person is a qualified elector of the							239
	state of Ohio and resides at the address appearing below such							240
	person's signature hereto; that such person is the circulator of							241
	the foregoing petition paper containing _____							242
	signatures; that such person witnessed the affixing of every							243
	signature; that all signers were to the best of such person's							244
	knowledge and belief qualified to sign; and that every signature							245
	is to the best of such person's knowledge and belief the							246
	signature of the person whose signature it purports to be or of							247
	an attorney in fact acting pursuant to section 3501.382 of the							248
	Revised Code.							249
	_____							250
	(Signature of circulator)							251
	_____							252
	(Address of circulator's							253
	permanent residence							254
	in this state)							255
	_____							256

(If petition is for a statewide	257
candidate, the name and address	258
of person employing circulator	259
to circulate petition, if any)	260
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A	261
FELONY OF THE FIFTH DEGREE."	262
The secretary of state shall prescribe a form of	263
nominating petition for a group of candidates for the office of	264
member of a board of education, township office, and offices of	265
municipal corporations of under two thousand population.	266
The secretary of state shall prescribe a form of statement	267
of candidacy and nominating petition, which shall be	268
substantially similar to the form of statement of candidacy and	269
nominating petition set forth in this section, that will be	270
suitable for joint candidates for the offices of governor and	271
lieutenant governor.	272
If such petition nominates a candidate whose election is	273
to be determined by the electors of a county or a district or	274
subdivision within the county, it shall be filed with the board	275
of such county. If the petition nominates a candidate whose	276
election is to be determined by the voters of a subdivision	277
located in more than one county, it shall be filed with the	278
board of the county in which the major portion of the population	279
of such subdivision is located.	280
If the petition nominates a candidate whose election is to	281
be determined by the electors of a district comprised of more	282
than one county but less than all of the counties of the state,	283
it shall be filed with the board of elections of the most	284

populous county in such district. If the petition nominates a 285  
candidate whose election is to be determined by the electors of 286  
the state at large, it shall be filed with the secretary of 287  
state. 288

The secretary of state or a board of elections shall not 289  
accept for filing a nominating petition of a person seeking to 290  
become a candidate if that person, for the same election, has 291  
already filed a declaration of candidacy, a declaration of 292  
intent to be a write-in candidate, or a nominating petition, or 293  
has become a candidate through party nomination at a primary 294  
election or by the filling of a vacancy under section 3513.30 or 295  
3513.31 of the Revised Code for any federal, state, or county 296  
office, if the nominating petition is for a state or county 297  
office, or for any municipal or township office, for member of a 298  
city, local, or exempted village board of education, or for 299  
member of a governing board of an educational service center, if 300  
the nominating petition is for a municipal or township office, 301  
or for member of a city, local, or exempted village board of 302  
education, or for member of a governing board of an educational 303  
service center. 304

**Sec. 3513.271.** If any person desiring to become a 305  
candidate for public office has had a change of name within five 306  
years immediately preceding the filing of ~~his~~ the person's 307  
statement of candidacy, both ~~his~~ the person's statement of 308  
candidacy and nominating petition must contain, immediately 309  
following the person's present name, on a space provided for the 310  
purpose, the person's former names. Any person who has been 311  
elected under the person's changed name, without submission of 312  
the person's former name, shall be immediately suspended from 313  
the office and the office declared vacated, and shall be liable 314  
to the state for any salary the person has received while 315

holding such office. The attorney general in the case of 316  
candidates for state offices, the prosecuting attorney of the 317  
most populous county in a district in the case of candidates for 318  
district offices, and the prosecuting attorney of the county in 319  
the case of all other candidates shall institute necessary 320  
action to enforce this section. 321

This section does not apply to a change of name by reason 322  
of marriage; to a candidate for a state office who has once 323  
complied with this section and who has previously been elected 324  
to a state office; to a candidate for a district office who has 325  
once complied with this section and who has previously been 326  
elected to a state or district office; to a candidate for a 327  
county office who has once complied with this section and has 328  
previously been elected to a state, district, or county office; 329  
to a candidate for a municipal office who has once complied with 330  
this section and has previously been elected to a municipal 331  
office; or to a candidate for a township office who has once 332  
complied with this section and has previously been elected to a 333  
township office; provided that such previous election was one at 334  
which ~~his~~ the person's candidacy complied with this section." 335

In line 340, delete "and" and insert ","; after "3513.05" insert ", 336  
3513.06, 3513.07, 3513.261, and 3513.271" 337

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 338

**Space on candidacy forms for former names** 339

**R.C. 3513.06, 3513.07, 3513.261, and 3513.271** 340

Requires declarations of candidacy and nominating 341  
petitions to have a space after the candidate's name instructing 342  
the candidate to provide any names used in the last five years, 343  
other than names changed as the result of marriage (continuing 344  
law requires candidates to write down these former names after 345  
their current name on their declaration of candidacy or 346  
petition, which typically do not have a space for, or 347  
instructions regarding, former names). 348