

As Introduced

136th General Assembly

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H. B. No. 153

Representatives Lear, Hall, T.

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

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 197
the qualifications provided by law to be entitled to vote. 198

(O) "Voter" means an elector who votes at an election. 199

(P) "Voting residence" means that place of residence of an 200
elector which shall determine the precinct in which the elector 201
may vote. 202

(Q) "Precinct" means a district within a county 203
established by the board of elections of such county within 204
which all qualified electors having a voting residence therein 205
may vote at the same polling place. 206

(R) "Polling place" means that place provided for each 207
precinct at which the electors having a voting residence in such 208
precinct may vote. 209

(S) "Board" or "board of elections" means the board of 210
elections appointed in a county pursuant to section 3501.06 of 211
the Revised Code. 212

(T) "Political subdivision" means a county, township, 213
city, village, or school district. 214

(U) "Election officer" or "election official" means any of 215
the following: 216

(1) Secretary of state; 217

(2) Employees of the secretary of state serving the 218
division of elections in the capacity of attorney, 219
administrative officer, administrative assistant, elections 220
administrator, office manager, or clerical supervisor; 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, member of the state board of education, member of a 329
board of education, county commissioner, county auditor, 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 733
offices, positions as a member of a city, local, or exempted 734
village board of education, or positions as a member of a 735
governing board of an educational service center. 736
- (B) The secretary of state or a board of elections shall 737
not accept for filing a declaration of candidacy and petition, a 738
declaration of intent to be a write-in candidate, or a 739
nominating petition of a person seeking to become a candidate if 740
that person, for the same election, has already filed a 741
declaration of candidacy, a declaration of intent to be a write- 742
in candidate, or a nominating petition, or has become a 743
candidate through party nomination at a primary election or by 744
the filling of a vacancy under section 3513.30 or 3513.31 of the 745
Revised Code for: 746
- (1) Any federal, state, or county office, if the 747
declaration of candidacy, declaration of intent to be a write-in 748
candidate, or nominating petition is for a state or county 749
office; 750
- (2) Any municipal or township office, or for member of a 751
city, local, or exempted village board of education, or for 752
member of a governing board of an educational service center, if 753
the declaration of candidacy, declaration of intent to be a 754
write-in candidate, or nominating petition is for a municipal or 755
township office, or for member of a city, local, or exempted 756
village board of education, or for member of a governing board 757
of an educational service center. 758
- (C) (1) If the secretary of state determines, before the 759
day of the primary election, that a person is seeking nomination 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 853
write-in candidate or by the filling of a vacancy under section 854
3513.30 of the Revised Code. The secretary of state shall order 855
the board of elections of each county in which the person is 856
seeking to appear on the ballot to disqualify that person as a 857
candidate for each office for which the person sought to become 858
a candidate after the date on which the person first sought to 859
become a candidate for any of those offices. If the secretary of 860
state determines that the person sought to become a candidate 861
for more than one of those offices on the same date, the 862
secretary of state shall order the board of elections of each 863
county in which the person is seeking to appear on the ballot to 864
disqualify that person as a candidate for each office that would 865
be listed on the ballot below the highest office for which that 866
person seeks nomination, according to the ballot order 867
prescribed under section 3505.03 of the Revised Code. Each board 868
of elections so notified shall vote promptly to disqualify the 869
person as a candidate in accordance with the order of the 870
secretary of state. 871

(c) If each office or the district for each office for 872
which the person is seeking nomination is wholly within a single 873
county and any of those offices is a federal office, the board 874
shall vote promptly to disqualify that person as a candidate for 875
each office that is not a federal office. 876

(d) If one or more of the offices for which the person is 877
seeking nomination is a state office and any of the offices for 878
which the person is seeking nomination is a federal office, the 879
board shall notify the secretary of state. The secretary of 880
state then shall order the board of elections of each county in 881
which the person is seeking to appear on the ballot to 882
disqualify that person as a candidate for each office that is 883

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