

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 153**

**Representatives Lear, Hall, T.**

**Cosponsors: Representatives Hiner, Dean, King, Williams, Gross, Fowler Arthur,  
Workman, Fischer, Mullins, Newman, Johnson, Miller, K.**

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To amend sections 3311.053, 3501.01, 3505.03, 1  
3505.04, 3513.04, 3513.05, 3513.052, and 3513.19 2  
and to repeal sections 3513.254, 3513.255, 3  
3513.256, and 3513.259 of the Revised Code to 4  
require state and school district board members 5  
to be nominated by primary election and to 6  
appear on the ballot with a party designation. 7

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

**Section 1.** That sections 3311.053, 3501.01, 3505.03, 8  
3505.04, 3513.04, 3513.05, 3513.052, and 3513.19 of the Revised 9  
Code be amended to read as follows: 10

**Sec. 3311.053.** (A) The boards of education of up to five 11  
adjoining educational service centers may, by identical 12  
resolutions adopted by a majority of the members of each 13  
governing board within any sixty-day period, combine such 14  
educational service centers into one educational service center. 15  
The resolutions shall state the name of the new center, which 16  
may be styled as a "joint educational service center." The 17  
resolutions shall also indicate whether the governing board of 18  
the new educational service center is to be formed in accordance 19

with division (B) of this section, in accordance with division 20  
(A) of section 3311.054 of the Revised Code, or in accordance 21  
with section 3311.057 of the Revised Code. 22

A copy of each resolution shall be filed with the state 23  
board of education. The new educational service center shall be 24  
created and the governing boards of the participating 25  
educational service centers shall be dissolved and a new 26  
governing board established thirty days after the date on which 27  
the last resolution was filed with the state board. 28

(B) The initial members of a new governing board 29  
established in accordance with this division shall be appointed 30  
as follows: 31

(1) If two educational service centers combine, each 32  
center's governing board, prior to its dissolution, shall 33  
appoint two members to the new governing board and the four 34  
members so selected shall select a fifth member within ten days 35  
of the date on which the last of the four members is appointed. 36

(2) If three educational service centers combine, each 37  
center's governing board, prior to its dissolution, shall 38  
appoint one member to the new governing board and the three 39  
members so selected shall select the remaining two members of 40  
the governing board within ten days of the date on which the 41  
last of the three members is appointed. 42

(3) If four educational service centers combine, each 43  
center's governing board, prior to its dissolution, shall 44  
appoint one member to the new governing board and the four 45  
members so selected shall select the remaining member of the 46  
governing board within ten days of the date on which the last of 47  
the four members is appointed. 48

(4) If five educational service centers combine, each 49  
center's governing board, prior to its dissolution, shall 50  
appoint one member to the new governing board. 51

If the members appointed to a new governing board by the 52  
governing boards of the combining educational service centers 53  
are unable to agree on the selection of the remaining members of 54  
the new governing board within ten days, the probate judge of 55  
the county in which the greatest number of pupils under the 56  
supervision of the new educational service center reside shall 57  
appoint the remaining members. 58

Electors of the new educational service center shall elect 59  
a new governing board at the next general election occurring in 60  
an odd-numbered year and more than ninety days after the date of 61  
the appointment of the last member to the initial governing 62  
board. Members shall serve for the duration of the term to which 63  
they are elected or until their successors are elected and 64  
qualified. At such election, two members shall be elected to 65  
terms of two years and three members shall be elected to terms 66  
of four years. Thereafter, their successors shall be elected in 67  
the same manner and for the same terms as members of governing 68  
boards of all educational service centers. ~~Each candidate for~~ 69  
~~election as a member of the educational service center governing~~ 70  
~~board shall file a nominating petition in accordance with~~ 71  
~~section 3513.255 of the Revised Code.~~ 72

(C) The funds of each former educational service center 73  
shall be paid over in full to the governing board of the new 74  
educational service center, and the legal title to all property 75  
of the former governing boards shall become vested in the new 76  
governing board. 77

The governing board of an educational service center 78

created under this section shall honor all contracts made by the 79  
former governing boards. 80

**Sec. 3501.01.** As used in the sections of the Revised Code 81  
relating to elections and political communications: 82

(A) "General election" means the election held on the 83  
first Tuesday after the first Monday in each November. 84

(B) "Regular municipal election" means the election held 85  
on the first Tuesday after the first Monday in November in each 86  
odd-numbered year. 87

(C) "Regular state election" means the election held on 88  
the first Tuesday after the first Monday in November in each 89  
even-numbered year. 90

(D) "Special election" means any election other than those 91  
elections defined in other divisions of this section. A special 92  
election may be held only on the first Tuesday after the first 93  
Monday in May or November, on the first Tuesday after the first 94  
Monday in August in accordance with section 3501.022 of the 95  
Revised Code, or on the day authorized by a particular municipal 96  
or county charter for the holding of a primary election, except 97  
that in any year in which a presidential primary election is 98  
held, no special election shall be held in May, except as 99  
authorized by a municipal or county charter, but may be held on 100  
the third Tuesday after the first Monday in March. 101

(E) (1) "Primary" or "primary election" means an election 102  
held for the purpose of nominating persons as candidates of 103  
political parties for election to offices, and for the purpose 104  
of electing persons as members of the controlling committees of 105  
political parties and as delegates and alternates to the 106  
conventions of political parties. Primary elections shall be 107

held on the first Tuesday after the first Monday in May of each 108  
year except in years in which a presidential primary election is 109  
held. 110

(2) "Presidential primary election" means a primary 111  
election as defined by division (E)(1) of this section at which 112  
an election is held for the purpose of choosing delegates and 113  
alternates to the national conventions of the major political 114  
parties pursuant to section 3513.12 of the Revised Code. Unless 115  
otherwise specified, presidential primary elections are included 116  
in references to primary elections. In years in which a 117  
presidential primary election is held, all primary elections 118  
shall be held on the third Tuesday after the first Monday in 119  
March except as otherwise authorized by a municipal or county 120  
charter. 121

(F) "Political party" means any group of voters meeting 122  
the requirements set forth in section 3517.01 of the Revised 123  
Code for the formation and existence of a political party. 124

(1) "Major political party" means any political party 125  
organized under the laws of this state whose candidate for 126  
governor or nominees for presidential electors received not less 127  
than twenty per cent of the total vote cast for such office at 128  
the most recent regular state election. 129

(2) "Minor political party" means any political party 130  
organized under the laws of this state that meets either of the 131  
following requirements: 132

(a) Except as otherwise provided in this division, the 133  
political party's candidate for governor or nominees for 134  
presidential electors received less than twenty per cent but not 135  
less than three per cent of the total vote cast for such office 136

at the most recent regular state election. A political party 137  
that meets the requirements of this division remains a political 138  
party for a period of four years after meeting those 139  
requirements. 140

(b) The political party has filed with the secretary of 141  
state, subsequent to its failure to meet the requirements of 142  
division (F) (2) (a) of this section, a petition that meets the 143  
requirements of section 3517.01 of the Revised Code. 144

A newly formed political party shall be known as a minor 145  
political party until the time of the first election for 146  
governor or president which occurs not less than twelve months 147  
subsequent to the formation of such party, after which election 148  
the status of such party shall be determined by the vote for the 149  
office of governor or president. 150

(G) "Dominant party in a precinct" or "dominant political 151  
party in a precinct" means that political party whose candidate 152  
for election to the office of governor at the most recent 153  
regular state election at which a governor was elected received 154  
more votes than any other person received for election to that 155  
office in such precinct at such election. 156

(H) "Candidate" means any qualified person certified in 157  
accordance with the provisions of the Revised Code for placement 158  
on the official ballot of a primary, general, or special 159  
election to be held in this state, or any qualified person who 160  
claims to be a write-in candidate, or who knowingly assents to 161  
being represented as a write-in candidate by another at either a 162  
primary, general, or special election to be held in this state. 163

(I) "Independent candidate" means any candidate who claims 164  
not to be affiliated with a political party, and whose name has 165

been certified on the office-type ballot at a general or special 166  
election through the filing of a statement of candidacy and 167  
nominating petition, as prescribed in section 3513.257 of the 168  
Revised Code. 169

(J) "Nonpartisan candidate" means any candidate whose name 170  
is required, pursuant to section 3505.04 of the Revised Code, to 171  
be listed on the nonpartisan ballot, including all candidates 172  
for judge of a municipal court, county court, or court of common 173  
pleas, ~~for member of any board of education,~~ for municipal or 174  
township offices in which primary elections are not held for 175  
nominating candidates by political parties, and for offices of 176  
municipal corporations having charters that provide for separate 177  
ballots for elections for these offices. 178

(K) "Party candidate" means any candidate who claims to be 179  
a member of a political party and who has been certified to 180  
appear on the office-type ballot at a general or special 181  
election as the nominee of a political party because the 182  
candidate has won the primary election of the candidate's party 183  
for the public office the candidate seeks, has been nominated 184  
under section 3517.012, or is selected by party committee in 185  
accordance with section 3513.31 of the Revised Code. 186

(L) "Officer of a political party" includes, but is not 187  
limited to, any member, elected or appointed, of a controlling 188  
committee, whether representing the territory of the state, a 189  
district therein, a county, township, a city, a ward, a 190  
precinct, or other territory, of a major or minor political 191  
party. 192

(M) "Question or issue" means any question or issue 193  
certified in accordance with the Revised Code for placement on 194  
an official ballot at a general or special election to be held 195

in this state.	196
(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.	197 198
(O) "Voter" means an elector who votes at an election.	199
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	200 201 202
(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.	203 204 205 206
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	207 208 209
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	210 211 212
(T) "Political subdivision" means a county, township, city, village, or school district.	213 214
(U) "Election officer" or "election official" means any of the following:	215 216
(1) Secretary of state;	217
(2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor;	218 219 220 221
(3) Director of a board of elections;	222



(4) Deputy director of a board of elections;	223
(5) Member of a board of elections;	224
(6) Employees of a board of elections;	225
(7) Precinct election officials;	226
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	227 228
(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or update the application, if any; and if the application is complete, the precinct in which the applicant is to vote.	229 230 231 232 233 234 235
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current address.	236 237 238 239
(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health and addiction services, the	240 241 242 243 244 245 246 247 248 249 250 251

department of developmental disabilities, the opportunities for 252  
Ohioans with disabilities agency, and any other agency the 253  
secretary of state designates. "Designated agency" does not 254  
include public high schools and vocational schools, public 255  
libraries, or the office of a county treasurer. 256

(Y) "National Voter Registration Act of 1993" means the 257  
"National Voter Registration Act of 1993," 107 Stat. 77, 42 258  
U.S.C.A. 1973gg. 259

(Z) "Voting Rights Act of 1965" means the "Voting Rights 260  
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 261

(AA) (1) "Photo identification" means one of the following 262  
documents that includes the individual's name and photograph and 263  
is not expired: 264

(a) An Ohio driver's license, state identification card, 265  
or interim identification form issued by the registrar of motor 266  
vehicles or a deputy registrar under Chapter 4506. or 4507. of 267  
the Revised Code; 268

(b) A United States passport or passport card; 269

(c) A United States military identification card, Ohio 270  
national guard identification card, or United States department 271  
of veterans affairs identification card. 272

(2) A "copy" of an individual's photo identification means 273  
images of both the front and back of a document described in 274  
division (AA) (1) of this section, except that if the document is 275  
a United States passport, a copy of the photo identification 276  
means an image of the passport's identification page that 277  
includes the individual's name, photograph, and other 278  
identifying information and the passport's expiration date. 279

(BB) "Driver's license" means a license or permit issued 280  
by the registrar or a deputy registrar under Chapter 4506. or 281  
4507. of the Revised Code that authorizes an individual to 282  
drive. "Driver's license" includes a driver's license, 283  
commercial driver's license, probationary license, restricted 284  
license, motorcycle operator's license, or temporary instruction 285  
permit identification card. "Driver's license" does not include 286  
a limited term license issued under section 4507.09 of the 287  
Revised Code. 288

(CC) "State identification card" means a card issued by 289  
the registrar or a deputy registrar under sections 4507.50 to 290  
4507.52 of the Revised Code. 291

(DD) "Interim identification form" means the document 292  
issued by the registrar or a deputy registrar to an applicant 293  
for a driver's license or state identification card that 294  
contains all of the information otherwise found on the license 295  
or card and that an applicant may use as a form of 296  
identification until the physical license or card arrives in the 297  
mail. 298

**Sec. 3505.03.** (A) On the office type ballot shall be 299  
printed the names of all candidates for election to offices, 300  
except the office of judge of a municipal court, county court, 301  
or court of common pleas, who were nominated at the most recent 302  
primary election as candidates of a political party or who were 303  
nominated in accordance with section 3513.02 of the Revised 304  
Code, and the names of all candidates for election to offices 305  
who were nominated by nominating petitions, except candidates 306  
for the office of judge of a municipal court, county court, or 307  
court of common pleas, ~~for member of the state board of~~ 308  
~~education, for member of a board of education, for municipal~~ 309

offices, and for township offices.	310
(B) The face of the ballot below the stub shall be	311
substantially in the following form:	312
"OFFICIAL OFFICE TYPE BALLOT	313
(1) To vote for a candidate record your vote in the manner	314
provided next to the name of such candidate.	315
(2) If you tear, soil, deface, or erroneously mark this	316
ballot, return it to the precinct election officers or, if you	317
cannot return it, notify the precinct election officers, and	318
obtain another ballot."	319
(C) The order in which the offices shall be listed on the	320
ballot shall be prescribed by, and certified to each board of	321
elections by, the secretary of state; provided that for state,	322
district, and county offices the order from top to bottom shall	323
be as follows: governor and lieutenant governor, attorney	324
general, auditor of state, secretary of state, treasurer of	325
state, chief justice of the supreme court, justice of the	326
supreme court, United States senator, representative to	327
congress, state senator, state representative, judge of a court	328
of appeals, <u>member of the state board of education, member of a</u>	329
<u>board of education, county commissioner, county auditor,</u>	330
prosecuting attorney, clerk of the court of common pleas,	331
sheriff, county recorder, county treasurer, county engineer, and	332
coroner. The offices of governor and lieutenant governor shall	333
be printed on the ballot in a manner that requires a voter to	334
cast one vote jointly for the candidates who have been nominated	335
by the same political party or petition.	336
(D) Within the rectangular space within which the title of	337
each judicial office listed in division (C) of this section is	338

printed on the ballot and immediately below the title shall be 339  
printed the date of the commencement of the term of the office, 340  
if it is a full term, as follows: "Full term commencing 341  
\_\_\_\_\_ (Date) \_\_\_\_\_," or the date of the end of the term of the 342  
office, if it is an unexpired term, as follows: "Unexpired term 343  
ending \_\_\_\_\_ (Date) \_\_\_\_\_" 344

(E) (1) The names of all candidates for an office shall be 345  
arranged in a group under the title of that office, and, except 346  
for absentee ballots or when the number of candidates for a 347  
particular office is the same as the number of candidates to be 348  
elected for that office, shall be rotated from one precinct to 349  
another. On absentee ballots, the names of all candidates for an 350  
office shall be arranged in a group under the title of that 351  
office and shall be so alternated that each name shall appear, 352  
insofar as may be reasonably possible, substantially an equal 353  
number of times at the beginning, at the end, and in each 354  
intermediate place, if any, of the group in which such name 355  
belongs, unless the number of candidates for a particular office 356  
is the same as the number of candidates to be elected for that 357  
office. 358

(2) The secretary of state shall prescribe the information 359  
and directions to the voter to be printed on the ballot within 360  
the rectangular space in which the title of office of member of 361  
the state board of education appears. 362

(3) Within the rectangular space within which the title of 363  
each office for member of a board of education is printed on the 364  
ballot shall be printed "For Member of Board of Education," and 365  
the number to be elected, directions to the voter as to voting 366  
for one, two, or more, and, if the office to be voted for is 367  
member of a board of education of a city school district, words 368

shall be printed in said space on the ballot to indicate whether 369  
candidates are to be elected from subdistricts or at large. 370

(4) The method of printing the ballots to meet the 371  
rotation requirement of this section shall be as follows: the 372  
least common multiple of the number of names in each of the 373  
several groups of candidates shall be used, and the number of 374  
changes made in the printer's forms in printing the ballots 375  
shall correspond with that multiple. The board of elections 376  
shall number all precincts in regular serial sequence. In the 377  
first precinct, the names of the candidates in each group shall 378  
be listed in alphabetical order. In each succeeding precinct, 379  
the name in each group that is listed first in the preceding 380  
precinct shall be listed last, and the name of each candidate 381  
shall be moved up one place. In each precinct using paper 382  
ballots, the printed ballots shall then be assembled in tablets. 383

(F) Under the name of each candidate nominated at a 384  
primary election, nominated by petition under section 3517.012 385  
of the Revised Code, or certified by a party committee to fill a 386  
vacancy under section 3513.31 of the Revised Code shall be 387  
printed, in less prominent type face than that in which the 388  
candidate's name is printed, the name of the political party by 389  
which the candidate was nominated or certified. Under the name 390  
of each candidate appearing on the ballot who filed a nominating 391  
petition and requested a ballot designation as a nonparty 392  
candidate under section 3513.257 of the Revised Code shall be 393  
printed, in less prominent type face than that in which the 394  
candidate's name is printed, the designation of "nonparty 395  
candidate." Under the name of each candidate appearing on the 396  
ballot who filed a nominating petition and requested a ballot 397  
designation as an other-party candidate under section 3513.257 398  
of the Revised Code shall be printed, in less prominent type 399

face than that in which the candidate's name is printed, the 400  
designation of "other-party candidate." No designation shall 401  
appear under the name of a candidate appearing on the ballot who 402  
filed a nominating petition and requested that no ballot 403  
designation appear under the candidate's name under section 404  
3513.257 of the Revised Code, or who filed a nominating petition 405  
and failed to request a ballot designation either as a nonparty 406  
candidate or as an other-party candidate under that section. 407

(G) Except as provided in this section, no words, 408  
designations, or emblems descriptive of a candidate or the 409  
candidate's political affiliation, or indicative of the method 410  
by which the candidate was nominated or certified, shall be 411  
printed under or after a candidate's name that is printed on the 412  
ballot. 413

**Sec. 3505.04.** On the nonpartisan ballot shall be printed 414  
the names of all nonpartisan candidates for election to the 415  
office of judge of a municipal court, county court, or court of 416  
common pleas, ~~the office of member of the state board of~~ 417  
~~education, the office of member of a board of education,~~ 418  
municipal or township offices for municipal corporations and 419  
townships in which primary elections are not held for nomination 420  
of candidates by political parties, and municipal offices of 421  
municipal corporations having charters which provide for 422  
separate ballots for elections for such municipal offices. 423

Such ballots shall have printed across the top, and below 424  
the stubs, "Official Nonpartisan Ballot." 425

The order in which the offices are listed on the ballot 426  
shall be prescribed by, and certified to each board of elections 427  
by, the secretary of state; provided that ~~the office of member~~ 428  
~~of the state board of education shall be listed first on the~~ 429

~~ballot, then~~ county judicial offices shall be listed first on 430  
the ballot, followed by municipal and township offices, ~~and by~~ 431  
~~offices of member of a board of education,~~ in the order stated. 432

Within the rectangular space within which the title of 433  
each judicial office is printed on the ballot and immediately 434  
below such title shall be printed the date of the commencement 435  
of the term of the office, if a full term, as follows: "Full 436  
term commencing \_\_\_\_\_ (Date) \_\_\_\_\_," or the date of the end of 437  
the term of the office, if an unexpired term, as follows: 438  
"Unexpired term ending \_\_\_\_\_ (Date) \_\_\_\_\_" 439

~~The secretary of state shall prescribe the information and~~ 440  
~~directions to the voter to be printed on the ballot within the~~ 441  
~~rectangular space in which the title of office of member of the~~ 442  
~~state board of education appears.~~ 443

~~Within the rectangular space within which the title of~~ 444  
~~each office for member of a board of education is printed on the~~ 445  
~~ballot shall be printed "For Member of Board of Education," and~~ 446  
~~the number to be elected, directions to the voter as to voting~~ 447  
~~for one, two, or more, and, if the office to be voted for is~~ 448  
~~member of a board of education of a city school district, words~~ 449  
~~shall be printed in said space on the ballot to indicate whether~~ 450  
~~candidates are to be elected from subdistricts or at large.~~ 451

The names of all nonpartisan candidates for an office 452  
shall be arranged in a group under the title of that office, and 453  
shall be rotated and printed on the ballot as provided in 454  
section 3505.03 of the Revised Code. 455

No name or designation of any political party nor any 456  
words, designations, or emblems descriptive of a candidate or 457  
the candidate's political affiliation, or indicative of the 458



method by which such candidate was nominated or certified, shall 459  
be printed under or after any nonpartisan candidate's name which 460  
is printed on the ballot. 461

**Sec. 3513.04.** Candidates for party nominations to state, 462  
district, county, and municipal offices or positions, for which 463  
party nominations are provided by law, and for election as 464  
members of party controlling committees shall have their names 465  
printed on the official primary ballot by filing a declaration 466  
of candidacy and paying the fees specified for the office under 467  
divisions (A) and (B) of section 3513.10 of the Revised Code, 468  
except that the joint candidates for party nomination to the 469  
offices of governor and lieutenant governor shall, for the two 470  
of them, file one declaration of candidacy. The joint candidates 471  
also shall pay the fees specified for the joint candidates under 472  
divisions (A) and (B) of section 3513.10 of the Revised Code. 473

The secretary of state shall not accept for filing the 474  
declaration of candidacy of a candidate for party nomination to 475  
the office of governor unless the declaration of candidacy also 476  
shows a joint candidate for the same party's nomination to the 477  
office of lieutenant governor, shall not accept for filing the 478  
declaration of candidacy of a candidate for party nomination to 479  
the office of lieutenant governor unless the declaration of 480  
candidacy also shows a joint candidate for the same party's 481  
nomination to the office of governor, and shall not accept for 482  
filing a declaration of candidacy that shows a candidate for 483  
party nomination to the office of governor or lieutenant 484  
governor who, for the same election, has already filed a 485  
declaration of candidacy or a declaration of intent to be a 486  
write-in candidate, or has become a candidate by the filling of 487  
a vacancy under section 3513.30 of the Revised Code for any 488  
other state office or any federal or county office. 489

No person who seeks party nomination for an office or position at a primary election by declaration of candidacy or by declaration of intent to be a write-in candidate and no person who is a first choice for president of candidates seeking election as delegates and alternates to the national conventions of the different major political parties who are chosen by direct vote of the electors as provided in this chapter shall be permitted to become a candidate by nominating petition, including a nominating petition filed under section 3517.012 of the Revised Code, by declaration of intent to be a write-in candidate, or by filling a vacancy under section 3513.31 of the Revised Code at the following general election for any office other than the ~~office of member of the state board of education,~~ ~~office of member of a city, local, or exempted village board of education,~~ ~~office of member of a governing board of an educational service center,~~ or office of township trustee.

**Sec. 3513.05.** (A) Each person desiring to become a candidate for a party nomination at a primary election or for election to an office or position to be voted for at a primary election, except persons desiring to become joint candidates for the offices of governor and lieutenant governor and except as otherwise provided in section 3513.051 of the Revised Code, shall, not later than four p.m. of the ninetieth day before the day of the primary election, file a declaration of candidacy and petition and pay the fees required under divisions (A) and (B) of section 3513.10 of the Revised Code. The declaration of candidacy and all separate petition papers shall be filed at the same time as one instrument. When the offices are to be voted for at a primary election, persons desiring to become joint candidates for the offices of governor and lieutenant governor shall, not later than four p.m. of the ninetieth day before the

day of the primary election, comply with section 3513.04 of the Revised Code. The prospective joint candidates' declaration of candidacy and all separate petition papers of candidacies shall be filed at the same time as one instrument. The secretary of state or a board of elections shall not accept for filing a declaration of candidacy and petition of a person seeking to become a candidate if that person, for the same election, has already filed a declaration of candidacy or a declaration of intent to be a write-in candidate, or has become a candidate by the filling of a vacancy under section 3513.30 of the Revised Code for any federal, state, or county office, if the declaration of candidacy is for a state or county office, or for any municipal or township office, if the declaration of candidacy is for a municipal or township office.

(B) If the declaration of candidacy declares a candidacy which is to be submitted to electors throughout the entire state, the petition, including a petition for joint candidates for the offices of governor and lieutenant governor, shall be signed by at least one thousand qualified electors who are members of the same political party as the candidate or joint candidates, and the declaration of candidacy and petition shall be filed with the secretary of state; provided that the secretary of state shall not accept or file any such petition appearing on its face to contain signatures of more than three thousand electors.

(C) (1) Except as otherwise provided in this ~~paragraph~~ section, if the declaration of candidacy is of one that is to be submitted only to electors within a district, political subdivision, or portion thereof, the petition shall be signed by not less than fifty qualified electors who are members of the same political party as the political party of which the

candidate is a member. ~~If~~ 552

(2) If the declaration of candidacy is for party 553  
nomination as a candidate for ~~member of the legislative~~ 554  
~~authority of a municipal corporation elected by ward~~ any of the 555  
following, the petition shall be signed by not less than twenty- 556  
five qualified electors who are members of the political party 557  
of which the candidate is a member: 558

(a) Member of the legislative authority of a municipal 559  
corporation elected by ward; 560

(b) Member of a local or exempted village board of 561  
education; 562

(c) Member of a board of education of a city school 563  
district having a population of less than twenty thousand, as 564  
determined by the most recent federal decennial census. 565

(D) No such petition, except the petition for a candidacy 566  
that is to be submitted to electors throughout the entire state, 567  
shall be accepted for filing if it appears to contain on its 568  
face signatures of more than three times the minimum number of 569  
signatures. When a petition of a candidate has been accepted for 570  
filing by a board of elections, the petition shall not be deemed 571  
invalid if, upon verification of signatures contained in the 572  
petition, the board of elections finds the number of signatures 573  
accepted exceeds three times the minimum number of signatures 574  
required. A board of elections may discontinue verifying 575  
signatures on petitions when the number of verified signatures 576  
equals the minimum required number of qualified signatures. 577

(E) If the declaration of candidacy declares a candidacy 578  
for party nomination or for election as a candidate of a minor 579  
party, the minimum number of signatures on such petition is one- 580

half the minimum number provided in this section, except that, 581  
when the candidacy is one for election as a member of the state 582  
central committee or the county central committee of a political 583  
party, the minimum number shall be the same for a minor party as 584  
for a major party. 585

(F) If a declaration of candidacy is one for election as a 586  
member of the state central committee or the county central 587  
committee of a political party, the petition shall be signed by 588  
five qualified electors of the district, county, ward, township, 589  
or precinct within which electors may vote for such candidate. 590  
The electors signing such petition shall be members of the same 591  
political party as the political party of which the candidate is 592  
a member. 593

(G) For purposes of signing or circulating a petition of 594  
candidacy for party nomination or election, an elector is 595  
considered to be a member of a political party if the elector 596  
voted in that party's primary election within the preceding two 597  
calendar years, or if the elector did not vote in any other 598  
party's primary election within the preceding two calendar 599  
years. 600

(H) If the declaration of candidacy is of one that is to 601  
be submitted only to electors within a county, or within a 602  
district or subdivision or part thereof smaller than a county, 603  
the petition shall be filed with the board of elections of the 604  
county. If the declaration of candidacy is of one that is to be 605  
submitted only to electors of a district or subdivision or part 606  
thereof that is situated in more than one county, the petition 607  
shall be filed with the board of elections of the county within 608  
which the major portion of the population thereof, as 609  
ascertained by the next preceding federal census, is located. 610

(I) A petition shall consist of separate petition papers, 611  
each of which shall contain signatures of electors of only one 612  
county. Petitions or separate petition papers containing 613  
signatures of electors of more than one county shall not thereby 614  
be declared invalid. In case petitions or separate petition 615  
papers containing signatures of electors of more than one county 616  
are filed, the board shall determine the county from which the 617  
majority of signatures came, and only signatures from such 618  
county shall be counted. Signatures from any other county shall 619  
be invalid. 620

(J) Each separate petition paper shall be circulated by 621  
one person only, who shall be the candidate or a joint candidate 622  
or a member of the same political party as the candidate or 623  
joint candidates, and each separate petition paper shall be 624  
governed by the rules set forth in section 3501.38 of the 625  
Revised Code. 626

(K) The secretary of state shall promptly transmit to each 627  
board such separate petition papers of each petition 628  
accompanying a declaration of candidacy filed with the secretary 629  
of state as purport to contain signatures of electors of the 630  
county of such board. The board of the most populous county of a 631  
district shall promptly transmit to each board within such 632  
district such separate petition papers of each petition 633  
accompanying a declaration of candidacy filed with it as purport 634  
to contain signatures of electors of the county of each such 635  
board. The board of a county within which the major portion of 636  
the population of a subdivision, situated in more than one 637  
county, is located, shall promptly transmit to the board of each 638  
other county within which a portion of such subdivision is 639  
located such separate petition papers of each petition 640  
accompanying a declaration of candidacy filed with it as purport 641

to contain signatures of electors of the portion of such 642  
subdivision in the county of each such board. 643

(L) All petition papers so transmitted to a board and all 644  
petitions accompanying declarations of candidacy filed with a 645  
board shall, under proper regulations, be open to public 646  
inspection until four p.m. of the eightieth day before the day 647  
of the next primary election. Each board shall, not later than 648  
the seventy-eighth day before the day of that primary election, 649  
examine and determine the validity or invalidity of the 650  
signatures on the petition papers so transmitted to or filed 651  
with it and shall return to the secretary of state all petition 652  
papers transmitted to it by the secretary of state, together 653  
with its certification of its determination as to the validity 654  
or invalidity of signatures thereon, and shall return to each 655  
other board all petition papers transmitted to it by such board, 656  
together with its certification of its determination as to the 657  
validity or invalidity of the signatures thereon. All other 658  
matters affecting the validity or invalidity of such petition 659  
papers shall be determined by the secretary of state or the 660  
board with whom such petition papers were filed. 661

(M) (1) Protests against the candidacy of any person filing 662  
a declaration of candidacy for party nomination or for election 663  
to an office or position, as provided in this section, may be 664  
filed by any qualified elector who is a member of the same 665  
political party as the candidate and who is eligible to vote at 666  
the primary election for the candidate whose declaration of 667  
candidacy the elector objects to, or by the controlling 668  
committee of that political party. The protest shall be in 669  
writing, and shall be filed not later than four p.m. of the 670  
seventy-fourth day before the day of the primary election. The 671  
protest shall be filed with the election officials with whom the 672

declaration of candidacy and petition was filed. Upon the filing 673  
of the protest, the election officials with whom it is filed 674  
shall promptly fix the time for hearing it, and shall forthwith 675  
mail notice of the filing of the protest and the time fixed for 676  
hearing to the person whose candidacy is so protested. They 677  
shall also forthwith mail notice of the time fixed for such 678  
hearing to the person who filed the protest. At the time fixed, 679  
such election officials shall hear the protest and determine the 680  
validity or invalidity of the declaration of candidacy and 681  
petition. If they find that such candidate is not an elector of 682  
the state, district, county, or political subdivision in which 683  
the candidate seeks a party nomination or election to an office 684  
or position, or has not fully complied with this chapter, the 685  
candidate's declaration of candidacy and petition shall be 686  
determined to be invalid and shall be rejected; otherwise, it 687  
shall be determined to be valid. That determination shall be 688  
final. 689

(2) A protest against the candidacy of any persons filing 690  
a declaration of candidacy for joint party nomination to the 691  
offices of governor and lieutenant governor shall be filed, 692  
heard, and determined in the same manner as a protest against 693  
the candidacy of any person filing a declaration of candidacy 694  
singly. 695

(N) (1) The secretary of state shall, on the seventieth day 696  
before the day of a primary election, certify to each board in 697  
the state the forms of the official ballots to be used at the 698  
primary election, together with the names of the candidates to 699  
be printed on the ballots whose nomination or election is to be 700  
determined by electors throughout the entire state and who filed 701  
valid declarations of candidacy and petitions. 702



(2) The board of the most populous county in a district 703  
comprised of more than one county but less than all of the 704  
counties of the state shall, on the seventieth day before the 705  
day of a primary election, certify to the board of each county 706  
in the district the names of the candidates to be printed on the 707  
official ballots to be used at the primary election, whose 708  
nomination or election is to be determined only by electors 709  
within the district and who filed valid declarations of 710  
candidacy and petitions. 711

(3) The board of a county within which the major portion 712  
of the population of a subdivision smaller than the county and 713  
situated in more than one county is located shall, on the 714  
seventieth day before the day of a primary election, certify to 715  
the board of each county in which a portion of that subdivision 716  
is located the names of the candidates to be printed on the 717  
official ballots to be used at the primary election, whose 718  
nomination or election is to be determined only by electors 719  
within that subdivision and who filed valid declarations of 720  
candidacy and petitions. 721

**Sec. 3513.052.** (A) No person shall seek nomination or 722  
election to any of the following offices or positions at the 723  
same election by filing a declaration of candidacy and petition, 724  
a declaration of intent to be a write-in candidate, or a 725  
nominating petition, or by becoming a candidate through party 726  
nomination in a primary election, or by the filling of a vacancy 727  
under section 3513.30 or 3513.31 of the Revised Code: 728

(1) Two or more state offices; 729

(2) Two or more county offices; 730

(3) A state office and a county office; 731

(4) A federal office and a state or county office;	732
(5) Any combination of two or more municipal or township offices, positions as a member of a city, local, or exempted village board of education, or positions as a member of a governing board of an educational service center.	733 734 735 736
(B) The secretary of state or a board of elections shall not accept for filing a declaration of candidacy and petition, a declaration of intent to be a write-in candidate, or a nominating petition of a person seeking to become a candidate if that person, for the same election, has already filed a declaration of candidacy, a declaration of intent to be a write-in candidate, or a nominating petition, or has become a candidate through party nomination at a primary election or by the filling of a vacancy under section 3513.30 or 3513.31 of the Revised Code for:	737 738 739 740 741 742 743 744 745 746
(1) Any federal, state, or county office, if the declaration of candidacy, declaration of intent to be a write-in candidate, or nominating petition is for a state or county office;	747 748 749 750
(2) Any municipal or township office, or for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center, if the declaration of candidacy, declaration of intent to be a write-in candidate, or nominating petition is for a municipal or township office, or for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center.	751 752 753 754 755 756 757 758
(C) (1) If the secretary of state determines, before the day of the primary election, that a person is seeking nomination	759 760

to more than one office at that election in violation of 761  
division (A) of this section, the secretary of state shall do 762  
one of the following: 763

(a) If each office or the district for each office for 764  
which the person is seeking nomination is wholly within a single 765  
county and none of those offices is a federal office, the 766  
secretary of state shall notify the board of elections of that 767  
county. The board then shall determine the date on which the 768  
person first sought to become a candidate for each of those 769  
offices by filing a declaration of candidacy or a declaration of 770  
intent to be a write-in candidate or by the filling of a vacancy 771  
under section 3513.30 of the Revised Code. The board shall vote 772  
promptly to disqualify that person as a candidate for each 773  
office for which the person sought to become a candidate after 774  
the date on which the person first sought to become a candidate 775  
for any of those offices. If the board determines that the 776  
person sought to become a candidate for more than one of those 777  
offices on the same date, the board shall vote promptly to 778  
disqualify that person as a candidate for each office that would 779  
be listed on the ballot below the highest office for which that 780  
person seeks nomination, according to the ballot order 781  
prescribed under section 3505.03 of the Revised Code. 782

(b) If one or more of the offices for which the person is 783  
seeking nomination is a state office or an office with a 784  
district larger than a single county and none of the offices for 785  
which the person is seeking nomination is a federal office, the 786  
secretary of state shall determine the date on which the person 787  
first sought to become a candidate for each of those offices by 788  
filing a declaration of candidacy or a declaration of intent to 789  
be a write-in candidate or by the filling of a vacancy under 790  
section 3513.30 of the Revised Code. The secretary of state 791

shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office for which the person sought to become a candidate after the date on which the person first sought to become a candidate for any of those offices. If the secretary of state determines that the person sought to become a candidate for more than one of those offices on the same date, the secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks nomination, according to the ballot order prescribed under section 3505.03 of the Revised Code. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state.

(c) If each office or the district for each office for which the person is seeking nomination is wholly within a single county and any of those offices is a federal office, the secretary of state shall notify the board of elections of that county. The board then shall vote promptly to disqualify that person as a candidate for each office that is not a federal office.

(d) If one or more of the offices for which the person is seeking nomination is a state office and any of the offices for which the person is seeking nomination is a federal office, the secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that is not a federal office. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in

accordance with the order of the secretary of state. 823

(2) If a board of elections determines, before the day of 824  
the primary election, that a person is seeking nomination to 825  
more than one office at that election in violation of division 826  
(A) of this section, the board shall do one of the following: 827

(a) If each office or the district for each office for 828  
which the person is seeking nomination is wholly within that 829  
county and none of those offices is a federal office, the board 830  
shall determine the date on which the person first sought to 831  
become a candidate for each of those offices by filing a 832  
declaration of candidacy or a declaration of intent to be a 833  
write-in candidate or by the filling of a vacancy under section 834  
3513.30 of the Revised Code. The board shall vote promptly to 835  
disqualify that person as a candidate for each office for which 836  
the person sought to become a candidate after the date on which 837  
the person first sought to become a candidate for any of those 838  
offices. If the board determines that the person sought to 839  
become a candidate for more than one of those offices on the 840  
same date, the board shall vote promptly to disqualify that 841  
person as a candidate for each office that would be listed on 842  
the ballot below the highest office for which that person seeks 843  
nomination, according to the ballot order prescribed under 844  
section 3505.03 of the Revised Code. 845

(b) If one or more of the offices for which the person is 846  
seeking nomination is a state office or an office with a 847  
district larger than a single county and none of the offices for 848  
which the person is seeking nomination is a federal office, the 849  
board shall notify the secretary of state. The secretary of 850  
state then shall determine the date on which the person first 851  
sought to become a candidate for each of those offices by filing 852

a declaration of candidacy or a declaration of intent to be a  
write-in candidate or by the filling of a vacancy under section  
3513.30 of the Revised Code. The secretary of state shall order  
the board of elections of each county in which the person is  
seeking to appear on the ballot to disqualify that person as a  
candidate for each office for which the person sought to become  
a candidate after the date on which the person first sought to  
become a candidate for any of those offices. If the secretary of  
state determines that the person sought to become a candidate  
for more than one of those offices on the same date, the  
secretary of state shall order the board of elections of each  
county in which the person is seeking to appear on the ballot to  
disqualify that person as a candidate for each office that would  
be listed on the ballot below the highest office for which that  
person seeks nomination, according to the ballot order  
prescribed under section 3505.03 of the Revised Code. Each board  
of elections so notified shall vote promptly to disqualify the  
person as a candidate in accordance with the order of the  
secretary of state.

(c) If each office or the district for each office for  
which the person is seeking nomination is wholly within a single  
county and any of those offices is a federal office, the board  
shall vote promptly to disqualify that person as a candidate for  
each office that is not a federal office.

(d) If one or more of the offices for which the person is  
seeking nomination is a state office and any of the offices for  
which the person is seeking nomination is a federal office, the  
board shall notify the secretary of state. The secretary of  
state then shall order the board of elections of each county in  
which the person is seeking to appear on the ballot to  
disqualify that person as a candidate for each office that is

not a federal office. Each board of elections so notified shall 884  
vote promptly to disqualify the person as a candidate in 885  
accordance with the order of the secretary of state. 886

(D) (1) If the secretary of state determines, after the day 887  
of the primary election and before the day of the general 888  
election, that a person is seeking election to more than one 889  
office at that election in violation of division (A) of this 890  
section, the secretary of state shall do one of the following: 891

(a) If each office or the district for each office for 892  
which the person is seeking election is wholly within a single 893  
county and none of those offices is a federal office, the 894  
secretary of state shall notify the board of elections of that 895  
county. The board then shall determine the offices for which the 896  
person seeks to appear as a candidate on the ballot. The board 897  
shall vote promptly to disqualify that person as a candidate for 898  
each office that would be listed on the ballot below the highest 899  
office for which that person seeks election, according to the 900  
ballot order prescribed under section 3505.03 of the Revised 901  
Code. If the person sought nomination at a primary election and 902  
has not yet been issued a certificate of nomination, the board 903  
shall not issue that certificate for that person for any office 904  
that would be listed on the ballot below the highest office for 905  
which that person seeks election, according to the ballot order 906  
prescribed under section 3505.03 of the Revised Code. 907

(b) If one or more of the offices for which the person is 908  
seeking election is a state office or an office with a district 909  
larger than a single county and none of the offices for which 910  
the person is seeking election is a federal office, the 911  
secretary of state shall promptly investigate and determine the 912  
offices for which the person seeks to appear as a candidate on 913

the ballot. The secretary of state shall order the board of 914  
elections of each county in which the person is seeking to 915  
appear on the ballot to disqualify that person as a candidate 916  
for each office that would be listed on the ballot below the 917  
highest office for which that person seeks election, according 918  
to the ballot order prescribed under section 3505.03 of the 919  
Revised Code. Each board of elections so notified shall vote 920  
promptly to disqualify the person as a candidate in accordance 921  
with the order of the secretary of state. If the person sought 922  
nomination at a primary election and has not yet been issued a 923  
certificate of nomination, the board shall not issue that 924  
certificate for that person for any office that would be listed 925  
on the ballot below the highest office for which that person 926  
seeks election, according to the ballot order prescribed under 927  
section 3505.03 of the Revised Code. 928

(c) If each office or the district for each office for 929  
which the person is seeking election is wholly within a single 930  
county and any of those offices is a federal office, the 931  
secretary of state shall notify the board of elections of that 932  
county. The board then shall vote promptly to disqualify that 933  
person as a candidate for each office that is not a federal 934  
office. If the person sought nomination at a primary election 935  
and has not yet been issued a certificate of nomination, the 936  
board shall not issue that certificate for that person for any 937  
office that is not a federal office. 938

(d) If one or more of the offices for which the person is 939  
seeking election is a state office and any of the offices for 940  
which the person is seeking election is a federal office, the 941  
secretary of state shall order the board of elections of each 942  
county in which the person is seeking to appear on the ballot to 943  
disqualify that person as a candidate for each office that is 944



not a federal office. Each board of elections so notified shall 945  
vote promptly to disqualify the person as a candidate in 946  
accordance with the order of the secretary of state. If the 947  
person sought nomination at a primary election and has not yet 948  
been issued a certificate of nomination, the board shall not 949  
issue that certificate for that person for any office that is 950  
not a federal office. 951

(2) If a board of elections determines, after the day of 952  
the primary election and before the day of the general election, 953  
that a person is seeking election to more than one office at 954  
that election in violation of division (A) of this section, the 955  
board of elections shall do one of the following: 956

(a) If each office or the district for each office for 957  
which the person is seeking election is wholly within that 958  
county and none of those offices is a federal office, the board 959  
shall determine the offices for which the person seeks to appear 960  
as a candidate on the ballot. The board shall vote promptly to 961  
disqualify that person as a candidate for each office that would 962  
be listed on the ballot below the highest office for which that 963  
person seeks election, according to the ballot order prescribed 964  
under section 3505.03 of the Revised Code. If the person sought 965  
nomination at a primary election and has not yet been issued a 966  
certificate of nomination, the board shall not issue that 967  
certificate for that person for any office that would be listed 968  
on the ballot below the highest office for which that person 969  
seeks election, according to the ballot order prescribed under 970  
section 3505.03 of the Revised Code. 971

(b) If one or more of the offices for which the person is 972  
seeking election is a state office or an office with a district 973  
larger than a single county and none of the offices for which 974

the person is seeking election is a federal office, the board 975  
shall notify the secretary of state. The secretary of state 976  
promptly shall investigate and determine the offices for which 977  
the person seeks to appear as a candidate on the ballot. The 978  
secretary of state shall order the board of elections of each 979  
county in which the person is seeking to appear on the ballot to 980  
disqualify that person as a candidate for each office that would 981  
be listed on the ballot below the highest office for which that 982  
person seeks election, according to the ballot order prescribed 983  
under section 3505.03 of the Revised Code. Each board of 984  
elections so notified shall vote promptly to disqualify the 985  
person as a candidate in accordance with the order of the 986  
secretary of state. If the person sought nomination at a primary 987  
election and has not yet been issued a certificate of 988  
nomination, the board shall not issue that certificate for that 989  
person for any office that would be listed on the ballot below 990  
the highest office for which that person seeks election, 991  
according to the ballot order prescribed under section 3505.03 992  
of the Revised Code. 993

(c) If each office or the district for each office for 994  
which the person is seeking election is wholly within that 995  
county and any of those offices is a federal office, the board 996  
shall vote promptly to disqualify that person as a candidate for 997  
each office that is not a federal office. If the person sought 998  
nomination at a primary election and has not yet been issued a 999  
certificate of nomination, the board shall not issue that 1000  
certificate for that person for any office that is not a federal 1001  
office. 1002

(d) If one or more of the offices for which the person is 1003  
seeking election is a state office and any of the offices for 1004  
which the person is seeking election is a federal office, the 1005

board shall notify the secretary of state. The secretary of 1006  
state shall order the board of elections of each county in which 1007  
the person is seeking to appear on the ballot to disqualify that 1008  
person as a candidate for each office that is not a federal 1009  
office. Each board of elections so notified shall vote promptly 1010  
to disqualify the person as a candidate in accordance with the 1011  
order of the secretary of state. If the person sought nomination 1012  
at a primary election and has not yet been issued a certificate 1013  
of nomination, the board shall not issue that certificate for 1014  
that person for any office that is not a federal office. 1015

(E) When a person is disqualified as a candidate under 1016  
division (C) or (D) of this section, on or before the seventieth 1017  
day before the day of the applicable election, the board of 1018  
elections shall remove the person's name from the ballot for any 1019  
office for which that person has been disqualified as a 1020  
candidate according to the directions of the secretary of state. 1021  
When a person is disqualified as a candidate under division (C) 1022  
or (D) of this section after the seventieth day before the day 1023  
of the applicable election, the board of elections shall not 1024  
remove the person's name from the ballot for any office for 1025  
which that person has been disqualified as a candidate. The 1026  
board of elections shall post a notice at each polling location 1027  
on the day of the applicable election, and shall enclose with 1028  
each absent voter's ballot given or mailed after the candidate 1029  
is disqualified, a notice that votes for the person for the 1030  
office for which the person has been disqualified as a candidate 1031  
will be void and will not be counted. If the name is not removed 1032  
from the ballots before the day of the election, the votes for 1033  
the disqualified candidate are void and shall not be counted. 1034

(F) Any vacancy created by the disqualification of a 1035  
person as a candidate under division (C) or (D) of this section 1036

may be filled in the manner provided for in sections 3513.30 and 1037  
3513.31 of the Revised Code. 1038

(G) Nothing in this section or section 3513.04, 3513.041, 1039  
3513.05, 3513.251, 3513.253, ~~3513.254~~, ~~3513.255~~, 3513.257, 1040  
~~3513.259~~, or 3513.261 of the Revised Code prohibits, and the 1041  
secretary of state or a board of elections shall not disqualify, 1042  
a person from being a candidate for an office, if that person 1043  
timely withdraws as a candidate for any offices specified in 1044  
division (A) of this section for which that person first sought 1045  
to become a candidate by filing a declaration of candidacy and 1046  
petition, a declaration of intent to be a write-in candidate, or 1047  
a nominating petition, by party nomination in a primary 1048  
election, or by the filling of a vacancy under section 3513.30 1049  
or 3513.31 of the Revised Code. 1050

(H) As used in this section: 1051

(1) "State office" means the offices of governor, 1052  
lieutenant governor, secretary of state, auditor of state, 1053  
treasurer of state, attorney general, member of the state board 1054  
of education, member of the general assembly, chief justice of 1055  
the supreme court, and justice of the supreme court. 1056

(2) "Timely withdraws" means either of the following: 1057

(a) Withdrawing as a candidate before the applicable 1058  
deadline for filing a declaration of candidacy, declaration of 1059  
intent to be a write-in candidate, or nominating petition for 1060  
the subsequent office for which the person is seeking to become 1061  
a candidate at the same election; 1062

(b) Withdrawing as a candidate before the applicable 1063  
deadline for the filling of a vacancy under section 3513.30 or 1064  
3513.31 of the Revised Code, if the person is seeking to become 1065

a candidate for a subsequent office at the same election under 1066  
either of those sections. 1067

**Sec. 3513.19.** (A) It is the duty of any precinct election 1068  
official, whenever any such official doubts that a person 1069  
attempting to vote at a primary election is legally entitled to 1070  
vote at that election, to challenge the right of that person to 1071  
vote. The right of a person to vote at a primary election may be 1072  
challenged upon the following grounds: 1073

(1) That the person whose right to vote is challenged is 1074  
not a legally qualified elector; 1075

(2) That the person has received or has been promised some 1076  
valuable reward or consideration for the person's vote; 1077

(3) That the person is not affiliated with or is not a 1078  
member of the political party whose ballot the person desires to 1079  
vote. Such party affiliation shall be determined by examining 1080  
the elector's voting record for the current year and the 1081  
immediately preceding two calendar years as shown on the voter's 1082  
registration card, using the standards of affiliation specified 1083  
in ~~the seventh paragraph~~ division (G) of section 3513.05 of the 1084  
Revised Code. Division (A) (3) of this section and ~~the seventh~~ 1085  
~~paragraph~~ division (G) of section 3513.05 of the Revised Code do 1086  
not prohibit a person who holds an elective office for which 1087  
candidates are nominated at a party primary election from doing 1088  
any of the following: 1089

(a) If the person voted as a member of a different 1090  
political party at any primary election within the current year 1091  
and the immediately preceding two calendar years, being a 1092  
candidate for nomination at a party primary held during the 1093  
times specified in division (C) (2) of section 3513.191 of the 1094

Revised Code provided that the person complies with the 1095  
requirements of that section; 1096

(b) Circulating the person's own petition of candidacy for 1097  
party nomination in the primary election. 1098

(B) When the right of a person to vote is challenged upon 1099  
the ground set forth in division (A) (3) of this section, 1100  
membership in or political affiliation with a political party 1101  
shall be determined by the person's statement, made under 1102  
penalty of election falsification, that the person desires to be 1103  
affiliated with and supports the principles of the political 1104  
party whose primary ballot the person desires to vote. 1105

**Section 2.** That existing sections 3311.053, 3501.01, 1106  
3505.03, 3505.04, 3513.04, 3513.05, 3513.052, and 3513.19 of the 1107  
Revised Code are hereby repealed. 1108

**Section 3.** That sections 3513.254, 3513.255, 3513.256, and 1109  
3513.259 of the Revised Code are hereby repealed. 1110

**Section 4.** This act first applies to the nomination of 1111  
candidates for the office of member of the State Board of 1112  
Education and member of a board of education, and the election 1113  
of those nominees at the following general election, beginning 1114  
with the next primary election held in an even-numbered year 1115  
that is held at least one hundred twenty days after the 1116  
effective date of this section. 1117