

As Introduced

**136th General Assembly
Regular Session
2025-2026**

S. B. No. 382

Senator Blessing

To amend sections 111.27, 3501.01, 3501.06, 1
3501.23, 3505.03, 3505.04, 3509.03, 3509.04, 2
3511.02, 3511.05, 3513.01, 3513.02, 3513.04, 3
3513.05, 3513.052, 3513.07, 3513.13, 3513.14, 4
3513.19, 3513.20, 3513.22, 3513.23, 3513.257, 5
3513.261, 3513.262, 3513.30, 3513.31, 3513.311, 6
3517.01, 3517.012, and 3517.03 and to repeal 7
sections 3513.28, 3513.301, and 3513.312 of the 8
Revised Code to implement a top-two primary 9
election system for elective congressional, 10
state, district, county, and municipal offices. 11

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

Section 1. That sections 111.27, 3501.01, 3501.06, 12
3501.23, 3505.03, 3505.04, 3509.03, 3509.04, 3511.02, 3511.05, 13
3513.01, 3513.02, 3513.04, 3513.05, 3513.052, 3513.07, 3513.13, 14
3513.14, 3513.19, 3513.20, 3513.22, 3513.23, 3513.257, 3513.261, 15
3513.262, 3513.30, 3513.31, 3513.311, 3517.01, 3517.012, and 16
3517.03 of the Revised Code be amended to read as follows: 17

Sec. 111.27. There is hereby established in the state 18
treasury the board of elections fund. The fund shall be used by 19
the secretary of state to provide advancements, subject to 20
recoupment, or to reimburse boards of elections pursuant to 21

sections ~~3513.301, 3513.312,~~ 3515.071, and 3521.03 of the 22
Revised Code, and to provide training and educational programs 23
for members and employees of boards of elections. The fund shall 24
receive transfers of cash pursuant to controlling board action. 25

Sec. 3501.01. As used in the sections of the Revised Code 26
relating to elections and political communications: 27

(A) "General election" means the election held on the 28
first Tuesday after the first Monday in each November. 29

(B) "Regular municipal election" means the election held 30
on the first Tuesday after the first Monday in November in each 31
odd-numbered year. 32

(C) "Regular state election" means the election held on 33
the first Tuesday after the first Monday in November in each 34
even-numbered year. 35

(D) "Special election" means any election other than those 36
elections defined in other divisions of this section. A special 37
election may be held only on the first Tuesday after the first 38
Monday in May or November, on the first Tuesday after the first 39
Monday in August in accordance with section 3501.022 of the 40
Revised Code, or on the day authorized by a particular municipal 41
or county charter for the holding of a primary election, except 42
that in any year in which a presidential primary election is 43
held, no special election shall be held in May, except as 44
authorized by a municipal or county charter, but may be held on 45
the third Tuesday after the first Monday in March. 46

(E) (1) "Primary" or "primary election" means an election 47
held for the purpose of nominating persons as candidates of 48
political parties for election to offices, and for the purpose 49
of electing persons as members of the controlling committees of 50

political parties and as delegates and alternates to the 51
conventions of political parties. Primary elections shall be 52
held on the first Tuesday after the first Monday in May of each 53
year except in years in which a presidential primary election is 54
held. 55

(2) "Presidential primary election" means a primary 56
election as defined by division (E)(1) of this section at which 57
an election is held for the purpose of choosing delegates and 58
alternates to the national conventions of the major political 59
parties pursuant to section 3513.12 of the Revised Code. Unless 60
otherwise specified, presidential primary elections are included 61
in references to primary elections. In years in which a 62
presidential primary election is held, all primary elections 63
shall be held on the third Tuesday after the first Monday in 64
March except as otherwise authorized by a municipal or county 65
charter. 66

(F) "Political party" means any group of voters meeting 67
the requirements set forth in section 3517.01 of the Revised 68
Code for the formation and existence of a political party. 69

(1) "Major political party" means any political party 70
organized under the laws of this state whose ~~candidate for~~ 71
~~governor or~~ nominees for presidential electors received not less 72
than twenty per cent of the total vote cast for such office at 73
the most recent regular state election. 74

(2) "Minor political party" means any political party 75
organized under the laws of this state that meets either of the 76
following requirements: 77

(a) Except as otherwise provided in this division, the 78
political party's ~~candidate for governor or~~ nominees for 79

presidential electors received less than twenty per cent but not 80
less than three per cent of the total vote cast for such office 81
at the most recent regular state election. A political party 82
that meets the requirements of this division remains a political 83
party for a period of four years after meeting those 84
requirements. 85

(b) The political party has filed with the secretary of 86
state, subsequent to its failure to meet the requirements of 87
division (F) (2) (a) of this section, a petition that meets the 88
requirements of section 3517.01 of the Revised Code. 89

A newly formed political party shall be known as a minor 90
political party until the time of the first election for 91
~~governor or president~~ which occurs not less than twelve months 92
subsequent to the formation of such party, after which election 93
the status of such party shall be determined by the vote for the 94
office of ~~governor or president~~. 95

(G) "Dominant party in a precinct" or "dominant political 96
party in a precinct" means that political party whose candidate 97
for election to the office of ~~governor-president~~ at the most 98
recent regular state election at which a ~~governor-president~~ was 99
elected received more votes than any other person received for 100
election to that office in such precinct at such election. 101

(H) "Candidate" means any qualified person certified in 102
accordance with the provisions of the Revised Code for placement 103
on the official ballot of a primary, general, or special 104
election to be held in this state, or any qualified person who 105
claims to be a write-in candidate, or who knowingly assents to 106
being represented as a write-in candidate by another at either a 107
primary, general, or special election to be held in this state. 108

(I) "Independent candidate" means any candidate who claims 109
not to be affiliated with a political party, and whose name has 110
been certified on the office-type ballot at a general or special 111
election through the filing of a statement of candidacy and 112
nominating petition, as prescribed in section 3513.257 of the 113
Revised Code. 114

(J) "Nonpartisan candidate" means any candidate whose name 115
is required, pursuant to section 3505.04 of the Revised Code, to 116
be listed on the nonpartisan ballot, including all candidates 117
for judge of a municipal court, county court, or court of common 118
pleas, for member of any board of education, for municipal or 119
township offices in which primary elections are not held for 120
nominating candidates by political parties, and for offices of 121
municipal corporations having charters that provide for separate 122
ballots for elections for these offices. 123

(K) "Party candidate" means any candidate who claims to be 124
a member of a political party and who has been certified to 125
appear on the office-type ballot at a general or special 126
election as the nominee of a political party because the 127
candidate has won the primary election of the candidate's party 128
for the public office the candidate seeks, has been nominated 129
under section 3517.012, or is selected by party committee in 130
accordance with section 3513.31 of the Revised Code. 131

(L) "Officer of a political party" includes, but is not 132
limited to, any member, elected or appointed, of a controlling 133
committee, whether representing the territory of the state, a 134
district therein, a county, township, a city, a ward, a 135
precinct, or other territory, of a major or minor political 136
party. 137

(M) "Question or issue" means any question or issue 138

certified in accordance with the Revised Code for placement on 139
an official ballot at a general or special election to be held 140
in this state. 141

(N) "Elector" or "qualified elector" means a person having 142
the qualifications provided by law to be entitled to vote. 143

(O) "Voter" means an elector who votes at an election. 144

(P) "Voting residence" means that place of residence of an 145
elector which shall determine the precinct in which the elector 146
may vote. 147

(Q) "Precinct" means a district within a county 148
established by the board of elections of such county within 149
which all qualified electors having a voting residence therein 150
may vote at the same polling place. 151

(R) "Polling place" means that place provided for each 152
precinct at which the electors having a voting residence in such 153
precinct may vote. 154

(S) "Board" or "board of elections" means the board of 155
elections appointed in a county pursuant to section 3501.06 of 156
the Revised Code. 157

(T) "Political subdivision" means a county, township, 158
city, village, or school district. 159

(U) "Election officer" or "election official" means any of 160
the following: 161

(1) Secretary of state; 162

(2) Employees of the secretary of state serving the 163
division of elections in the capacity of attorney, 164
administrative officer, administrative assistant, elections 165

administrator, office manager, or clerical supervisor;	166
(3) Director of a board of elections;	167
(4) Deputy director of a board of elections;	168
(5) Member of a board of elections;	169
(6) Employees of a board of elections;	170
(7) Precinct election officials;	171
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	172 173
(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.	174 175 176 177 178 179 180
(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, date of birth, or United States citizenship, the number of the elector's Ohio driver's license or state identification card, the last four digits of the elector's social security number, or any other information required for registration. The notice shall be sent by forwardable mail, shall be accompanied by a postage prepaid, preaddressed return envelope containing a form on which the elector may verify or correct the elector's registration, and shall meet the requirements of the National Voter Registration Act of 1993.	181 182 183 184 185 186 187 188 189 190 191 192
(X) "Designated agency" means an office or agency in the	193

state that provides public assistance or that provides state- 194
funded programs primarily engaged in providing services to 195
persons with disabilities and that is required by the National 196
Voter Registration Act of 1993 to implement a program designed 197
and administered by the secretary of state for registering 198
voters, or any other public or government office or agency that 199
implements a program designed and administered by the secretary 200
of state for registering voters, including the department of job 201
and family services, the program administered under section 202
3701.132 of the Revised Code by the department of health, the 203
department of behavioral health, the department of developmental 204
disabilities, the opportunities for Ohioans with disabilities 205
agency, and any other agency the secretary of state designates. 206
"Designated agency" does not include public high schools and 207
vocational schools, public libraries, or the office of a county 208
treasurer. 209

(Y) "National Voter Registration Act of 1993" means the 210
"National Voter Registration Act of 1993," 107 Stat. 77, 42 211
U.S.C.A. 1973gg. 212

(Z) "Voting Rights Act of 1965" means the "Voting Rights 213
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 214

(AA) (1) "Photo identification" means one of the following 215
documents that includes the individual's name and photograph and 216
is not expired: 217

(a) An Ohio driver's license, state identification card, 218
or interim identification form issued by the registrar of motor 219
vehicles or a deputy registrar under Chapter 4506. or 4507. of 220
the Revised Code; 221

(b) A United States passport or passport card; 222

(c) A United States military identification card, Ohio 223
national guard identification card, or United States department 224
of veterans affairs identification card. 225

(2) A "copy" of an individual's photo identification means 226
images of both the front and back of a document described in 227
division (AA)(1) of this section, except that if the document is 228
a United States passport, a copy of the photo identification 229
means an image of the passport's identification page that 230
includes the individual's name, photograph, and other 231
identifying information and the passport's expiration date. 232

(BB) "Driver's license" means a license or permit issued 233
by the registrar or a deputy registrar under Chapter 4506. or 234
4507. of the Revised Code that authorizes an individual to 235
drive. "Driver's license" includes a driver's license, 236
commercial driver's license, probationary license, restricted 237
license, motorcycle operator's license, or temporary instruction 238
permit identification card. "Driver's license" does not include 239
a limited term license issued under section 4506.14 or 4507.09 240
of the Revised Code. 241

(CC) "State identification card" means a card issued by 242
the registrar or a deputy registrar under sections 4507.50 to 243
4507.52 of the Revised Code. 244

(DD) "Interim identification form" means the document 245
issued by the registrar or a deputy registrar to an applicant 246
for a driver's license or state identification card that 247
contains all of the information otherwise found on the license 248
or card and that an applicant may use as a form of 249
identification until the physical license or card arrives in the 250
mail. 251

(EE) (1) "Proof of citizenship" means evidence that an individual is a United States citizen, in the form of one of the following:

(a) The number of the individual's current Ohio driver's license or state identification card, if the secretary of state verifies using information obtained from the bureau of motor vehicles that the individual has submitted documentation to the bureau that indicates that the individual is a United States citizen;

(b) The individual's current Ohio driver's license, state identification card, or interim identification form issued on or after April 7, 2023, or a copy of the front and back of that license, card, or form, if the license, card, or form does not include a notation designating that the individual is a noncitizen of the United States;

(c) The individual's birth certificate, certification of report of birth, or consular report of birth abroad, or a copy of one of those documents;

(d) The individual's current United States passport or passport card, a copy of the identification page of the passport, or a copy of the front and back of the passport card;

(e) The individual's certificate of naturalization or certificate of citizenship or a copy of one of those documents;

(f) The individual's I-797 notice of action for form N-565, application for replacement naturalization/citizenship document issued by United States citizenship and immigration services, if the notice indicates that the application has been approved; a copy of that notice; or an original or copy of the successor form of that notice issued by the federal agency that

is responsible for fulfilling requests for replacement 281
naturalization or citizenship documents. 282

(2) If an individual's current legal name is different 283
from the name on the individual's proof of citizenship, the 284
individual also shall provide proof of the change of name, such 285
as a copy of a marriage license or court order. 286

(FF) "Voter-nominated office" means a congressional or 287
state elective office for which a candidate may choose to have 288
the candidate's party preference or lack of party preference 289
indicated upon the ballot. The following offices are voter- 290
nominated offices: 291

(1) Governor; 292

(2) Lieutenant governor; 293

(3) Secretary of state; 294

(4) Treasurer of state; 295

(5) Attorney general; 296

(6) Member of the senate of the United States; 297

(7) Member of the United States house of representatives; 298

(8) Member of the Ohio senate; 299

(9) Member of the Ohio house of representatives. 300

(GG) "Nonpartisan office" means an elective office, except 301
for a voter-nominated office, for which no party may nominate a 302
candidate. The following offices are nonpartisan offices: 303

(1) Judicial offices; 304

(2) Member of a board of education; 305

<u>(3) County offices, except for elective offices within a</u>	306
<u>political party as described in section 3517.03 of the Revised</u>	307
<u>Code;</u>	308
<u>(4) Municipal offices;</u>	309
<u>(5) Township offices.</u>	310
<u>(HH) "Partisan office" means an elective office to which</u>	311
<u>candidates for election are nominated by party primary.</u>	312
<u>(II) "Party primary" means a primary election held for the</u>	313
<u>purpose of nominating political party candidates for election to</u>	314
<u>any of the following offices:</u>	315
<u>(1) President of the United States;</u>	316
<u>(2) Vice president of the United States;</u>	317
<u>(3) Delegates and alternates to the national conventions</u>	318
<u>of the major political parties;</u>	319
<u>(4) Elective offices within a political party.</u>	320
Sec. 3501.06. (A) There shall be in each county of the	321
state a board of elections consisting of four qualified electors	322
of the county, who shall be appointed by the secretary of state,	323
as the secretary's representatives.	324
(B) (1) On the first day of March in the years 2014 and	325
2016, the secretary of state shall appoint two of such board	326
members for a term of three years. One of those board members	327
shall be from the political party which cast the highest number	328
of votes for the office of governor at the most recent regular	329
state election, and the other shall be from the political party	330
which cast the next highest number of votes for the office of	331
governor at such election.	332

(2) Beginning in 2017, on the first day of March in odd- 333
numbered years, the secretary of state shall appoint two of such 334
board members for a term of four years. One of those board 335
members shall be from the political party which cast the highest 336
number of votes in this state for the office of ~~governor~~ 337
president at the most recent regular state election at which a 338
person was elected to such office, and the other shall be from 339
the political party which cast the next highest number of votes 340
in this state for the office of ~~governor~~president at such 341
election. Thereafter, all appointments shall be made on the 342
first day of March in odd-numbered years for a term of four 343
years. 344

(C) All vacancies filled for unexpired terms and all 345
appointments to new terms shall be made from the political party 346
to which the vacating or outgoing member belonged, unless there 347
is a third political party which cast a greater number of votes 348
in the state at the most recent regular state election for the 349
office of ~~governor~~president than did the party to which the 350
retiring member belonged, in which event the vacancy shall be 351
filled from such third party. 352

Sec. 3501.23. A board of elections shall, by the adoption 353
of a resolution, provide that, at any special election at which 354
no candidates are to be elected, ~~or at any primary election when~~ 355
~~only one party primary is to be held for the nomination of~~ 356
~~candidates for municipal office which is to be held in its~~ 357
~~county~~, the precinct officials at any such election shall 358
consist of not more than four judges who shall perform all the 359
duties prescribed for the proper conduct of an election by 360
precinct officials. Such precinct officials shall be well 361
qualified for the performance of their duties and said precinct 362
officials for any special election shall be selected from among 363

those regularly appointed under section 3501.22 of the Revised Code, but the precinct officials for any party primary election shall be selected from among those regularly appointed under such section, provided that such officials shall be equally divided between the two major political parties.

Sec. 3505.03. (A) On the office type ~~ballot~~ballots shall be printed the names of all candidates for election to offices, ~~except the office of judge of a municipal court, county court, or court of common pleas,~~ who were nominated at the most recent primary election ~~as candidates of a political party~~ or who were nominated in accordance with section 3513.02 of the Revised Code, and the names of all candidates for election to offices who were nominated by nominating petitions, except candidates for the office of judge of a municipal court, county court, or court of common pleas, for member of a board of education, for municipal offices, and for township offices.

(B) The face of the ballot below the stub shall be substantially in the following form:

"OFFICIAL OFFICE TYPE BALLOT

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

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

(C) The order in which the offices shall be listed on the ballot shall be prescribed by, and certified to each board of elections by, the secretary of state; provided that for state, district, and county offices the order from top to bottom shall

be as follows: governor and lieutenant governor, attorney 393
general, auditor of state, secretary of state, treasurer of 394
state, chief justice of the supreme court, justice of the 395
supreme court, United States senator, representative to 396
congress, state senator, and state representative,~~judge of a~~ 397
~~court of appeals, county commissioner, county auditor,~~ 398
~~prosecuting attorney, clerk of the court of common pleas,~~ 399
~~sheriff, county recorder, county treasurer, county engineer, and~~ 400
~~coroner.~~ The offices of governor and lieutenant governor shall 401
be printed on the ballot in a manner that requires a voter to 402
cast one vote jointly for the candidates who have been nominated 403
~~by the same political party or petition~~together by petition or 404
in the preceding primary election. 405

~~(D) Within the rectangular space within which the title of 406
each judicial office listed in division (C) of this section is 407
printed on the ballot and immediately below the title shall be 408
printed the date of the commencement of the term of the office, 409
if it is a full term, as follows: "Full term commencing 410
_____ (Date) _____," or the date of the end of the term of the 411
office, if it is an unexpired term, as follows: "Unexpired term 412
ending _____ (Date) _____"~~ 413

~~(E) (1)~~ (D) (1) The names of all candidates for an office 414
shall be arranged in a group under the title of that office, 415
and, except for absentee ballots or when the number of 416
candidates for a particular office is the same as the number of 417
candidates to be elected for that office, shall be rotated from 418
one precinct to another. On absentee ballots, the names of all 419
candidates for an office shall be arranged in a group under the 420
title of that office and shall be so alternated that each name 421
shall appear, insofar as may be reasonably possible, 422
substantially an equal number of times at the beginning, at the 423

end, and in each intermediate place, if any, of the group in 424
which such name belongs, unless the number of candidates for a 425
particular office is the same as the number of candidates to be 426
elected for that office. 427

(2) The method of printing the ballots to meet the 428
rotation requirement of this section shall be as follows: the 429
least common multiple of the number of names in each of the 430
several groups of candidates shall be used, and the number of 431
changes made in the printer's forms in printing the ballots 432
shall correspond with that multiple. The board of elections 433
shall number all precincts in regular serial sequence. In the 434
first precinct, the names of the candidates in each group shall 435
be listed in alphabetical order. In each succeeding precinct, 436
the name in each group that is listed first in the preceding 437
precinct shall be listed last, and the name of each candidate 438
shall be moved up one place. In each precinct using paper 439
ballots, the printed ballots shall then be assembled in tablets. 440

~~(F)~~(E) Under the name of each candidate nominated at a 441
party primary election, nominated by petition under section 442
3517.012 of the Revised Code, or certified by a party committee 443
to fill a vacancy under section 3513.31 of the Revised Code 444
shall be printed, in less prominent type face than that in which 445
the candidate's name is printed, the name of the political party 446
by which the candidate was nominated or certified. Under the 447
name of each candidate appearing on the ballot who filed a 448
nominating petition and requested a ballot designation as a 449
nonparty candidate under section 3513.257 of the Revised Code 450
shall be printed, in less prominent type face than that in which 451
the candidate's name is printed, the designation of "nonparty 452
candidate." Under the name of each candidate appearing on the 453
ballot who filed a nominating petition and requested a ballot 454

designation as an other-party candidate under section 3513.257 455
of the Revised Code shall be printed, in less prominent type 456
face than that in which the candidate's name is printed, the 457
designation of "other-party candidate." No designation shall 458
appear under the name of a candidate appearing on the ballot who 459
filed a nominating petition and requested that no ballot 460
designation appear under the candidate's name under section 461
3513.257 of the Revised Code, or who filed a nominating petition 462
and failed to request a ballot designation either as a nonparty 463
candidate or as an other-party candidate under that section. 464

~~(G)~~(F) Under the name of each candidate nominated by 465
primary election held for the purpose of nominating candidates 466
for election to a voter-nominated office, or by nominating 467
petition for election to such office, shall be printed, in less 468
prominent type face than that in which the candidate's name is 469
printed, the name of the political party declared as that 470
candidate's preferred party in the candidate's declaration of 471
candidacy, or "No political party preference" if that candidate 472
declared a preference for no political party in the candidate's 473
declaration of candidacy. 474

(G) Except as provided in this section, no words, 475
designations, or emblems descriptive of a candidate or the 476
candidate's political affiliation, or indicative of the method 477
by which the candidate was nominated or certified, shall be 478
printed under or after a candidate's name that is printed on the 479
ballot. 480

Sec. 3505.04. On the nonpartisan ballot shall be printed 481
the names of all ~~nonpartisan~~ candidates for election to ~~the~~ 482
~~office of judge of a municipal court, county court, or court of~~ 483
~~common pleas, the office of member of a board of education,~~ 484

~~municipal or township offices for municipal corporations and~~ 485
~~townships in which primary elections are not held for nomination~~ 486
~~of candidates by political parties, and municipal offices of~~ 487
~~municipal corporations having charters which provide for~~ 488
~~separate ballots for elections for such municipal~~ 489
~~offices~~nonpartisan offices. 490

Such ballots shall have printed across the top, and below 491
the stubs, "Official Nonpartisan Ballot." 492

The order in which the offices are listed on the ballot 493
shall be prescribed by, and certified to each board of elections 494
by, the secretary of state; provided that county judicial 495
offices shall be listed first on the ballot, followed by 496
municipal and township offices, and by offices of member of a 497
board of education, in the order stated. 498

Within the rectangular space within which the title of 499
each judicial office is printed on the ballot and immediately 500
below such title shall be printed the date of the commencement 501
of the term of the office, if a full term, as follows: "Full 502
term commencing _____ (Date) _____," or the date of the end of 503
the term of the office, if an unexpired term, as follows: 504
"Unexpired term ending _____ (Date) _____" 505

Within the rectangular space within which the title of 506
each office for member of a board of education is printed on the 507
ballot shall be printed "For Member of Board of Education," and 508
the number to be elected, directions to the voter as to voting 509
for one, two, or more, and, if the office to be voted for is 510
member of a board of education of a city school district, words 511
shall be printed in said space on the ballot to indicate whether 512
candidates are to be elected from subdistricts or at large. 513

The names of all nonpartisan candidates for an office 514
shall be arranged in a group under the title of that office, and 515
shall be rotated and printed on the ballot as provided in 516
section 3505.03 of the Revised Code. 517

No name or designation of any political party nor any 518
words, designations, or emblems descriptive of a candidate or 519
the candidate's political affiliation, or indicative of the 520
method by which such candidate was nominated or certified, shall 521
be printed under or after any nonpartisan candidate's name which 522
is printed on the ballot. 523

Sec. 3509.03. (A) Except as otherwise provided in sections 524
3509.051, 3511.02, and 3511.021 of the Revised Code, any 525
qualified elector desiring to vote absent voter's ballots at an 526
election shall deliver a written application for those ballots, 527
either in person or by mail, to the board of elections of the 528
county in which the elector's voting residence is located. 529

(B) Except as otherwise permitted under section 3511.02 of 530
the Revised Code and under division (C) of this section, the 531
application shall be on a form prescribed by the secretary of 532
state and shall contain all of the following: 533

(1) The elector's name; 534

(2) The elector's signature; 535

(3) The address at which the elector is registered to 536
vote; 537

(4) The elector's date of birth; 538

(5) One of the following: 539

(a) The elector's Ohio driver's license or state 540
identification card number; 541

(b) The last four digits of the elector's social security number;	542 543
(c) A copy of the elector's photo identification.	544
(6) A statement identifying the election for which absent voter's ballots are requested;	545 546
(7) A statement that the person requesting the ballots is a qualified elector;	547 548
(8) If the request is for <u>party</u> primary election ballots, the elector's party affiliation;	549 550
(9) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.	551 552
(C) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the elector may provide the elector's program participant identification number instead of the address at which the elector is registered to vote.	553 554 555 556 557
(D) Except as otherwise provided in division (A) of section 3509.051 and in division (B) of section 3509.08 of the Revised Code, an application to receive absent voter's ballots shall be delivered to the office of the board not earlier than the first day of January of the year of the elections for which the absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, and not later than the close of business on the seventh day before the day of the election at which the ballots are to be voted.	558 559 560 561 562 563 564 565 566 567
(E) Except as permitted under section 111.31 of the Revised Code, no public office, and no public official or	568 569

employee who is acting in an official capacity, shall do either 570
of the following: 571

(1) Prepay the return postage for an application for 572
absent voter's ballots; 573

(2) Mail or otherwise deliver an unsolicited application 574
for absent voter's ballots to any person. 575

(F) (1) Except as otherwise provided in division (F) (2) of 576
this section and in sections 3505.24 and 3509.08 of the Revised 577
Code, no person shall preprint or fill out any portion of an 578
application for absent voter's ballots on behalf of an 579
applicant. 580

(2) The secretary of state or a board of elections may 581
preprint only an applicant's name and address on an application 582
for absent voter's ballots before mailing that application to 583
the applicant, except that if the applicant has a confidential 584
voter registration record, the secretary of state or a board of 585
elections shall not preprint the applicant's address on the 586
application. 587

(3) A completed application for absent voter's ballots is 588
not valid if any portion of it has been completed by any person 589
other than the applicant in violation of division (F) of this 590
section. 591

Sec. 3509.04. (A) If a board of elections receives an 592
application for absent voter's ballots that does not contain all 593
of the required information or is not submitted on an 594
appropriate form, the board promptly shall notify the applicant 595
of the additional information required to be provided by the 596
applicant to complete that application, direct the applicant to 597
use an appropriate form, or both, as applicable. 598

(B) Upon receipt by the board of elections of an 599
application for absent voter's ballots that contains all of the 600
required information and is submitted on an appropriate form, as 601
provided by section 3509.03 and division (G) of section 3503.16 602
of the Revised Code, the board, if the board finds that the 603
applicant is a qualified elector, shall deliver to the applicant 604
in person or mail directly to the applicant by special delivery 605
mail, air mail, or regular mail, postage prepaid, proper absent 606
voter's ballots. The board shall deliver or mail with the 607
ballots an unsealed identification envelope upon the face of 608
which shall be printed a form substantially as follows: 609

"Identification Envelope Statement of Voter 610

I, _____ (Name of voter), declare under 611
penalty of election falsification that the within ballot or 612
ballots contained no voting marks of any kind when I received 613
them, and I caused the ballot or ballots to be marked, enclosed 614
in the identification envelope, and sealed in that envelope. 615

My voting residence in Ohio is 616

_____ 617

(Street and Number, if any, or Rural Route and Number) 618

of _____ (City, Village, or Township) 619

Ohio, which is in Ward _____ Precinct _____ 620

in that city, village, or township. 621

If I have a confidential voter registration record, I am 622
providing my program participant identification number instead 623
of my residence address: _____ 624

The party primary election ballots, if any, within this 625

envelope are primary election ballots of the _____ 626

Party. 627

Ballots contained within this envelope are to be voted at 628
the _____ (general, special, or primary) election to be 629
held on the _____ day of 630
_____, _____. 631

My date of birth is _____ (Month and Day), 632
_____ (Year). 633

(Voter must provide one of the following:) 634

My Ohio driver's license or state identification card 635
number is _____ (Driver's license or state 636
identification card number). 637

The last four digits of my Social Security Number are 638
_____ (Last four digits of Social Security Number). 639

_____ In lieu of providing a driver's license or state 640
identification card number or the last four digits of my Social 641
Security Number, I am enclosing a copy of my photo 642
identification in the return envelope in which this 643
identification envelope will be mailed. 644

I hereby declare, under penalty of election falsification, 645
that the statements above are true, as I verily believe. 646

_____ 647
(Signature of Voter) 648

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 649
THE FIFTH DEGREE." 650

The board shall mail with the ballots and the unsealed 651
identification envelope an unsealed return envelope upon the 652
face of which shall be printed the post-office address of the 653

board. In the upper left corner on the face of the return 654
envelope, several blank lines shall be printed upon which the 655
voter may write the voter's name and return address. The return 656
envelope shall be of such size that the identification envelope 657
can be conveniently placed within it for returning the 658
identification envelope to the board. 659

No public office, and no public official or employee who 660
is acting in an official capacity, shall prepay the return 661
postage for any absent voter's ballots. 662

Except as otherwise provided in this section and in 663
sections 3505.24 and 3509.08 of the Revised Code, an election 664
official shall not fill out any portion of an identification 665
envelope statement of voter or an absent voter's ballot on 666
behalf of an elector. A board of elections may preprint only an 667
elector's name and address on an identification envelope 668
statement of voter before mailing absent voter's ballots to the 669
elector, except that if the elector has a confidential voter 670
registration record, as described in section 111.44 of the 671
Revised Code, the board of elections shall not preprint the 672
elector's address on the identification envelope statement of 673
voter. 674

Sec. 3511.02. (A) Notwithstanding any section of the 675
Revised Code to the contrary, whenever any person applies for 676
registration as a voter on a form adopted in accordance with 677
federal regulations relating to the "Uniformed and Overseas 678
Citizens Absentee Voting Act," 100 Stat. 924, 52 U.S.C.A. 20301, 679
this application shall be sufficient for voter registration and 680
as a request for an absent voter's ballot. Uniformed services or 681
overseas absent voter's ballots may be obtained by any person 682
meeting the requirements of section 3511.011 of the Revised Code 683

by applying electronically to the secretary of state or to the 684
board of elections of the county in which the person's voting 685
residence is located in accordance with section 3511.021 of the 686
Revised Code or by applying to the board of elections of the 687
county in which the person's voting residence is located, in one 688
of the following ways: 689

(1) That person may make written application for those 690
ballots. The person may personally deliver the application to 691
the office of the board or may mail it, send it by facsimile 692
machine, send it by electronic mail, send it through internet 693
delivery if such delivery is offered by the board of elections 694
or the secretary of state, or otherwise send it to the board. 695
Except as otherwise provided in division (B) of this section, 696
the application shall be on a form prescribed by the secretary 697
of state and shall contain all of the following information: 698

- (a) The elector's name; 699
- (b) The elector's signature; 700
- (c) The address at which the elector is registered to 701
vote; 702
- (d) The elector's date of birth; 703
- (e) One of the following: 704
 - (i) The elector's Ohio driver's license or state 705
identification card number; 706
 - (ii) The last four digits of the elector's social security 707
number; 708
 - (iii) A copy of the elector's photo identification. 709
- (f) A statement identifying the election for which absent 710

voter's ballots are requested; 711

(g) A statement that the person requesting the ballots is 712
a qualified elector; 713

(h) A statement that the elector is an absent uniformed 714
services voter or overseas voter as defined in 52 U.S.C. 20310; 715

(i) A statement of the elector's length of residence in 716
the state immediately preceding the commencement of service, 717
immediately preceding the date of leaving to be with or near the 718
service member, or immediately preceding leaving the United 719
States, or a statement that the elector's parent or legal 720
guardian resided in this state long enough to establish 721
residency for voting purposes immediately preceding leaving the 722
United States, whichever is applicable; 723

(j) If the request is for party primary election ballots, 724
the elector's party affiliation; 725

(k) If the elector desires ballots to be mailed to the 726
elector, the address to which those ballots shall be mailed; 727

(l) If the elector desires ballots to be sent to the 728
elector by facsimile machine, the telephone number to which they 729
shall be so sent; 730

(m) If the elector desires ballots to be sent to the 731
elector by electronic mail or, if offered by the board of 732
elections or the secretary of state, through internet delivery, 733
the elector's electronic mail address or other internet contact 734
information. 735

(2) A voter or any relative of a voter listed in division 736
(A) (3) of this section may use a single federal post card 737
application to apply for uniformed services or overseas absent 738

voter's ballots for use at the primary and general elections in 739
a given year and any special election to be held on the day in 740
that year specified by division (E) of section 3501.01 of the 741
Revised Code for the holding of a primary election, designated 742
by the general assembly for the purpose of submitting 743
constitutional amendments proposed by the general assembly to 744
the voters of the state. A single federal postcard application 745
shall be processed by the board of elections pursuant to section 746
3511.04 of the Revised Code the same as if the voter had applied 747
separately for uniformed services or overseas absent voter's 748
ballots for each election. 749

(3) Application to have uniformed services or overseas 750
absent voter's ballots mailed or sent by facsimile machine to 751
such a person may be made by the spouse, father, mother, father- 752
in-law, mother-in-law, grandfather, grandmother, brother or 753
sister of the whole blood or half blood, son, daughter, adopting 754
parent, adopted child, stepparent, stepchild, daughter-in-law, 755
son-in-law, uncle, aunt, nephew, or niece of such a person. The 756
application shall be in writing upon a blank form furnished only 757
by the board or on a single federal post card as provided in 758
division (A)(2) of this section. The form of the application 759
shall be prescribed by the secretary of state. The board shall 760
furnish that blank form to any of the relatives specified in 761
this division desiring to make the application, only upon the 762
request of such a relative made in person at the office of the 763
board or upon the written request of such a relative mailed to 764
the office of the board. Except as otherwise provided in 765
division (B) of this section, the application, subscribed and 766
sworn to by the applicant, shall contain all of the following: 767

(a) The full name of the elector for whom ballots are 768
requested; 769

(b) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 52 U.S.C. 20310;	770 771
(c) The address at which the elector is registered to vote;	772 773
(d) A statement identifying the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near a service member, or immediately preceding leaving the United States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States, as the case may be;	774 775 776 777 778 779 780 781
(e) The elector's date of birth;	782
(f) One of the following:	783
(i) The elector's Ohio driver's license or state identification card number;	784 785
(ii) The last four digits of the elector's social security number;	786 787
(iii) A copy of the elector's photo identification.	788
(g) A statement identifying the election for which absent voter's ballots are requested;	789 790
(h) A statement that the person requesting the ballots is a qualified elector;	791 792
(i) If the request is for <u>party</u> primary election ballots, the elector's party affiliation;	793 794
(j) A statement that the applicant bears a relationship to the elector as specified in division (A)(3) of this section;	795 796

(k) The address to which ballots shall be mailed, the 797
telephone number to which ballots shall be sent by facsimile 798
machine, the electronic mail address to which ballots shall be 799
sent by electronic mail, or, if internet delivery is offered by 800
the board of elections or the secretary of state, the internet 801
contact information to which ballots shall be sent through 802
internet delivery; 803

(l) The signature and address of the person making the 804
application. 805

(B) If the elector has a confidential voter registration 806
record, as described in section 111.44 of the Revised Code, the 807
application may include the elector's program participant 808
identification number instead of the address at which the 809
elector is registered to vote. 810

(C) Each application for uniformed services or overseas 811
absent voter's ballots shall be delivered to the office of the 812
board not earlier than the first day of January of the year of 813
the elections for which the uniformed services or overseas 814
absent voter's ballots are requested or not earlier than ninety 815
days before the day of the election at which the ballots are to 816
be voted, whichever is earlier. An application to receive 817
uniformed services or overseas absent voter's ballots by mail or 818
by another method permitted under section 3511.021 of the 819
Revised Code shall be delivered to the office of the board not 820
later than the close of business on the seventh day preceding 821
the day of the election. 822

(D) If the voter for whom the application is made is 823
entitled to vote for presidential and vice-presidential electors 824
only, the applicant shall submit to the board, in addition to 825
the requirements of division (A) of this section, a statement to 826

the effect that the voter is qualified to vote for presidential 827
and vice-presidential electors and for no other offices. 828

(E) Except as permitted under section 111.31 of the 829
Revised Code, no public office, and no public official or 830
employee who is acting in an official capacity, shall do either 831
of the following: 832

(1) Prepay the return postage for an application for 833
absent voter's ballots; 834

(2) Mail or otherwise deliver an unsolicited application 835
for absent voter's ballots to any person. 836

(F) (1) Except as otherwise provided in divisions (A) (2) 837
and (3) and (F) (2) of this section and in sections 3505.24 and 838
3509.08 of the Revised Code, no person shall fill out any 839
portion of a federal post card application or other application 840
for absent voter's ballots on behalf of an applicant. 841

(2) The secretary of state or a board of elections may 842
preprint only an applicant's name and address on a federal post 843
card application or other application for absent voter's ballots 844
before mailing that application to the applicant, except that if 845
the applicant has a confidential voter registration record, the 846
secretary of state or the board of elections shall not preprint 847
the applicant's address on the application. 848

(3) A completed application for absent voter's ballots is 849
not valid if any portion of it has been completed by any person 850
other than the applicant in violation of division (F) of this 851
section. 852

Sec. 3511.05. (A) The board of elections shall place 853
uniformed services or overseas absent voter's ballots sent by 854
mail in an unsealed identification envelope, gummed ready for 855

sealing. The board shall include with uniformed services or 856
overseas absent voter's ballots sent electronically, including 857
by facsimile machine, an instruction sheet for preparing a 858
gummed envelope in which the ballots shall be returned. The 859
envelope for returning ballots sent by either means shall have 860
printed or written on its face a form substantially as follows: 861

"Identification Envelope Statement of Voter 862

I, _____ (Name of voter), declare under 863
penalty of election falsification that the within ballot or 864
ballots contained no voting marks of any kind when I received 865
them, and I caused the ballot or ballots to be marked, enclosed 866
in the identification envelope, and sealed in that envelope. 867

My voting residence in Ohio is 868

_____ 869

(Street and Number, if any, or Rural Route and Number) 870

of _____ (City, Village, or Township) 871

Ohio, which is in Ward _____ Precinct _____ 872

in that city, village, or township. 873

If I have a confidential voter registration record, I am 874

providing my program participant identification number instead 875

of my residence address: _____ 876

The party primary election ballots, if any, within this 877

envelope are primary election ballots of the _____ 878

Party. 879

Ballots contained within this envelope are to be voted at 880

the _____ (general, special, or primary) election to be 881

held on the _____ day of 882

_____, _____ 883

My date of birth is _____ (Month and Day), 884
_____ (Year). 885

(Voter must provide one of the following:) 886

My Ohio driver's license or state identification card 887
number is _____ (Driver's license or state 888
identification card number). 889

The last four digits of my Social Security Number are 890
_____ (Last four digits of Social Security Number). 891

_____ In lieu of providing a driver's license or state 892
identification card number or the last four digits of my Social 893
Security Number, I am enclosing a copy of my photo 894
identification in the return envelope in which this 895
identification envelope will be mailed. 896

I hereby declare, under penalty of election falsification, 897
that the statements above are true, as I verily believe. 898

_____ 899

(Signature of Voter) 900

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 901
THE FIFTH DEGREE." 902

(B) The board shall also mail with the ballots and the 903
unsealed identification envelope sent by mail an unsealed return 904
envelope, gummed, ready for sealing, for use by the voter in 905
returning the voter's marked ballots to the office of the board. 906
The board shall send with the ballots and the instruction sheet 907
for preparing a gummed envelope sent electronically, including 908
by facsimile machine, an instruction sheet for preparing a 909
second gummed envelope as described in this division, for use by 910
the voter in returning that voter's marked ballots to the board. 911

The return envelope shall have two parallel lines, each one 912
quarter of an inch in width, printed across its face paralleling 913
the top, with an intervening space of one quarter of an inch 914
between such lines. The top line shall be one and one-quarter 915
inches from the top of the envelope. Between the parallel lines 916
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 917
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 918
lines shall be printed in the upper left corner on the face of 919
the envelope for the use by the voter in placing the voter's 920
complete military, naval, or mailing address on these lines. The 921
post-office address of the office of the board shall be printed 922
on the face of such envelope in the lower right portion below 923
the bottom parallel line. 924

(C) On the back of each identification envelope and each 925
return envelope shall be printed the following: 926

"Instructions to voter: 927

If the flap on this envelope is so firmly stuck to the 928
back of the envelope when received by you as to require forcible 929
opening in order to use it, open the envelope in the manner 930
least injurious to it, and, after marking your ballots and 931
enclosing same in the envelope for mailing them to the board of 932
elections, reclose the envelope in the most practicable way, by 933
sealing or otherwise, and sign the blank form printed below. 934

The flap on this envelope was firmly stuck to the back of 935
the envelope when received, and required forced opening before 936
sealing and mailing. 937

_____ 938

(Signature of voter)" 939

(D) Division (C) of this section does not apply when 940

absent voter's ballots are sent electronically, including by 941
facsimile machine. 942

(E) Except as otherwise provided in this division and in 943
sections 3505.24 and 3509.08 of the Revised Code, an election 944
official shall not fill out any portion of an identification 945
envelope statement of voter or an absent voter's ballot on 946
behalf of an elector. A board of elections may preprint only an 947
elector's name and address on an identification envelope 948
statement of voter before mailing or electronically transmitting 949
absent voter's ballots to the elector, except that if the 950
elector has a confidential voter registration record, as 951
described in section 111.44 of the Revised Code, the board of 952
elections shall not preprint the elector's address on the 953
identification envelope statement of voter. 954

Sec. 3513.01. (A) Except as otherwise provided in this 955
~~section and section 3517.012 of the Revised Code,~~ primary 956
elections shall be held as ~~provided in division (E) of section~~ 957
~~3501.01 of the Revised Code for the purpose of nominating~~ 958
~~persons as candidates of political parties for election to~~ 959
~~offices to be voted for at the succeeding general~~ 960
~~election~~follows: 961

(1) A primary election held for the purpose of nominating 962
persons as candidates for election to a voter-nominated office 963
shall be conducted as follows: 964

(a) All candidates for an office shall be listed on a 965
single primary ballot, and a voter may vote for any candidate, 966
regardless of the candidate's or voter's affiliation or 967
membership with a political party, provided that the elector is 968
otherwise qualified to vote for candidates for that office. 969

(b) The candidates receiving the highest and second highest number of votes shall advance to the succeeding general election. If more than one candidate is to be elected to an office, or if multiple offices of the same type are to be filled by the same slate of candidates, the number of candidates advancing to the general election shall be twice the number to be elected. 970
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(c) A candidate shall have the candidate's political party preference, or lack of political party preference, indicated on the ballot for an office in the manner described under section 3505.03 of the Revised Code. Selection of a party preference by a candidate does not constitute or imply endorsement of the candidate by the party designated. No candidate for an office shall be deemed the official candidate of any party by virtue of the candidate's selection in the primary election. 977
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(d) A political party or party central committee does not have the right to have its preferred candidate participate in the general election other than as chosen by voters in the primary. Nothing in this section shall be interpreted to prohibit a political party or party central committee from endorsing, supporting, or opposing any candidate. 985
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(2) A primary election held for the purpose of nominating persons as candidates for election to a nonpartisan office shall be conducted in the manner described under division (A) (1) of this section, except that a candidate shall not have the candidate's political party preference, or lack of political party preference, indicated on the ballot. 991
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(3) Presidential primary elections shall be held as provided in division (E) (2) of section 3501.01 of the Revised Code. 997
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(B) ~~The manner of nominating persons as candidates for election as officers of a municipal corporation having a population of two thousand or more, as ascertained by the most recent federal census, shall be the same as the manner in which candidates were nominated for election as officers in the municipal corporation in 1989 unless the manner of nominating such candidates is changed under division (C), (D), or (E) of this section.~~ 1000
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~~(C)~~ Primary elections shall not be held for the nomination 1008
of candidates for election as officers of any township, or any 1009
municipal corporation having a population of less than two 1010
thousand, unless a majority of the electors of any such township 1011
or municipal corporation, as determined by the total number of 1012
votes cast in such township or municipal corporation for the 1013
office of governor at the most recent regular state election, 1014
files with the board of elections of the county within which 1015
such township or municipal corporation is located, or within 1016
which the major portion of the population thereof is located, if 1017
the municipal corporation is situated in more than one county, 1018
not later than one hundred twenty days before the day of a 1019
primary election, a petition signed by such electors asking that 1020
candidates for election as officers of such township or 1021
municipal corporation be nominated by primary election ~~as~~ 1022
~~candidates of political parties~~, in which event primary 1023
elections shall be held in such township or municipal 1024
corporation for the purpose of nominating persons as candidates 1025
~~of political parties~~ for election as officers of such township 1026
or municipal corporation to be voted for at the succeeding 1027
regular municipal election. In a township or municipal 1028
corporation where a majority of the electors have filed a 1029
petition asking that candidates for election as officers of the 1030

township or municipal corporation be nominated by primary 1031
election as candidates of political parties, the nomination of 1032
candidates ~~for a nonpartisan election~~ by nominating petition may 1033
be reestablished in the manner prescribed in division ~~(E)~~ (D) of 1034
this section. 1035

~~(D) (1)~~ (C) (1) The electors in a municipal corporation 1036
having a population of two thousand or more, in which municipal 1037
officers were nominated in the most recent election by 1038
nominating petition and elected by nonpartisan election, may 1039
place on the ballot in the manner prescribed in division ~~(D) (2)~~ 1040
(C) (2) of this section the question of changing to the primary- 1041
election method of nominating persons as candidates for election 1042
as officers of the municipal corporation. 1043

(2) The board of elections of the county within which the 1044
municipal corporation is located, or, if the municipal 1045
corporation is located in more than one county, of the county 1046
within which the major portion of the population of the 1047
municipal corporation is located, shall, upon receipt of a 1048
petition signed by electors of the municipal corporation equal 1049
in number to at least ten per cent of the vote cast at the most 1050
recent regular municipal election, submit to the electors of the 1051
municipal corporation the question of changing to the primary- 1052
election method of nominating persons as candidates for election 1053
as officers of the municipal corporation. The ballot language 1054
shall be substantially as follows: 1055

"Shall candidates for election as officers of _____ 1056
(name of municipal corporation) in the county of _____ 1057
(name of county) be nominated ~~as candidates of political~~ 1058
~~parties~~ by primary election? 1059

_____ yes 1060

_____ no" 1061

The question shall be placed on the ballot at the next 1062
general election in an even-numbered year occurring at least 1063
ninety days after the petition is filed with the board. If a 1064
majority of the electors voting on the question vote in the 1065
affirmative, candidates for election as officers of the 1066
municipal corporation shall thereafter be nominated as 1067
candidates ~~of political parties~~ in primary elections, under 1068
division (A) of this section, unless a change in the manner of 1069
nominating persons as candidates for election as officers of the 1070
municipal corporation is made under division ~~(E)~~(D) of this 1071
section. 1072

~~(E)~~(1)(D) (1) The electors in a township or municipal 1073
corporation in which the township or municipal officers are 1074
nominated as candidates ~~of political parties~~ in a primary 1075
election may place on the ballot, in the manner prescribed in 1076
division ~~(E)~~(2)(D) (2) of this section, the question of changing 1077
to the nonpartisan method of nominating persons as candidates 1078
for election as officers of the township or municipal 1079
corporation. 1080

(2) The board of elections of the county within which the 1081
township or municipal corporation is located, or, if the 1082
municipal corporation is located in more than one county, of the 1083
county within which the major portion of the population of the 1084
municipal corporation is located, shall, upon receipt of a 1085
petition signed by electors of the township or municipal 1086
corporation equal in number to at least ten per cent of the vote 1087
cast at the most recent regular township or municipal election, 1088
as appropriate, submit to the electors of the township or 1089
municipal corporation, as appropriate, the question of changing 1090

to the ~~nonpartisan~~ nominating petition method of nominating 1091
persons as candidates for election as officers of the township 1092
or municipal corporation. The ballot language shall be 1093
substantially as follows: 1094

"Shall candidates for election as officers of _____ 1095
(name of the township or municipal corporation) in the county of 1096
_____ (name of county) be nominated as candidates by 1097
nominating petition and be elected ~~only~~ in a nonpartisan 1098
election? 1099

_____ yes 1100

_____ no" 1101

The question shall appear on the ballot at the next 1102
general election in an even-numbered year occurring at least 1103
ninety days after the petition is filed with the board. If a 1104
majority of electors voting on the question vote in the 1105
affirmative, candidates for officer of the township or municipal 1106
corporation shall thereafter be nominated by nominating petition 1107
and be elected ~~only~~ in a nonpartisan election, unless a change 1108
in the manner of nominating persons as candidates for election 1109
as officers of the township or municipal corporation is made 1110
under division ~~(C)~~ (B) or ~~(D)~~ (C) of this section. 1111

Sec. 3513.02. If, in any odd-numbered year, no valid 1112
declaration of candidacy is filed for nomination as a candidate 1113
~~of a political party~~ for election to any of the offices to be 1114
voted for at the general election to be held in such year, or if 1115
the number of persons filing such declarations of candidacy for 1116
nominations as candidates of one political party for election to 1117
~~such partisan~~ offices does not exceed, as to any such office, 1118
the number of candidates which such political party is entitled 1119

to nominate as its candidates for election to such office, then 1120
no primary election shall be held for the purpose of nominating 1121
~~party candidates of such party~~ for election to offices to be 1122
voted for at such general election and no primary ballots shall 1123
be provided ~~for such party~~. If, however, the only office for 1124
which there are more valid declarations of candidacy filed than 1125
the number to be nominated ~~by a political party~~, is the office 1126
of councilperson in a ward, a primary election shall be held ~~for~~ 1127
~~such party~~ only in the ward or wards in which there is a 1128
contest, and only the names of the candidates for the office of 1129
councilperson in such ward shall appear on the primary ballot ~~of~~ 1130
~~such political party~~. 1131

The election officials whose duty it would have been to 1132
provide for and conduct the holding of such primary election, 1133
declare the results thereof, and issue certificates of 1134
nomination to the persons entitled thereto if such primary 1135
election had been held shall declare each of such persons to be 1136
nominated as of the date of the ninetieth day before the primary 1137
election, issue appropriate certificates of nomination to each 1138
of them, and certify their names to the proper election 1139
officials, in order that their names may be printed on the 1140
official ballots provided for use in the succeeding general 1141
election in the same manner as though such primary election had 1142
been held and such persons had been nominated at such election. 1143

Sec. 3513.04. Candidates for ~~party~~ nominations to state, 1144
district, county, and municipal offices or positions, ~~for which~~ 1145
~~party nominations are provided by law~~, and for election as 1146
members of party controlling committees, shall have their names 1147
printed on the official primary ballot by filing a declaration 1148
of candidacy and paying the fees specified for the office under 1149
divisions (A) and (B) of section 3513.10 of the Revised Code, 1150

except that the joint candidates for ~~party~~-nomination to the 1151
offices of governor and lieutenant governor shall, for the two 1152
of them, file one declaration of candidacy. The joint candidates 1153
also shall pay the fees specified for the joint candidates under 1154
divisions (A) and (B) of section 3513.10 of the Revised Code. 1155

The secretary of state shall not accept for filing the 1156
declaration of candidacy of a candidate for ~~party~~-nomination to 1157
the office of governor unless the declaration of candidacy also 1158
shows a joint candidate for ~~the same party's~~-nomination to the 1159
office of lieutenant governor, shall not accept for filing the 1160
declaration of candidacy of a candidate for ~~party~~-nomination to 1161
the office of lieutenant governor unless the declaration of 1162
candidacy also shows a joint candidate for ~~the same party's~~- 1163
nomination to the office of governor, and shall not accept for 1164
filing a declaration of candidacy that shows a candidate for 1165
~~party~~-nomination to the office of governor or lieutenant 1166
governor who, for the same election, has already filed a 1167
declaration of candidacy or a declaration of intent to be a 1168
write-in candidate, or has become a candidate by the filling of 1169
a vacancy under section 3513.30 of the Revised Code for any 1170
other state office or any federal or county office. 1171

No person who seeks ~~party~~-nomination for an office or 1172
position at a primary election by declaration of candidacy or by 1173
declaration of intent to be a write-in candidate and no person 1174
who is a first choice for president of candidates seeking 1175
election as delegates and alternates to the national conventions 1176
of the different major political parties who are chosen by 1177
direct vote of the electors as provided in this chapter shall be 1178
permitted to become a candidate by nominating petition, 1179
including a nominating petition filed under section 3517.012 of 1180
the Revised Code, by declaration of intent to be a write-in 1181

candidate, or by filling a vacancy under section 3513.31 of the 1182
Revised Code at the following general election for any office 1183
other than the office of member of the state board of education, 1184
office of member of a city, local, or exempted village board of 1185
education, office of member of a governing board of an 1186
educational service center, or office of township trustee. 1187

Sec. 3513.05. Each person desiring to become a candidate 1188
for a ~~party~~ nomination at a primary election or for election to 1189
an office or position to be voted for at a primary election, 1190
except persons desiring to become joint candidates for the 1191
offices of governor and lieutenant governor and except as 1192
otherwise provided in section 3513.051 of the Revised Code, 1193
shall, not later than four p.m. of the ninetieth day before the 1194
day of the primary election, file a declaration of candidacy and 1195
petition and pay the fees required under divisions (A) and (B) 1196
of section 3513.10 of the Revised Code. The declaration of 1197
candidacy and all separate petition papers shall be filed at the 1198
same time as one instrument. When the offices are to be voted 1199
for at a primary election, persons desiring to become joint 1200
candidates for the offices of governor and lieutenant governor 1201
shall, not later than four p.m. of the ninetieth day before the 1202
day of the primary election, comply with section 3513.04 of the 1203
Revised Code. The prospective joint candidates' declaration of 1204
candidacy and all separate petition papers of candidacies shall 1205
be filed at the same time as one instrument. The secretary of 1206
state or a board of elections shall not accept for filing a 1207
declaration of candidacy and petition of a person seeking to 1208
become a candidate if that person, for the same election, has 1209
already filed a declaration of candidacy or a declaration of 1210
intent to be a write-in candidate, or has become a candidate by 1211
the filling of a vacancy under section 3513.30 of the Revised 1212

Code for any federal, state, or county office, if the 1213
declaration of candidacy is for a state or county office, or for 1214
any municipal or township office, if the declaration of 1215
candidacy is for a municipal or township office. 1216

If the declaration of candidacy declares a candidacy which 1217
is to be submitted to electors throughout the entire state, the 1218
petition, including a petition for joint candidates for the 1219
offices of governor and lieutenant governor, shall be signed by 1220
at least one thousand qualified electors ~~who are members of the~~ 1221
~~same political party as the candidate or joint candidates,~~ and 1222
the declaration of candidacy and petition shall be filed with 1223
the secretary of state; provided that the secretary of state 1224
shall not accept or file any such petition appearing on its face 1225
to contain signatures of more than three thousand electors. 1226

Except as otherwise provided in this paragraph, if the 1227
declaration of candidacy is of one that is to be submitted only 1228
to electors within a district, political subdivision, or portion 1229
thereof, the petition shall be signed by not less than fifty 1230
qualified electors ~~who are members of the same political party~~ 1231
~~as the political party of which the candidate is a member.~~ If 1232
the declaration of candidacy is for ~~party~~-nomination as a 1233
candidate for member of the legislative authority of a municipal 1234
corporation elected by ward, the petition shall be signed by not 1235
less than twenty-five qualified electors ~~who are members of the~~ 1236
~~political party of which the candidate is a member.~~ 1237

No such petition, except the petition for a candidacy that 1238
is to be submitted to electors throughout the entire state, 1239
shall be accepted for filing if it appears to contain on its 1240
face signatures of more than three times the minimum number of 1241
signatures. When a petition of a candidate has been accepted for 1242

filing by a board of elections, the petition shall not be deemed 1243
invalid if, upon verification of signatures contained in the 1244
petition, the board of elections finds the number of signatures 1245
accepted exceeds three times the minimum number of signatures 1246
required. A board of elections may discontinue verifying 1247
signatures on petitions when the number of verified signatures 1248
equals the minimum required number of qualified signatures. 1249

If the declaration of candidacy declares a candidacy for 1250
~~party~~-nomination or for election as a candidate of a minor 1251
party, the minimum number of signatures on such petition is one- 1252
half the minimum number provided in this section, except that, 1253
when the candidacy is one for election as a member of the state 1254
central committee or the county central committee of a political 1255
party, the minimum number shall be the same for a minor party as 1256
for a major party. 1257

If a declaration of candidacy is one for election as a 1258
member of the state central committee or the county central 1259
committee of a political party, the petition shall be signed by 1260
five qualified electors of the district, county, ward, township, 1261
or precinct within which electors may vote for such candidate. 1262
The electors signing such petition shall be members of the same 1263
political party as the political party of which the candidate is 1264
a member. 1265

For purposes of signing or circulating a petition of 1266
candidacy for party nomination or election, an elector is 1267
considered to be a member of a political party if the elector 1268
voted in that party's primary election within the preceding two 1269
calendar years, or if the elector did not vote in any other 1270
party's primary election within the preceding two calendar 1271
years. 1272

If the declaration of candidacy is of one that is to be 1273
submitted only to electors within a county, or within a district 1274
or subdivision or part thereof smaller than a county, the 1275
petition shall be filed with the board of elections of the 1276
county. If the declaration of candidacy is of one that is to be 1277
submitted only to electors of a district or subdivision or part 1278
thereof that is situated in more than one county, the petition 1279
shall be filed with the board of elections of the county within 1280
which the major portion of the population thereof, as 1281
ascertained by the next preceding federal census, is located. 1282

A petition shall consist of separate petition papers, each 1283
of which shall contain signatures of electors of only one 1284
county. Petitions or separate petition papers containing 1285
signatures of electors of more than one county shall not thereby 1286
be declared invalid. In case petitions or separate petition 1287
papers containing signatures of electors of more than one county 1288
are filed, the board shall determine the county from which the 1289
majority of signatures came, and only signatures from such 1290
county shall be counted. Signatures from any other county shall 1291
be invalid. 1292

Each separate petition paper shall be circulated by one 1293
person only, ~~who shall be the candidate or a joint candidate or~~ 1294
~~a member of the same political party as the candidate or joint~~ 1295
~~candidates,~~ and each separate petition paper shall be governed 1296
by the rules set forth in section 3501.38 of the Revised Code. 1297

The secretary of state shall promptly transmit to each 1298
board such separate petition papers of each petition 1299
accompanying a declaration of candidacy filed with the secretary 1300
of state as purport to contain signatures of electors of the 1301
county of such board. The board of the most populous county of a 1302

district shall promptly transmit to each board within such 1303
district such separate petition papers of each petition 1304
accompanying a declaration of candidacy filed with it as purport 1305
to contain signatures of electors of the county of each such 1306
board. The board of a county within which the major portion of 1307
the population of a subdivision, situated in more than one 1308
county, is located, shall promptly transmit to the board of each 1309
other county within which a portion of such subdivision is 1310
located such separate petition papers of each petition 1311
accompanying a declaration of candidacy filed with it as purport 1312
to contain signatures of electors of the portion of such 1313
subdivision in the county of each such board. 1314

All petition papers so transmitted to a board and all 1315
petitions accompanying declarations of candidacy filed with a 1316
board shall, under proper regulations, be open to public 1317
inspection until four p.m. of the eightieth day before the day 1318
of the next primary election. Each board shall, not later than 1319
the seventy-eighth day before the day of that primary election, 1320
examine and determine the validity or invalidity of the 1321
signatures on the petition papers so transmitted to or filed 1322
with it and shall return to the secretary of state all petition 1323
papers transmitted to it by the secretary of state, together 1324
with its certification of its determination as to the validity 1325
or invalidity of signatures thereon, and shall return to each 1326
other board all petition papers transmitted to it by such board, 1327
together with its certification of its determination as to the 1328
validity or invalidity of the signatures thereon. All other 1329
matters affecting the validity or invalidity of such petition 1330
papers shall be determined by the secretary of state or the 1331
board with whom such petition papers were filed. 1332

Protests against the candidacy of any person filing a 1333

declaration of candidacy for party nomination or for election to 1334
~~an a partisan office or position, as provided in this section,~~ 1335
may be filed by any qualified elector who is a member of the 1336
same political party as the candidate and who is eligible to 1337
vote at the primary election for the candidate whose declaration 1338
of candidacy the elector objects to, or by the controlling 1339
committee of that political party. Protests against the 1340
candidacy of any person filing a declaration of candidacy for 1341
nomination or for election to a voter-nominated or nonpartisan 1342
office may be filed by any qualified elector who is eligible to 1343
vote at the primary election for the candidate whose declaration 1344
of candidacy the elector objects to. The protest shall be in 1345
writing, and shall be filed not later than four p.m. of the 1346
seventy-fourth day before the day of the primary election. The 1347
protest shall be filed with the election officials with whom the 1348
declaration of candidacy and petition was filed. Upon the filing 1349
of the protest, the election officials with whom it is filed 1350
shall promptly fix the time for hearing it, and shall forthwith 1351
mail notice of the filing of the protest and the time fixed for 1352
hearing to the person whose candidacy is so protested. They 1353
shall also forthwith mail notice of the time fixed for such 1354
hearing to the person who filed the protest. At the time fixed, 1355
such election officials shall hear the protest and determine the 1356
validity or invalidity of the declaration of candidacy and 1357
petition. If they find that such candidate is not an elector of 1358
the state, district, county, or political subdivision in which 1359
the candidate seeks a ~~party~~-nomination or election to an office 1360
or position, or has not fully complied with this chapter, the 1361
candidate's declaration of candidacy and petition shall be 1362
determined to be invalid and shall be rejected; otherwise, it 1363
shall be determined to be valid. That determination shall be 1364
final. 1365

A protest against the candidacy of any persons filing a
declaration of candidacy for joint ~~party~~-nomination to the
offices of governor and lieutenant governor shall be filed,
heard, and determined in the same manner as a protest against
the candidacy of any person filing a declaration of candidacy
singly.

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

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

The board of a county within which the major portion of
the population of a subdivision smaller than the county and
situated in more than one county is located shall, on the
seventieth day before the day of a primary election, certify to
the board of each county in which a portion of that subdivision
is located the names of the candidates to be printed on the
official ballots to be used at the primary election, whose
nomination or election is to be determined only by electors

within that subdivision and who filed valid declarations of 1396
candidacy and petitions. 1397

Sec. 3513.052. (A) No person shall seek nomination or 1398
election to any of the following offices or positions at the 1399
same election by filing a declaration of candidacy and petition, 1400
a declaration of intent to be a write-in candidate, or a 1401
nominating petition, or by becoming a candidate through ~~party-~~ 1402
nomination in a primary election, or by the filling of a vacancy 1403
under section 3513.30 or 3513.31 of the Revised Code: 1404

(1) Two or more state offices; 1405

(2) Two or more county offices; 1406

(3) A state office and a county office; 1407

(4) A federal office and a state or county office; 1408

(5) Any combination of two or more municipal or township 1409
offices, positions as a member of a city, local, or exempted 1410
village board of education, or positions as a member of a 1411
governing board of an educational service center. 1412

(B) The secretary of state or a board of elections shall 1413
not accept for filing a declaration of candidacy and petition, a 1414
declaration of intent to be a write-in candidate, or a 1415
nominating petition of a person seeking to become a candidate if 1416
that person, for the same election, has already filed a 1417
declaration of candidacy, a declaration of intent to be a write- 1418
in candidate, or a nominating petition, or has become a 1419
candidate through ~~party-~~nomination at a primary election or by 1420
the filling of a vacancy under section 3513.30 or 3513.31 of the 1421
Revised Code for: 1422

(1) Any federal, state, or county office, if the 1423

declaration of candidacy, declaration of intent to be a write-in 1424
candidate, or nominating petition is for a state or county 1425
office; 1426

(2) Any municipal or township office, or for member of a 1427
city, local, or exempted village board of education, or for 1428
member of a governing board of an educational service center, if 1429
the declaration of candidacy, declaration of intent to be a 1430
write-in candidate, or nominating petition is for a municipal or 1431
township office, or for member of a city, local, or exempted 1432
village board of education, or for member of a governing board 1433
of an educational service center. 1434

(C) (1) If the secretary of state determines, before the 1435
day of the primary election, that a person is seeking nomination 1436
to more than one office at that election in violation of 1437
division (A) of this section, the secretary of state shall do 1438
one of the following: 1439

(a) If each office or the district for each office for 1440
which the person is seeking nomination is wholly within a single 1441
county and none of those offices is a federal office, the 1442
secretary of state shall notify the board of elections of that 1443
county. The board then shall determine the date on which the 1444
person first sought to become a candidate for each of those 1445
offices by filing a declaration of candidacy or a declaration of 1446
intent to be a write-in candidate or by the filling of a vacancy 1447
under section 3513.30 of the Revised Code. The board shall vote 1448
promptly to disqualify that person as a candidate for each 1449
office for which the person sought to become a candidate after 1450
the date on which the person first sought to become a candidate 1451
for any of those offices. If the board determines that the 1452
person sought to become a candidate for more than one of those 1453

offices on the same date, the board shall vote promptly to 1454
disqualify that person as a candidate for each office that would 1455
be listed on the ballot below the highest office for which that 1456
person seeks nomination, according to the ballot order 1457
prescribed under section 3505.03 of the Revised Code. 1458

(b) If one or more of the offices for which the person is 1459
seeking nomination is a state office or an office with a 1460
district larger than a single county and none of the offices for 1461
which the person is seeking nomination is a federal office, the 1462
secretary of state shall determine the date on which the person 1463
first sought to become a candidate for each of those offices by 1464
filing a declaration of candidacy or a declaration of intent to 1465
be a write-in candidate or by the filling of a vacancy under 1466
section 3513.30 of the Revised Code. The secretary of state 1467
shall order the board of elections of each county in which the 1468
person is seeking to appear on the ballot to disqualify that 1469
person as a candidate for each office for which the person 1470
sought to become a candidate after the date on which the person 1471
first sought to become a candidate for any of those offices. If 1472
the secretary of state determines that the person sought to 1473
become a candidate for more than one of those offices on the 1474
same date, the secretary of state shall order the board of 1475
elections of each county in which the person is seeking to 1476
appear on the ballot to disqualify that person as a candidate 1477
for each office that would be listed on the ballot below the 1478
highest office for which that person seeks nomination, according 1479
to the ballot order prescribed under section 3505.03 of the 1480
Revised Code. Each board of elections so notified shall vote 1481
promptly to disqualify the person as a candidate in accordance 1482
with the order of the secretary of state. 1483

(c) If each office or the district for each office for 1484

which the person is seeking nomination is wholly within a single 1485
county and any of those offices is a federal office, the 1486
secretary of state shall notify the board of elections of that 1487
county. The board then shall vote promptly to disqualify that 1488
person as a candidate for each office that is not a federal 1489
office. 1490

(d) If one or more of the offices for which the person is 1491
seeking nomination is a state office and any of the offices for 1492
which the person is seeking nomination is a federal office, the 1493
secretary of state shall order the board of elections of each 1494
county in which the person is seeking to appear on the ballot to 1495
disqualify that person as a candidate for each office that is 1496
not a federal office. Each board of elections so notified shall 1497
vote promptly to disqualify the person as a candidate in 1498
accordance with the order of the secretary of state. 1499

(2) If a board of elections determines, before the day of 1500
the primary election, that a person is seeking nomination to 1501
more than one office at that election in violation of division 1502
(A) of this section, the board shall do one of the following: 1503

(a) If each office or the district for each office for 1504
which the person is seeking nomination is wholly within that 1505
county and none of those offices is a federal office, the board 1506
shall determine the date on which the person first sought to 1507
become a candidate for each of those offices by filing a 1508
declaration of candidacy or a declaration of intent to be a 1509
write-in candidate or by the filling of a vacancy under section 1510
3513.30 of the Revised Code. The board shall vote promptly to 1511
disqualify that person as a candidate for each office for which 1512
the person sought to become a candidate after the date on which 1513
the person first sought to become a candidate for any of those 1514

offices. If the board determines that the person sought to 1515
become a candidate for more than one of those offices on the 1516
same date, the board shall vote promptly to disqualify that 1517
person as a candidate for each office that would be listed on 1518
the ballot below the highest office for which that person seeks 1519
nomination, according to the ballot order prescribed under 1520
section 3505.03 of the Revised Code. 1521

(b) If one or more of the offices for which the person is 1522
seeking nomination is a state office or an office with a 1523
district larger than a single county and none of the offices for 1524
which the person is seeking nomination is a federal office, the 1525
board shall notify the secretary of state. The secretary of 1526
state then shall determine the date on which the person first 1527
sought to become a candidate for each of those offices by filing 1528
a declaration of candidacy or a declaration of intent to be a 1529
write-in candidate or by the filling of a vacancy under section 1530
3513.30 of the Revised Code. The secretary of state shall order 1531
the board of elections of each county in which the person is 1532
seeking to appear on the ballot to disqualify that person as a 1533
candidate for each office for which the person sought to become 1534
a candidate after the date on which the person first sought to 1535
become a candidate for any of those offices. If the secretary of 1536
state determines that the person sought to become a candidate 1537
for more than one of those offices on the same date, the 1538
secretary of state shall order the board of elections of each 1539
county in which the person is seeking to appear on the ballot to 1540
disqualify that person as a candidate for each office that would 1541
be listed on the ballot below the highest office for which that 1542
person seeks nomination, according to the ballot order 1543
prescribed under section 3505.03 of the Revised Code. Each board 1544
of elections so notified shall vote promptly to disqualify the 1545

person as a candidate in accordance with the order of the 1546
secretary of state. 1547

(c) If each office or the district for each office for 1548
which the person is seeking nomination is wholly within a single 1549
county and any of those offices is a federal office, the board 1550
shall vote promptly to disqualify that person as a candidate for 1551
each office that is not a federal office. 1552

(d) If one or more of the offices for which the person is 1553
seeking nomination is a state office and any of the offices for 1554
which the person is seeking nomination is a federal office, the 1555
board shall notify the secretary of state. The secretary of 1556
state then shall order the board of elections of each county in 1557
which the person is seeking to appear on the ballot to 1558
disqualify that person as a candidate for each office that is 1559
not a federal office. Each board of elections so notified shall 1560
vote promptly to disqualify the person as a candidate in 1561
accordance with the order of the secretary of state. 1562

(D) (1) If the secretary of state determines, after the day 1563
of the primary election and before the day of the general 1564
election, that a person is seeking election to more than one 1565
office at that election in violation of division (A) of this 1566
section, the secretary of state shall do one of the following: 1567

(a) If each office or the district for each office for 1568
which the person is seeking election is wholly within a single 1569
county and none of those offices is a federal office, the 1570
secretary of state shall notify the board of elections of that 1571
county. The board then shall determine the offices for which the 1572
person seeks to appear as a candidate on the ballot. The board 1573
shall vote promptly to disqualify that person as a candidate for 1574
each office that would be listed on the ballot below the highest 1575

office for which that person seeks election, according to the 1576
ballot order prescribed under section 3505.03 of the Revised 1577
Code. If the person sought nomination at a primary election and 1578
has not yet been issued a certificate of nomination, the board 1579
shall not issue that certificate for that person for any office 1580
that would be listed on the ballot below the highest office for 1581
which that person seeks election, according to the ballot order 1582
prescribed under section 3505.03 of the Revised Code. 1583

(b) If one or more of the offices for which the person is 1584
seeking election is a state office or an office with a district 1585
larger than a single county and none of the offices for which 1586
the person is seeking election is a federal office, the 1587
secretary of state shall promptly investigate and determine the 1588
offices for which the person seeks to appear as a candidate on 1589
the ballot. The secretary of state shall order the board of 1590
elections of each county in which the person is seeking to 1591
appear on the ballot to disqualify that person as a candidate 1592
for each office that would be listed on the ballot below the 1593
highest office for which that person seeks election, according 1594
to the ballot order prescribed under section 3505.03 of the 1595
Revised Code. Each board of elections so notified shall vote 1596
promptly to disqualify the person as a candidate in accordance 1597
with the order of the secretary of state. If the person sought 1598
nomination at a primary election and has not yet been issued a 1599
certificate of nomination, the board shall not issue that 1600
certificate for that person for any office that would be listed 1601
on the ballot below the highest office for which that person 1602
seeks election, according to the ballot order prescribed under 1603
section 3505.03 of the Revised Code. 1604

(c) If each office or the district for each office for 1605
which the person is seeking election is wholly within a single 1606

county and any of those offices is a federal office, the 1607
secretary of state shall notify the board of elections of that 1608
county. The board then shall vote promptly to disqualify that 1609
person as a candidate for each office that is not a federal 1610
office. If the person sought nomination at a primary election 1611
and has not yet been issued a certificate of nomination, the 1612
board shall not issue that certificate for that person for any 1613
office that is not a federal office. 1614

(d) If one or more of the offices for which the person is 1615
seeking election is a state office and any of the offices for 1616
which the person is seeking election is a federal office, the 1617
secretary of state shall order the board of elections of each 1618
county in which the person is seeking to appear on the ballot to 1619
disqualify that person as a candidate for each office that is 1620
not a federal office. Each board of elections so notified shall 1621
vote promptly to disqualify the person as a candidate in 1622
accordance with the order of the secretary of state. If the 1623
person sought nomination at a primary election and has not yet 1624
been issued a certificate of nomination, the board shall not 1625
issue that certificate for that person for any office that is 1626
not a federal office. 1627

(2) If a board of elections determines, after the day of 1628
the primary election and before the day of the general election, 1629
that a person is seeking election to more than one office at 1630
that election in violation of division (A) of this section, the 1631
board of elections shall do one of the following: 1632

(a) If each office or the district for each office for 1633
which the person is seeking election is wholly within that 1634
county and none of those offices is a federal office, the board 1635
shall determine the offices for which the person seeks to appear 1636

as a candidate on the ballot. The board shall vote promptly to 1637
disqualify that person as a candidate for each office that would 1638
be listed on the ballot below the highest office for which that 1639
person seeks election, according to the ballot order prescribed 1640
under section 3505.03 of the Revised Code. If the person sought 1641
nomination at a primary election and has not yet been issued a 1642
certificate of nomination, the board shall not issue that 1643
certificate for that person for any office that would be listed 1644
on the ballot below the highest office for which that person 1645
seeks election, according to the ballot order prescribed under 1646
section 3505.03 of the Revised Code. 1647

(b) If one or more of the offices for which the person is 1648
seeking election is a state office or an office with a district 1649
larger than a single county and none of the offices for which 1650
the person is seeking election is a federal office, the board 1651
shall notify the secretary of state. The secretary of state 1652
promptly shall investigate and determine the offices for which 1653
the person seeks to appear as a candidate on the ballot. The 1654
secretary of state shall order the board of elections of each 1655
county in which the person is seeking to appear on the ballot to 1656
disqualify that person as a candidate for each office that would 1657
be listed on the ballot below the highest office for which that 1658
person seeks election, according to the ballot order prescribed 1659
under section 3505.03 of the Revised Code. Each board of 1660
elections so notified shall vote promptly to disqualify the 1661
person as a candidate in accordance with the order of the 1662
secretary of state. If the person sought nomination at a primary 1663
election and has not yet been issued a certificate of 1664
nomination, the board shall not issue that certificate for that 1665
person for any office that would be listed on the ballot below 1666
the highest office for which that person seeks election, 1667

according to the ballot order prescribed under section 3505.03 1668
of the Revised Code. 1669

(c) If each office or the district for each office for 1670
which the person is seeking election is wholly within that 1671
county and any of those offices is a federal office, the board 1672
shall vote promptly to disqualify that person as a candidate for 1673
each office that is not a federal office. If the person sought 1674
nomination at a primary election and has not yet been issued a 1675
certificate of nomination, the board shall not issue that 1676
certificate for that person for any office that is not a federal 1677
office. 1678

(d) If one or more of the offices for which the person is 1679
seeking election is a state office and any of the offices for 1680
which the person is seeking election is a federal office, the 1681
board shall notify the secretary of state. The secretary of 1682
state shall order the board of elections of each county in which 1683
the person is seeking to appear on the ballot to disqualify that 1684
person as a candidate for each office that is not a federal 1685
office. Each board of elections so notified shall vote promptly 1686
to disqualify the person as a candidate in accordance with the 1687
order of the secretary of state. If the person sought nomination 1688
at a primary election and has not yet been issued a certificate 1689
of nomination, the board shall not issue that certificate for 1690
that person for any office that is not a federal office. 1691

(E) When a person is disqualified as a candidate under 1692
division (C) or (D) of this section, on or before the seventieth 1693
day before the day of the applicable election, the board of 1694
elections shall remove the person's name from the ballot for any 1695
office for which that person has been disqualified as a 1696
candidate according to the directions of the secretary of state. 1697

When a person is disqualified as a candidate under division (C) 1698
or (D) of this section after the seventieth day before the day 1699
of the applicable election, the board of elections shall not 1700
remove the person's name from the ballot for any office for 1701
which that person has been disqualified as a candidate. The 1702
board of elections shall post a notice at each polling location 1703
on the day of the applicable election, and shall enclose with 1704
each absent voter's ballot given or mailed after the candidate 1705
is disqualified, a notice that votes for the person for the 1706
office for which the person has been disqualified as a candidate 1707
will be void and will not be counted. If the name is not removed 1708
from the ballots before the day of the election, the votes for 1709
the disqualified candidate are void and shall not be counted. 1710

(F) Any vacancy created by the disqualification of a 1711
person as a candidate under division (C) or (D) of this section 1712
may be filled in the manner provided for in sections 3513.30 and 1713
3513.31 of the Revised Code. 1714

(G) Nothing in this section or section 3513.04, 3513.041, 1715
3513.05, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257, or 1716
3513.261 of the Revised Code prohibits, and the secretary of 1717
state or a board of elections shall not disqualify, a person 1718
from being a candidate for an office, if that person timely 1719
withdraws as a candidate for any offices specified in division 1720
(A) of this section for which that person first sought to become 1721
a candidate by filing a declaration of candidacy and petition, a 1722
declaration of intent to be a write-in candidate, or a 1723
nominating petition, by party nomination in a primary election, 1724
or by the filling of a vacancy under section 3513.30 or 3513.31 1725
of the Revised Code. 1726

(H) As used in this section: 1727

(1) "State office" means the offices of governor, 1728
lieutenant governor, secretary of state, auditor of state, 1729
treasurer of state, attorney general, member of the general 1730
assembly, chief justice of the supreme court, and justice of the 1731
supreme court. 1732

(2) "Timely withdraws" means either of the following: 1733

(a) Withdrawing as a candidate before the applicable 1734
deadline for filing a declaration of candidacy, declaration of 1735
intent to be a write-in candidate, or nominating petition for 1736
the subsequent office for which the person is seeking to become 1737
a candidate at the same election; 1738

(b) Withdrawing as a candidate before the applicable 1739
deadline for the filling of a vacancy under section 3513.30 or 1740
3513.31 of the Revised Code, if the person is seeking to become 1741
a candidate for a subsequent office at the same election under 1742
either of those sections. 1743

Sec. 3513.07. (A) The form of declaration of candidacy and 1744
petition of a person desiring to be a candidate for a party 1745
nomination or a candidate for election to ~~an~~ a partisan office 1746
or position to be voted for at a primary election shall be 1747
substantially as follows: 1748

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION 1749

I, _____ (Name of Candidate), the 1750
undersigned, hereby declare under penalty of election 1751
falsification that my voting residence is in _____ 1752
precinct of the _____ (Township) or 1753
(Ward and City or Village) in the county of _____, 1754
Ohio; that my voting residence is _____ (Street and 1755
Number, if any, or Rural Route and Number) of the 1756

_____ (City or Village) of 1757
_____, Ohio; and that I am a qualified elector in 1758
the precinct in which my voting residence is located. I am a 1759
member of the _____ Party. I hereby declare that I desire to 1760
be _____ (a candidate for nomination as a 1761
candidate of the Party for election to the office of 1762
_____) (a candidate for election to the office or 1763
position of _____) for the _____ in the state, 1764
district, (Full term or unexpired term ending _____) 1765
county, city, or village of _____, at the primary 1766
election to be held on the _____ day of _____, _____, 1767
and I hereby request that my name be printed upon the official 1768
primary election ballot of the said _____ Party as a 1769
candidate for _____ (such nomination) or (such election) as 1770
provided by law. 1771

I further declare that, if elected to said office or 1772
position, I will qualify therefor, and that I will support and 1773
abide by the principles enunciated by the _____ Party. 1774

Dated this _____ day of _____, _____ 1775
_____ 1776

(Signature of candidate) 1777

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 1778
FELONY OF THE FIFTH DEGREE. 1779

PETITION OF CANDIDATE 1780

We, the undersigned, qualified electors of the state of 1781
Ohio, whose voting residence is in the county, city, village, 1782
ward, township, or school district, and precinct set opposite 1783
our names, and members of the 1784
_____ Party, hereby certify 1785

that _____ (Name of candidate) whose 1786
declaration of candidacy is filed herewith, is a member of the 1787
_____ Party, and is, in our opinion, well qualified to 1788
perform the duties of the office or position to which that 1789
candidate desires to be elected. 1790

Street City, 1791

and Village or 1792

Signature Number Township Ward Precinct County Date 1793

(Must use address on file with the board of elections) 1794

_____ 1795

_____ 1796

_____ 1797

_____ (Name of circulator 1798

of petition), declares under penalty of election falsification 1799

that the circulator of the petition is a qualified elector of 1800

the state of Ohio and resides at the address appearing below the 1801

signature of that circulator; that the circulator is a member of 1802

the _____ Party; that the circulator is the circulator of 1803

the foregoing petition paper containing _____ (Number) 1804

signatures; that the circulator witnessed the affixing of every 1805

signature; that all signers were to the best of the circulator's 1806

knowledge and belief qualified to sign; and that every signature 1807

is to the best of the circulator's knowledge and belief the 1808

signature of the person whose signature it purports to be or of 1809

an attorney in fact acting pursuant to section 3501.382 of the 1810

Revised Code. 1811

_____ 1812

(Signature of circulator) 1813

_____ 1814

(Address of circulator's 1815
permanent residence in this 1816
state) 1817

_____ 1818

(If petition is for a 1819
statewide candidate, the 1820
name and address of person 1821
employing to circulate 1822
petition, if any) 1823

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 1824
FELONY OF THE FIFTH DEGREE." 1825

~~The secretary of state shall prescribe a form of 1826
declaration of candidacy and petition, and the form shall be 1827
substantially similar to the declaration of candidacy and 1828
petition set forth in this section, that will be suitable for 1829
joint candidates for the offices of governor and lieutenant 1830
governor. 1831~~

The petition provided for in this ~~section~~ division shall 1832
be circulated only by a member of the same political party as 1833
the candidate. 1834

(B) The form of declaration of candidacy and petition of a 1835
person desiring to be a candidate for nomination or a candidate 1836
for election to a nonpartisan office or position to be voted for 1837
at a primary election shall be substantially as follows: 1838

"DECLARATION OF CANDIDACY NONPARTISAN PRIMARY ELECTION 1839

I, _____ (Name of Candidate), the 1840

undersigned, hereby declare under penalty of election 1841
falsification that my voting residence is in 1842
precinct of the (Township) or 1843
(Ward and City or Village) in the county of , 1844
Ohio; that my voting residence is (Street and 1845
Number, if any, or Rural Route and Number) of the 1846
(City or Village) of 1847
, Ohio; and that I am a qualified elector in 1848
the precinct in which my voting residence is located. I hereby 1849
declare that I desire to be (a candidate 1850
for nomination as a candidate for election to the office of 1851
) (a candidate for election to the office or 1852
position of) for the in the state, 1853
district, (Full term or unexpired term ending) 1854
county, city, or village of , at the primary 1855
election to be held on the day of , , 1856
and I hereby request that my name be printed upon the official 1857
primary election ballot as a candidate for (such 1858
nomination) or (such election) as provided by law. 1859

I further declare that, if elected to said office or 1860
position, I will qualify therefor. 1861

Dated this day of , 1862

1863

(Signature of candidate) 1864

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 1865
FELONY OF THE FIFTH DEGREE. 1866

PETITION OF CANDIDATE 1867

We, the undersigned, qualified electors of the state of 1868
Ohio, whose voting residence is in the county, city, village, 1869

ward, township, or school district, and precinct set opposite 1870
our names, hereby certify that 1871
(Name of candidate) whose declaration of candidacy is filed 1872
herewith is, in our opinion, well qualified to perform the 1873
duties of the office or position to which that candidate desires 1874
to be elected. 1875

Street City, 1876

and Village or 1877

Signature Number Township Ward Precinct County Date 1878
(Must use address on file with the board of elections) 1879

_____ 1880
_____ 1881
_____ 1882

_____ (Name of 1883
circulator of petition), declares under penalty of election 1884
falsification that the circulator of the petition is a qualified 1885
elector of the state of Ohio and resides at the address 1886
appearing below the signature of that circulator; that the 1887
circulator is the circulator of the foregoing petition paper 1888
containing (Number) signatures; that the 1889
circulator witnessed the affixing of every signature; that all 1890
signers were to the best of the circulator's knowledge and 1891
belief qualified to sign; and that every signature is to the 1892
best of the circulator's knowledge and belief the signature of 1893
the person whose signature it purports to be or of an attorney 1894
in fact acting pursuant to section 3501.382 of the Revised Code. 1895

_____ 1896

(Signature of circulator) 1897

_____ 1898

(Address of circulator's 1899

permanent residence in this 1900

state) 1901

_____ 1902

(If petition is for a 1903

statewide candidate, the 1904

name and address of person 1905

employing to circulate 1906

petition, if any) 1907

I, _____, hereby constitute 1908

the persons named below a committee to represent me: 1909

<u>Name</u>	<u>Residence</u>	1910
_____	_____	1911
_____	_____	1912
_____	_____	1913
_____	_____	1914
_____	_____	1915

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 1916

FELONY OF THE FIFTH DEGREE." 1917

(C) "DECLARATION OF CANDIDACY VOTER-NOMINATED PRIMARY 1918

ELECTION 1919

I, _____ (Name of Candidate), the 1920

undersigned, hereby declare under penalty of election 1921

falsification that my voting residence is in _____ 1922
precinct of the _____ (Township) or _____ 1923
(Ward and City or Village) in the county of _____, 1924
Ohio; that my voting residence is _____ (Street and 1925
Number, if any, or Rural Route and Number) of the _____ 1926
_____ (City or Village) of _____ 1927
_____, Ohio; and that I am a qualified elector in _____ 1928
the precinct in which my voting residence is located. I hereby 1929
declare my preference for (the _____ Party) or (no political 1930
party). I hereby declare that I desire to be _____ 1931
_____ (a candidate for nomination as a candidate 1932
for election to the office of _____) (a candidate for 1933
election to the office or position of _____) for the 1934
_____ in the state, district, (Full term or unexpired 1935
term ending _____) county, city, or village of _____ 1936
_____, at the primary election to be held on the _____ 1937
_____ day of _____, _____, and I hereby request that 1938
my name be printed upon the official primary election ballot as 1939
a candidate for _____ (such nomination) or (such election) 1940
as provided by law. 1941

I further declare that, if elected to said office or _____ 1942
position, I will qualify therefor, and that, if I have here _____ 1943
declared a preference for a political party, I will support and _____ 1944
abide by the principles enunciated by that party. 1945

Dated this _____ day of _____, 1946

_____ 1947

(Signature of candidate) 1948

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A _____ 1949
FELONY OF THE FIFTH DEGREE. 1950

PETITION OF CANDIDATE 1951

We, the undersigned, qualified electors of the state of 1952
Ohio, whose voting residence is in the county, city, village, 1953
ward, township, or school district, and precinct set opposite 1954
our names, hereby certify that 1955
(Name of candidate) whose declaration of candidacy is filed 1956
herewith is, in our opinion, well qualified to perform the 1957
duties of the office or position to which that candidate desires 1958
to be elected. 1959

Street City, 1960

and Village or Signature Number Township Ward Precinct 1961
County Date 1962

(Must use address on file with the board of elections) 1963

_____ 1964
_____ 1965
_____ 1966

_____ (Name of 1967
circulator of petition), declares under penalty of election 1968
falsification that the circulator of the petition is a qualified 1969
elector of the state of Ohio and resides at the address 1970
appearing below the signature of that circulator; that the 1971
circulator is the circulator of the foregoing petition paper 1972
containing _____ (Number) signatures; that the 1973
circulator witnessed the affixing of every signature; that all 1974
signers were to the best of the circulator's knowledge and 1975
belief qualified to sign; and that every signature is to the 1976
best of the circulator's knowledge and belief the signature of 1977
the person whose signature it purports to be or of an attorney 1978
in fact acting pursuant to section 3501.382 of the Revised Code. 1979

declaration of candidacy and petition, and the form shall be 2003
substantially similar to the declaration of candidacy and 2004
petition set forth in this division, that will be suitable for 2005
joint candidates for the offices of governor and lieutenant 2006
governor. 2007

Sec. 3513.13. Separate primary election ballots shall be 2008
provided by the board of elections for each political party 2009
having candidates for nomination or election in a party primary 2010
election. Section 3505.08 of the Revised Code governing the kind 2011
of paper, the kind of ink, and the size and style of type to be 2012
used in the printing of ballots for general elections shall 2013
apply in the printing of ballots for primary elections. 2014

~~Primary~~ Party primary election ballots shall have printed 2015
on the back thereof "Official _____ (name of party) 2016
_____ primary ballot," the date of the election, and the 2017
facsimile signatures of the members of the board. 2018

Such ballots shall have stubs attached at the top thereof 2019
as required on ballots for general elections. 2020

On the back of every such ballot used there shall be a 2021
solid black line printed opposite the blank rectangular space 2022
that is used to mark the choice of the voter. This line shall be 2023
printed wide enough so that the mark in the blank rectangular 2024
space will not be visible from the back side of the ballot. 2025

Such ballots shall have printed at the top thereof and 2026
below the stubs "Official _____ (name of party) _____ 2027
primary ballot" and instructions to the voter to the effect that 2028
to vote for a candidate the voter shall record the vote in the 2029
manner provided on the ballot next to the name of such 2030
candidate, except as provided in section 3513.151 of the Revised 2031

Code, and that ~~if he~~ a voter who tears, soils, defaces, or 2032
erroneously marks the ballot ~~he~~ may return it to the precinct 2033
election officers and obtain another ballot. 2034

Except as provided in section 3513.151 of the Revised 2035
Code, party primary election ballots shall contain the names of 2036
all persons whose declarations of candidacy and petitions have 2037
been determined to be valid. The name of each candidate for 2038
nomination for, or election to, an office or position shall be 2039
printed in an enclosed rectangular space at the left of which an 2040
enclosed blank rectangular space shall be provided. The names of 2041
candidates shall be printed on the ballot immediately below the 2042
title of the office or position for nomination or election to 2043
which the candidate seeks nomination or election. The order in 2044
which offices and positions shall be listed on the ballot shall 2045
be prescribed by and shall be certified to each board by the 2046
secretary of state, and shall be the same, to the extent the 2047
secretary of state deems practicable, as is provided for the 2048
listing of offices on general election ballots. 2049

Sec. 3513.14. (A) Except in elections for which the board 2050
of elections has received no valid declarations of intent to be 2051
a write-in candidate under section 3513.041 of the Revised Code, 2052
immediately below the title of each office for which nominations 2053
are to be made and the names of candidates for such nomination 2054
printed thereunder, there shall be provided on each primary 2055
election ballot as many blank spaces as, but not more than, the 2056
number of nominations to be made for such office, in which the 2057
voter may write the names of persons for whose nomination ~~he~~ the 2058
voter desires to vote, provided that inasmuch as candidates for 2059
the office of delegate and alternate to the national and state 2060
conventions, member of the state central committee, and member 2061
of the county central committee are elected at the primary 2062

election no blank space shall be left on the ballot after the 2063
names of the candidates for such office, and no vote shall be 2064
counted for any person whose name has been written in on said 2065
ballot for any of such offices. If no person files and qualifies 2066
as a candidate for the office of member of the state central 2067
committee or member of the county central committee such office 2068
shall not appear on the ballot. 2069

(B) The face of the ballot below the stub, for a party 2070
primary, shall be substantially in the following form: 2071

OFFICIAL _____ (name of party) _____ 2072

PRIMARY BALLOT 2073

~~(A)~~ (1) To vote for a candidate record your vote in the 2074
manner provided next to the name of such candidate. 2075

~~(B)~~ (2) If you tear, soil, deface, or erroneously mark this 2076
ballot return it to the election officials and obtain another. 2077

(C) The face of the ballot below the stub, for a primary 2078
election for a voter-nominated or nonpartisan office, shall be 2079
substantially in the following form: 2080

_____ OFFICIAL PRIMARY BALLOT 2081

(1) To vote for a candidate record your vote in the manner 2082
provided next to the name of such candidate. 2083

(2) If you tear, soil, deface, or erroneously mark this 2084
ballot return it to the election officials and obtain another. 2085

Sec. 3513.19. (A) It is the duty of any precinct election 2086
official, whenever any such official doubts that a person 2087
attempting to vote at a primary election is legally entitled to 2088
vote at that election, to challenge the right of that person to 2089

vote. The right of a person to vote at a primary election may be challenged upon the following grounds:

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

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

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

(a) If the person voted as a member of a different political party at any primary election within the current year and the immediately preceding two calendar years, being a candidate for nomination at a party primary held during the times specified in division (C) (2) of section 3513.191 of the Revised Code provided that the person complies with the requirements of that section;

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

(B) When the right of a person to vote is challenged upon the ground set forth in division (A) (3) of this section,

membership in or political affiliation with a political party 2119
shall be determined by the person's statement, made under 2120
penalty of election falsification, that the person desires to be 2121
affiliated with and supports the principles of the political 2122
party whose primary ballot the person desires to vote. 2123

Sec. 3513.20. Before any challenged person shall be 2124
allowed to vote at a primary election, the person shall make a 2125
statement, under penalty of election falsification, before one 2126
of the precinct officials, blanks for which shall be furnished 2127
by the board of elections, giving name, age, residence, length 2128
of residence in the precinct, county, and state; if applicable, 2129
stating that the person desires to be affiliated with and 2130
supports the principles of the political party whose party 2131
primary ballot the person desires to vote; and giving all other 2132
facts necessary to determine whether the person is entitled to 2133
vote in that primary election. The statement shall be returned 2134
to the office of the board with the pollbooks and tally sheets. 2135

If a person challenged refuses to make that statement 2136
under penalty of election falsification, the person shall be 2137
permitted to vote a provisional ballot under section 3505.181 of 2138
the Revised Code. If a majority of the precinct officials finds 2139
that the statements of a person challenged or the person's 2140
voting record or other evidence shows that the person lacks any 2141
of the qualifications required to make the person a qualified 2142
elector at the primary election or, if applicable, that the 2143
person is not affiliated with or is not a member of the 2144
political party whose ballot the person desires to vote, the 2145
person shall be permitted to vote a provisional ballot under 2146
section 3505.181 of the Revised Code. 2147

Sec. 3513.22. (A) Not earlier than the fifth day or later 2148

than the fifteenth day after a primary election, the board of 2149
elections shall begin to canvass the election returns from the 2150
precincts in which electors were entitled to vote at that 2151
election and shall continue the canvass daily until it is 2152
completed. 2153

The board shall complete the canvass not later than the 2154
twenty-first day after the day of the election. Eighty-one days 2155
after the day of the election, the canvass of election returns 2156
shall be deemed final, and no amendments to the canvass may be 2157
made after that date. The secretary of state may specify an 2158
earlier date upon which the canvass of election returns shall be 2159
deemed final, and after which amendments to the final canvass 2160
may not be made, if so required by federal law. 2161

(B) The county executive committee of each political party 2162
~~that participated in the election,~~ and each committee designated 2163
in a petition to represent the petitioners pursuant to which a 2164
question or issue was submitted at the election, may designate a 2165
qualified elector who may be present at and may observe the 2166
making of the canvass. Each person for whom votes were cast in 2167
the election may also be present at and observe the making of 2168
the canvass. 2169

(C) When the canvass of the election returns from all of 2170
the precincts in the county in which electors were entitled to 2171
vote at the election has been completed, the board shall 2172
determine and declare the results of the elections determined by 2173
the electors of the county or of a district or subdivision 2174
within the county. If more than the number of persons to be 2175
nominated for or elected to an office received the largest and 2176
an equal number of votes, the tie shall be resolved by lot by 2177
the chairperson of the board in the presence of a majority of 2178

the members of the board. The declaration shall be in writing 2179
and shall be signed by at least a majority of the members of the 2180
board. It shall bear the date of the day upon which it is made, 2181
and a copy of it shall be posted by the board in a conspicuous 2182
place in its office. The board shall keep the copy posted for a 2183
period of at least five days. 2184

The board shall promptly certify abstracts of the results 2185
of the elections within its county upon forms the secretary of 2186
state prescribes. One certified copy of each abstract shall be 2187
kept in the office of the board, and one certified copy of each 2188
abstract shall promptly be sent to the secretary of state. The 2189
board shall also promptly send a certified copy of that part of 2190
an abstract that pertains to an election in which only electors 2191
of a district comprised of more than one county but less than 2192
all of the counties of the state voted to the board of the most 2193
populous county in the district. It shall also promptly send a 2194
certified copy of that part of an abstract that pertains to an 2195
election in which only electors of a subdivision located partly 2196
within the county voted to the board of the county in which the 2197
major portion of the population of the subdivision is located. 2198

If, after certifying and sending abstracts and parts of 2199
abstracts, a board finds that any abstract or part of any 2200
abstract is incorrect, it shall promptly prepare, certify, and 2201
send a corrected abstract or part of an abstract to take the 2202
place of each incorrect abstract or part of an abstract 2203
previously certified and sent. 2204

(D) (1) When certified copies of abstracts are received by 2205
the secretary of state, the secretary of state shall canvass 2206
those abstracts and determine and declare the results of all 2207
elections in which electors throughout the entire state voted. 2208

If more than the number of persons to be nominated for or 2209
elected to an office received the largest and an equal number of 2210
votes, the tie shall be resolved by lot by the secretary of 2211
state in the presence of the governor, the auditor of state, and 2212
the attorney general, who at the request of the secretary of 2213
state shall assemble to witness the drawing of the lot. The 2214
declaration of results by the secretary of state shall be in 2215
writing and shall be signed by the secretary of state. It shall 2216
bear the date of the day upon which it is made, and a copy of it 2217
shall be posted by the secretary of state in a conspicuous place 2218
in the secretary of state's office. The secretary of state shall 2219
keep the copy posted for a period of at least five days. 2220

(2) When certified copies of parts of abstracts are 2221
received by the board of the most populous county in a district 2222
from the boards of all of the counties in the district, the 2223
board receiving those abstracts shall canvass them and determine 2224
and declare the results of the elections in which only electors 2225
of the district voted. If more than the number of persons to be 2226
nominated for or elected to an office received the largest and 2227
equal number of votes, the tie shall be resolved by lot by the 2228
chairperson of the board in the presence of a majority of the 2229
members of the board. The declaration of results by the board 2230
shall be in writing and shall be signed by at least a majority 2231
of the members of the board. It shall bear the date of the day 2232
upon which it is made, and a copy of it shall be posted by the 2233
board in a conspicuous place in its office. The board shall keep 2234
the copy posted for a period of at least five days. 2235

(3) When certified copies of parts of abstracts are 2236
received by the board of a county in which the major portion of 2237
the population of a subdivision located in more than one county 2238
is located from the boards of each county in which other 2239

portions of that subdivision are located, the board receiving 2240
those abstracts shall canvass them and determine and declare the 2241
results of the elections in which only electors of that 2242
subdivision voted. If more than the number of persons to be 2243
nominated for or elected to an office received the largest and 2244
an equal number of votes, the tie shall be resolved by lot by 2245
the chairperson of the board in the presence of a majority of 2246
the members of the board. The declaration of results by the 2247
board shall be in writing and shall be signed by at least a 2248
majority of the members of the board. It shall bear the date of 2249
the day upon which it is made, and a copy of it shall be posted 2250
by the board in a conspicuous place in its office. The board 2251
shall keep the copy posted for a period of at least five days. 2252

(E) Election officials, who are required to declare the 2253
results of primary elections, shall issue to each person 2254
declared nominated for or elected to an office, an appropriate 2255
certificate of nomination or election, provided that the boards 2256
required to determine and declare the results of the elections 2257
for candidates for nomination to the office of representative to 2258
congress from a congressional district shall, in lieu of issuing 2259
a certificate of nomination, certify to the secretary of state 2260
the names of the candidates nominated, and the secretary of 2261
state, upon receipt of that certification, shall issue a 2262
certificate of nomination to each person whose name is so 2263
certified. Certificates of nomination or election issued by 2264
boards to candidates and certifications to the secretary of 2265
state shall not be issued before the expiration of the time 2266
within which applications for recounts of votes may be filed or 2267
before recounts of votes, which have been applied for, are 2268
completed. 2269

Sec. 3513.23. (A) If an elector voting at a primary 2270

election writes in a blank space provided for that purpose on 2271
the ballot ~~of one political party~~ under the title of an office 2272
for which a nomination is to be made the name of a person other 2273
than the persons whose names are printed on the ballot as 2274
candidates for the nomination, and if that elector records the 2275
vote in the manner provided on the ballot next to the name 2276
written, that ballot shall be counted as a vote for the 2277
nomination of the person whose name is so written if that person 2278
has filed a declaration of intent to be a write-in candidate 2279
under section 3513.041 of the Revised Code. 2280

(B) In no event shall a person whose name is written on a 2281
primary election ballot be nominated as a candidate for election 2282
to an office if the name of no person living on the day of that 2283
primary election is printed on the ballot as a candidate for 2284
that nomination, unless the total number of votes cast for the 2285
person whose name is written on the ballot is not less than that 2286
number of petition signatures that would have been required for 2287
the printing of the person's name on the primary ballot pursuant 2288
to section 3513.05 of the Revised Code. 2289

Sec. 3513.257. ~~Each person desiring to become an~~ 2290
~~independent candidate for an office for which candidates may be~~ 2291
~~nominated at a primary election, except persons desiring to~~ 2292
~~become independent joint candidates for the offices of governor~~ 2293
~~and lieutenant governor and for the offices of president and~~ 2294
~~vice-president of the United States, shall file no later than~~ 2295
~~four p.m. of the day before the day of the primary election~~ 2296
~~immediately preceding the general election at which such~~ 2297
~~candidacy is to be voted for by the voters, a statement of~~ 2298
~~candidacy and nominating petition as provided in section~~ 2299
~~3513.261 of the Revised Code. Persons desiring to become~~ 2300
~~independent joint candidates for the offices of governor and~~ 2301

~~lieutenant governor shall file, not later than four p.m. of the~~ 2302
~~day before the day of the primary election, one statement of~~ 2303
~~candidacy and one nominating petition for the two of them.~~ 2304
Persons desiring to become independent joint candidates for the 2305
offices of president and vice-president of the United States 2306
shall file, not later than four p.m. of the ninetieth day before 2307
the day of the general election at which the president and vice- 2308
president are to be elected, one statement of candidacy and one 2309
nominating petition for the two of them. The prospective 2310
independent joint candidates' statement of candidacy shall be 2311
filed with the nominating petition as one instrument. 2312

The statement of candidacy and separate petition papers of 2313
each ~~candidate or~~ pair of joint candidates shall be filed at the 2314
same time as one instrument. 2315

~~The nominating petition shall contain signatures of~~ 2316
~~qualified electors of the district, political subdivision, or~~ 2317
~~portion of a political subdivision in which the candidacy is to~~ 2318
~~be voted on in an amount to be determined as follows:~~ 2319

~~(A) If the candidacy is to be voted on by electors~~ 2320
~~throughout the entire state, the~~ The nominating petition, 2321
~~including the nominating petition of independent joint~~ 2322
~~candidates for the offices of governor and lieutenant governor,~~ 2323
shall be signed by no less than five thousand qualified 2324
electors, provided that no petition shall be accepted for filing 2325
if it purports to contain more than fifteen thousand signatures. 2326

~~(B) If the candidacy is to be voted on by electors in any~~ 2327
~~district, political subdivision, or part thereof in which less~~ 2328
~~than five thousand electors voted for the office of governor at~~ 2329
~~the most recent election for that office, the nominating~~ 2330
~~petition shall contain signatures of not less than twenty-five~~ 2331

~~qualified electors of the district, political subdivision, or
part thereof, or a number of qualified signatures equal to at
least five per cent of that vote, if this number is less than
twenty-five.~~ 2332
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~~(C) If the candidacy is to be voted on by electors in any
district, political subdivision, or part thereof in which five
thousand or more electors voted for the office of governor at
the most recent election for that office, the nominating
petition shall contain a number of signatures equal to at least
one per cent of those electors.~~ 2336
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All nominating petitions of candidates for offices to be
voted on by electors throughout the entire state shall be filed
in the office of the secretary of state. No nominating petition
for the offices of president and vice-president of the United
States shall be accepted for filing unless there is submitted to
the secretary of state, at the time of filing the petition, a
slate of presidential electors sufficient in number to satisfy
the requirement of the United States Constitution. ~~The secretary
of state shall not accept for filing the statement of candidacy
of a person who desires to be an independent candidate for the
office of governor unless it also shows the joint candidacy of a
person who desires to be an independent candidate for the office
of lieutenant governor, shall not accept for filing the
statement of candidacy of a person who desires to be an
independent candidate for the office of lieutenant governor
unless it also shows the joint candidacy of a person who desires
to be an independent candidate for the office of governor, and
shall not accept for filing the statement of candidacy of a
person who desires to be an independent candidate to the office
of governor or lieutenant governor who, for the same election,
has already filed a declaration of candidacy, a declaration of~~ 2342
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~~intent to be a write-in candidate, or a statement of candidacy,~~ 2363
~~or has become a candidate by the filling of a vacancy under~~ 2364
~~section 3513.30 of the Revised Code for any other state office~~ 2365
~~or any federal or county office.~~ 2366

Nominating petitions of candidates for offices to be voted 2367
on by electors within a district or political subdivision 2368
comprised of more than one county but less than all counties of 2369
the state shall be filed with the boards of elections of that 2370
county or part of a county within the district or political 2371
subdivision which had a population greater than that of any 2372
other county or part of a county within the district or 2373
political subdivision according to the last federal decennial 2374
census. 2375

Nominating petitions for offices to be voted on by 2376
electors within a county or district smaller than a county shall 2377
be filed with the board of elections for such county. 2378

No petition other than the petition of a candidate whose 2379
candidacy is to be considered by electors throughout the entire 2380
state shall be accepted for filing if it appears on its face to 2381
contain more than three times the minimum required number of 2382
signatures. A board of elections shall not accept for filing a 2383
nominating petition of a person seeking to become a candidate if 2384
that person, for the same election, has already filed a 2385
declaration of candidacy, a declaration of intent to be a write- 2386
in candidate, or a nominating petition, or has become a 2387
candidate by the filling of a vacancy under section 3513.30 of 2388
the Revised Code for any federal, state, or county office, if 2389
the nominating petition is for a state or county office, or for 2390
any municipal or township office, for member of a city, local, 2391
or exempted village board of education, or for member of a 2392

governing board of an educational service center, if the 2393
nominating petition is for a municipal or township office, or 2394
for member of a city, local, or exempted village board of 2395
education, or for member of a governing board of an educational 2396
service center. When a petition of a candidate has been accepted 2397
for filing by a board of elections, the petition shall not be 2398
deemed invalid if, upon verification of signatures contained in 2399
the petition, the board of elections finds the number of 2400
signatures accepted exceeds three times the minimum number of 2401
signatures required. A board of elections may discontinue 2402
verifying signatures when the number of verified signatures on a 2403
petition equals the minimum required number of qualified 2404
signatures. 2405

Any candidate, other than a candidate for judge of a 2406
municipal court, county court, or court of common pleas, who 2407
files a nominating petition may request, at the time of filing, 2408
that the candidate be designated on the ballot as a nonparty 2409
candidate or as an other-party candidate, or may request that 2410
the candidate's name be placed on the ballot without any 2411
designation. Any such candidate who fails to request a 2412
designation either as a nonparty candidate or as an other-party 2413
candidate shall have the candidate's name placed on the ballot 2414
without any designation. 2415

The purpose of establishing a filing deadline for 2416
independent candidates prior to the primary election immediately 2417
preceding the general election at which the candidacy is to be 2418
voted on by the voters is to recognize that the state has a 2419
substantial and compelling interest in protecting its electoral 2420
process by encouraging political stability, ensuring that the 2421
winner of the election will represent a majority of the 2422
community, providing the electorate with an understandable 2423

ballot, and enhancing voter education, thus fostering informed 2424
and educated expressions of the popular will in a general 2425
election. The filing deadline for independent candidates 2426
required in this section prevents splintered parties and 2427
unrestrained factionalism, avoids political fragmentation, and 2428
maintains the integrity of the ballot. The deadline, one day 2429
prior to the primary election, is the least drastic or 2430
restrictive means of protecting these state interests. The 2431
general assembly finds that the filing deadline for independent 2432
candidates in primary elections required in this section is 2433
reasonably related to the state's purpose of ensuring fair and 2434
honest elections while leaving unimpaired the political, voting, 2435
and associational rights secured by the first and fourteenth 2436
amendments to the United States Constitution. 2437

Sec. 3513.261. A nominating petition may consist of one or 2438
more separate petition papers, each of which shall be 2439
substantially in the form prescribed in this section. If the 2440
petition consists of more than one separate petition paper, the 2441
statement of candidacy of the candidate or joint candidates 2442
named need be signed by the candidate or joint candidates on 2443
only one of such separate petition papers, but the statement of 2444
candidacy so signed shall be copied on each other separate 2445
petition paper before the signatures of electors are placed on 2446
it. Each nominating petition containing signatures of electors 2447
of more than one county shall consist of separate petition 2448
papers each of which shall contain signatures of electors of 2449
only one county; provided that petitions containing signatures 2450
of electors of more than one county shall not thereby be 2451
declared invalid. In case petitions containing signatures of 2452
electors of more than one county are filed, the board of 2453
elections shall determine the county from which the majority of 2454

the signatures came, and only signatures from this county shall 2455
be counted. Signatures from any other county shall be invalid. 2456

All signatures on nominating petitions shall be written in 2457
ink or indelible pencil. 2458

At the time of filing a nominating petition, the candidate 2459
designated in the nominating petition, ~~and joint candidates for~~ 2460
~~governor and lieutenant governor,~~ shall pay to the election 2461
officials with whom it is filed the fees specified for the 2462
office under divisions (A) and (B) of section 3513.10 of the 2463
Revised Code, if applicable. The fees shall be disposed of by 2464
those election officials in the manner that is provided in 2465
section 3513.10 of the Revised Code for the disposition of other 2466
fees, and in no case shall a fee required under that section be 2467
returned to a candidate. 2468

Candidates ~~or joint candidates~~ whose names are written on 2469
the ballot, and who are elected, shall pay the same fees under 2470
section 3513.10 of the Revised Code that candidates who file 2471
nominating petitions pay. Payment of these fees shall be a 2472
condition precedent to the granting of their certificates of 2473
election. 2474

Each nominating petition shall contain a statement of 2475
candidacy that shall be signed by the candidate ~~or joint~~ 2476
~~candidates~~ named in it or by an attorney in fact acting pursuant 2477
to section 3501.382 of the Revised Code. Such statement of 2478
candidacy shall contain a declaration made under penalty of 2479
election falsification that the candidate desires to be a 2480
candidate for the office named in it, and that the candidate is 2481
an elector qualified to vote for the office the candidate seeks. 2482

The form of the nominating petition and statement of 2483

candidacy shall be substantially as follows: 2484

"STATEMENT OF CANDIDACY 2485

I, _____ (Name of 2486
candidate), the undersigned, hereby declare under penalty of 2487
election falsification that my voting residence is in 2488
_____ Precinct of the 2489
_____ (Township) or (Ward and City, or 2490
Village) in the county of _____ Ohio; that my post- 2491
office address is _____ (Street and 2492
Number, if any, or Rural Route and Number) of the 2493
_____ (City, Village, or post office) 2494
of _____, Ohio; and that I am a qualified elector 2495
in the precinct in which my voting residence is located. I 2496
hereby declare that I desire to be a candidate for election to 2497
the office of _____ in the _____ 2498
(State, District, County, City, Village, Township, or School 2499
District) for the _____ (Full 2500
term or unexpired term ending _____) at the General 2501
Election to be held on the _____ day of _____, ____ 2502

I further declare that I am an elector qualified to vote 2503
for the office I seek. Dated this _____ day of _____, 2504
_____ 2505

_____ 2506

(Signature of candidate) 2507

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2508
FELONY OF THE FIFTH DEGREE. 2509

I, _____, hereby constitute 2510
the persons named below a committee to represent me: 2511

Name	Residence	
_____		2512
_____		2513
_____		2514
_____		2515
_____		2516
_____		2517

NOMINATING PETITION 2518

We, the undersigned, qualified electors of the state of 2519
Ohio, whose voting residence is in the County, City, Village, 2520
Ward, Township or Precinct set opposite our names, hereby 2521
nominate _____ as a candidate for election to the 2522
office of _____ in the 2523
_____ (State, District, County, City, 2524
Village, Township, or School District) for the _____ 2525
(Full term or unexpired term ending _____) to be 2526
voted for at the general election next hereafter to be held, and 2527
certify that this person is, in our opinion, well qualified to 2528
perform the duties of the office or position to which the person 2529
desires to be elected. 2530
2531

	1	2	3	4	5	6	7
A		Street					
B		Address					
C		or R.F.D.					
D		(Must use					

E address on City,

F file with Village

G the board of or Date of

H Signature elections) Township Ward Precinct County Signing

_____ 2532

_____ 2533

_____ 2534

_____, declares under penalty of election 2535
falsification that such person is a qualified elector of the 2536
state of Ohio and resides at the address appearing below such 2537
person's signature hereto; that such person is the circulator of 2538
the foregoing petition paper containing _____ 2539
signatures; that such person witnessed the affixing of every 2540
signature; that all signers were to the best of such person's 2541
knowledge and belief qualified to sign; and that every signature 2542
is to the best of such person's knowledge and belief the 2543
signature of the person whose signature it purports to be or of 2544
an attorney in fact acting pursuant to section 3501.382 of the 2545
Revised Code. 2546

_____ 2547
(Signature of circulator) 2548

_____ 2549
(Address of circulator's 2550
permanent residence 2551

in this state) 2552

_____ 2553

(If petition is for a statewide 2554

candidate, the name and address 2555

of person employing circulator 2556

to circulate petition, if any) 2557

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2558

FELONY OF THE FIFTH DEGREE." 2559

The secretary of state shall prescribe a form of 2560

nominating petition for a group of candidates for the office of 2561

member of a board of education, township office, and offices of 2562

municipal corporations of under two thousand population. 2563

~~The secretary of state shall prescribe a form of statement 2564~~

~~of candidacy and nominating petition, which shall be 2565~~

~~substantially similar to the form of statement of candidacy and 2566~~

~~nominating petition set forth in this section, that will be 2567~~

~~suitable for joint candidates for the offices of governor and 2568~~

~~lieutenant governor. 2569~~

If such petition nominates a candidate whose election is 2570

to be determined by the electors of a county or a district or 2571

subdivision within the county, it shall be filed with the board 2572

of such county. If the petition nominates a candidate whose 2573

election is to be determined by the voters of a subdivision 2574

located in more than one county, it shall be filed with the 2575

board of the county in which the major portion of the population 2576

of such subdivision is located. 2577

If the petition nominates a candidate whose election is to 2578

be determined by the electors of a district comprised of more 2579
than one county but less than all of the counties of the state, 2580
it shall be filed with the board of elections of the most 2581
populous county in such district. If the petition nominates a- 2582
~~candidate whose election is to be determined by the electors of~~ 2583
~~the state at large~~joint candidates for the offices of president 2584
and vice president of the United States, it shall be filed with 2585
the secretary of state. 2586

The secretary of state or a board of elections shall not 2587
accept for filing a nominating petition of a person seeking to 2588
become a candidate if that person, for the same election, has 2589
already filed a declaration of candidacy, a declaration of 2590
intent to be a write-in candidate, or a nominating petition, or 2591
has become a candidate through ~~party~~-nomination at a primary 2592
election or by the filling of a vacancy under section 3513.30 or 2593
3513.31 of the Revised Code for any federal, state, or county 2594
office, if the nominating petition is for a state or county 2595
office, or for any municipal or township office, for member of a 2596
city, local, or exempted village board of education, or for 2597
member of a governing board of an educational service center, if 2598
the nominating petition is for a municipal or township office, 2599
or for member of a city, local, or exempted village board of 2600
education, or for member of a governing board of an educational 2601
service center. 2602

Sec. 3513.262. The nominating petitions of all candidates 2603
required to be filed before four p.m. of the day before the day 2604
of the primary election immediately preceding the general 2605
election shall be processed as follows: 2606

If such petition is filed with the secretary of state, the 2607
secretary of state shall, not later than the fifteenth day of 2608

June following the filing of such petition, or if the primary 2609
election was a presidential primary election, not later than the 2610
end of the sixth week after the day of that election, transmit 2611
to each board such separate petition papers as purport to 2612
contain signatures of electors of the county of such board. If 2613
such petition is filed with the board of the most populous 2614
county of a district or of a county in which the major portion 2615
of the population of a subdivision is located, such board shall, 2616
not later than the fifteenth day of June, or if the primary 2617
election was a presidential primary election, not later than the 2618
end of the sixth week after the day of that election, transmit 2619
to each board within such district such separate petition papers 2620
of the petition as purport to contain signatures of electors of 2621
the county of such board. 2622

All petition papers so transmitted to a board and all 2623
nominating petitions filed with a board shall, under proper 2624
regulations, be open to public inspection from the fifteenth day 2625
of June until four p.m. of the thirtieth day of that month, or 2626
if the primary election was a presidential primary election, 2627
from the end of the sixth week after the election until four 2628
p.m. of the end of the seventh week after the election. Each 2629
board shall, not later than the next fifteenth day of July, or 2630
if the primary election was a presidential primary election, not 2631
later than the end of the tenth week after the day of that 2632
election, examine and determine the sufficiency of the 2633
signatures on the petition papers transmitted to or filed with 2634
it, and the validity of the petitions filed with it, and shall 2635
return to the secretary of state all petition papers transmitted 2636
to it by the secretary of state, together with its certification 2637
of its determination as to the validity or invalidity of 2638
signatures thereon, and shall return to each other board all 2639

petition papers transmitted to it by such other board, as 2640
provided in this section, together with its certification of its 2641
determination as to the validity or invalidity of signatures 2642
thereon. A signature on a nominating petition is not valid if it 2643
is dated more than one year before the date the nominating 2644
petition was filed. All other matters affecting the validity or 2645
invalidity of such petition papers shall be determined by the 2646
secretary of state or the board with whom such petition papers 2647
were filed. 2648

Written protests against nominating petitions may be filed 2649
by any qualified elector eligible to vote for the candidate 2650
whose nominating petition the elector objects to, not later than 2651
four p.m. of the thirtieth day of July, or if the primary 2652
election was a presidential primary election, not later than the 2653
end of the twelfth week after the day of that election. Such 2654
protests shall be filed with the election officials with whom 2655
the nominating petition was filed. Upon the filing of such 2656
protest, the election officials with whom it is filed shall 2657
promptly fix the time and place for hearing it, and shall 2658
forthwith mail notice of the filing of such protest and the time 2659
and place for hearing it to the person whose nomination is 2660
protested. They shall also forthwith mail notice of the time and 2661
place fixed for the hearing to the person who filed the protest. 2662
At the time fixed, such election officials shall hear the 2663
protest and determine the validity or invalidity of the 2664
petition. Such determination shall be final. 2665

~~A protest against the nominating petition filed by joint 2666
candidates for the offices of governor and lieutenant governor 2667
shall be filed, heard, and determined in the same manner as a 2668
protest against the nominating petition of a candidate who files 2669
individually. 2670~~

Sec. 3513.30. (A) (1) If only one valid declaration of 2671
candidacy is filed for nomination as a candidate of a political 2672
party for ~~an~~ a partisan office and that candidate dies prior to 2673
the tenth day before the primary election, both of the following 2674
may occur: 2675

(a) The political party whose candidate died may fill the 2676
vacancy so created as provided in division (A) (2) of this 2677
section. 2678

(b) Any major political party other than the one whose 2679
candidate died may select a candidate as provided in division 2680
(A) (2) of this section under either of the following 2681
circumstances: 2682

(i) No person has filed a valid declaration of candidacy 2683
for nomination as that party's candidate at the primary 2684
election. 2685

(ii) Only one person has filed a valid declaration of 2686
candidacy for nomination as that party's candidate at the 2687
primary election, that person has withdrawn, died, or been 2688
disqualified under section 3513.052 of the Revised Code, and the 2689
vacancy so created has not been filled. 2690

(2) A vacancy may be filled under division (A) (1) (a) and a 2691
selection may be made under division (A) (1) (b) of this section 2692
by the appropriate committee of the political party in the same 2693
manner as provided in divisions (A) to (E) of section 3513.31 of 2694
the Revised Code for the filling of similar vacancies created by 2695
withdrawals or disqualifications under section 3513.052 of the 2696
Revised Code after the primary election, except that the 2697
certification required under that section may not be filed with 2698
the secretary of state, or with a board of the most populous 2699

county of a district, or with the board of a county in which the 2700
major portion of the population of a subdivision is located, 2701
later than four p.m. of the tenth day before the day of such 2702
primary election, or with any other board later than four p.m. 2703
of the fifth day before the day of such primary election. 2704

(3) If only one valid declaration of candidacy is filed 2705
for nomination as a candidate of a political party for an office 2706
and that candidate dies on or after the tenth day before the day 2707
of the primary election, that candidate is considered to have 2708
received the nomination of that candidate's political party at 2709
that primary election, and, for purposes of filling the vacancy 2710
so created, that candidate's death shall be treated as if that 2711
candidate died on the day after the day of the primary election. 2712

(B) Any person filing a declaration of candidacy may 2713
withdraw as such candidate at any time prior to the primary 2714
election. The withdrawal shall be effected and the statement of 2715
withdrawal shall be filed in accordance with the procedures 2716
prescribed in division (D) of this section for the withdrawal of 2717
persons nominated in a primary election or by nominating 2718
petition. 2719

(C) A person who is the first choice for president of the 2720
United States by a candidate for delegate or alternate to a 2721
national convention of a political party may withdraw consent 2722
for the selection of the person as such first choice no later 2723
than four p.m. of the fortieth day before the day of the 2724
presidential primary election. Withdrawal of consent shall be 2725
for the entire slate of candidates for delegates and alternates 2726
who named such person as their presidential first choice and 2727
shall constitute withdrawal from the primary election by such 2728
delegates and alternates. The withdrawal shall be made in 2729

writing and delivered to the secretary of state. If the 2730
withdrawal is delivered to the secretary of state on or before 2731
the seventieth day before the day of the primary election, the 2732
boards of elections shall remove both the name of the withdrawn 2733
first choice and the names of such withdrawn candidates from the 2734
ballots according to the directions of the secretary of state. 2735
If the withdrawal is delivered to the secretary of state after 2736
the seventieth day before the day of the primary election, the 2737
board of elections shall not remove the name of the withdrawn 2738
first choice and the names of the withdrawn candidates from the 2739
ballots. The board of elections shall post a notice at each 2740
polling location on the day of the primary election, and shall 2741
enclose with each absent voter's ballot given or mailed after 2742
the candidate withdraws, a notice that votes for the withdrawn 2743
first choice or the withdrawn candidates will be void and will 2744
not be counted. If such names are not removed from all ballots 2745
before the day of the election, the votes for the withdrawn 2746
first choice or the withdrawn candidates are void and shall not 2747
be counted. 2748

(D) Any person nominated in a primary election or by 2749
nominating petition as a candidate for election at the next 2750
general election may withdraw as such candidate at any time 2751
prior to the general election. Such withdrawal may be effected 2752
by the filing of a written statement by such candidate 2753
announcing the candidate's withdrawal and requesting that the 2754
candidate's name not be printed on the ballots. If such 2755
candidate's declaration of candidacy or nominating petition was 2756
filed with the secretary of state, the candidate's statement of 2757
withdrawal shall be addressed to and filed with the secretary of 2758
state. If such candidate's declaration of candidacy or 2759
nominating petition was filed with a board of elections, the 2760

candidate's statement of withdrawal shall be addressed to and 2761
filed with such board. 2762

(E) When a person withdraws under division (B) or (D) of 2763
this section on or before the seventieth day before the day of 2764
the primary election or the general election, the board of 2765
elections shall remove the name of the withdrawn candidate from 2766
the ballots according to the directions of the secretary of 2767
state. When a person withdraws under division (B) or (D) of this 2768
section after the seventieth day before the day of the primary 2769
election or the general election, the board of elections shall 2770
not remove the name of the withdrawn candidate from the ballots. 2771
The board of elections shall post a notice at each polling place 2772
on the day of the election, and shall enclose with each absent 2773
voter's ballot given or mailed after the candidate withdraws, a 2774
notice that votes for the withdrawn candidate will be void and 2775
will not be counted. If the name is not removed from all ballots 2776
before the day of the election, the votes for the withdrawn 2777
candidate are void and shall not be counted. 2778

Sec. 3513.31. (A) If a person nominated in a party primary 2779
election as a candidate for election at the next general 2780
election, whose candidacy is to be submitted to the electors of 2781
the entire state, withdraws as that candidate or is disqualified 2782
as that candidate under section 3513.052 of the Revised Code, 2783
the vacancy in the ~~party~~-nomination so created may be filled by 2784
the state central committee of the major political party that 2785
made the nomination at the primary election, if the committee's 2786
chairperson and secretary certify the name of the person 2787
selected to fill the vacancy by the time specified in this 2788
division, at a meeting called for that purpose. The meeting 2789
shall be called by the chairperson of that committee, who shall 2790
give each member of the committee at least two days' notice of 2791

the time, place, and purpose of the meeting. If a majority of 2792
the members of the committee are present at the meeting, a 2793
majority of those present may select a person to fill the 2794
vacancy. The chairperson and secretary of the meeting shall 2795
certify in writing and under oath to the secretary of state, not 2796
later than the eighty-sixth day before the day of the general 2797
election, the name of the person selected to fill the vacancy. 2798
The certification must be accompanied by the written acceptance 2799
of the nomination by the person whose name is certified. A 2800
vacancy in a party nomination that may be filled by a minor 2801
political party shall be filled in accordance with the party's 2802
rules by authorized officials of the party. Certification must 2803
be made as in the manner provided for a major political party. 2804

(B) If a person nominated in a party primary election as a 2805
party candidate for election at the next general election, whose 2806
candidacy is to be submitted to the electors of a district 2807
comprised of more than one county but less than all of the 2808
counties of the state, withdraws as that candidate or is 2809
disqualified as that candidate under section 3513.052 of the 2810
Revised Code, the vacancy in the party nomination so created may 2811
be filled by a district committee of the major political party 2812
that made the nomination at the primary election, if the 2813
committee's chairperson and secretary certify the name of the 2814
person selected to fill the vacancy by the time specified in 2815
this division, at a meeting called for that purpose. The 2816
district committee shall consist of the chairperson and 2817
secretary of the county central committee of such political 2818
party in each county in the district. The district committee 2819
shall be called by the chairperson of the county central 2820
committee of such political party of the most populous county in 2821
the district, who shall give each member of the district 2822

committee at least two days' notice of the time, place, and 2823
purpose of the meeting. If a majority of the members of the 2824
district committee are present at the district committee 2825
meeting, a majority of those present may select a person to fill 2826
the vacancy. The chairperson and secretary of the meeting shall 2827
certify in writing and under oath to the board of elections of 2828
the most populous county in the district, not later than four 2829
p.m. of the eighty-sixth day before the day of the general 2830
election, the name of the person selected to fill the vacancy. 2831
The certification must be accompanied by the written acceptance 2832
of the nomination by the person whose name is certified. A 2833
vacancy in a party nomination that may be filled by a minor 2834
political party shall be filled in accordance with the party's 2835
rules by authorized officials of the party. Certification must 2836
be made as in the manner provided for a major political party. 2837

(C) If a person nominated in a party primary election as a 2838
party candidate for election at the next general election, whose 2839
candidacy is to be submitted to the electors of a county, 2840
withdraws as that candidate or is disqualified as that candidate 2841
under section 3513.052 of the Revised Code, the vacancy in the 2842
party nomination so created may be filled by the county central 2843
committee of the major political party that made the nomination 2844
at the primary election, or by the county executive committee if 2845
so authorized, if the committee's chairperson and secretary 2846
certify the name of the person selected to fill the vacancy by 2847
the time specified in this division, at a meeting called for 2848
that purpose. The meeting shall be called by the chairperson of 2849
that committee, who shall give each member of the committee at 2850
least two days' notice of the time, place, and purpose of the 2851
meeting. If a majority of the members of the committee are 2852
present at the meeting, a majority of those present may select a 2853

person to fill the vacancy. The chairperson and secretary of the 2854
meeting shall certify in writing and under oath to the board of 2855
that county, not later than four p.m. of the eighty-sixth day 2856
before the day of the general election, the name of the person 2857
selected to fill the vacancy. The certification must be 2858
accompanied by the written acceptance of the nomination by the 2859
person whose name is certified. A vacancy in a party nomination 2860
that may be filled by a minor political party shall be filled in 2861
accordance with the party's rules by authorized officials of the 2862
party. Certification must be made as in the manner provided for 2863
a major political party. 2864

(D) If a person nominated in a party primary election as a 2865
party candidate for election at the next general election, whose 2866
candidacy is to be submitted to the electors of a district 2867
within a county, withdraws as that candidate or is disqualified 2868
as that candidate under section 3513.052 of the Revised Code, 2869
the vacancy in the party nomination so created may be filled by 2870
a district committee consisting of those members of the county 2871
central committee or, if so authorized, those members of the 2872
county executive committee in that county of the major political 2873
party that made the nomination at the primary election who 2874
represent the precincts or the wards and townships within the 2875
district, if the committee's chairperson and secretary certify 2876
the name of the person selected to fill the vacancy by the time 2877
specified in this division, at a meeting called for that 2878
purpose. The district committee meeting shall be called by the 2879
chairperson of the county central committee or executive 2880
committee, as appropriate, who shall give each member of the 2881
district committee at least two days' notice of the time, place, 2882
and purpose of the meeting. If a majority of the members of the 2883
district committee are present at the district committee 2884

meeting, a majority of those present may select a person to fill 2885
the vacancy. The chairperson and secretary of the district 2886
committee meeting shall certify in writing and under oath to the 2887
board of the county, not later than four p.m. of the eighty- 2888
sixth day before the day of the general election, the name of 2889
the person selected to fill the vacancy. The certification must 2890
be accompanied by the written acceptance of the nomination by 2891
the person whose name is certified. A vacancy in a party 2892
nomination that may be filled by a minor political party shall 2893
be filled in accordance with the party's rules by authorized 2894
officials of the party. Certification must be made as in the 2895
manner provided for a major political party. 2896

(E) If a person nominated in a party primary election as a 2897
party candidate for election at the next general election, whose 2898
candidacy is to be submitted to the electors of a subdivision 2899
within a county, withdraws as that candidate or is disqualified 2900
as that candidate under section 3513.052 of the Revised Code, 2901
the vacancy in the party nomination so created may be filled by 2902
a subdivision committee consisting of those members of the 2903
county central committee or, if so authorized, those members of 2904
the county executive committee in that county of the major 2905
political party that made the nomination at that primary 2906
election who represent the precincts or the wards and townships 2907
within that subdivision, if the committee's chairperson and 2908
secretary certify the name of the person selected to fill the 2909
vacancy by the time specified in this division, at a meeting 2910
called for that purpose. 2911

The subdivision committee meeting shall be called by the 2912
chairperson of the county central committee or executive 2913
committee, as appropriate, who shall give each member of the 2914
subdivision committee at least two days' notice of the time, 2915

place, and purpose of the meeting. If a majority of the members 2916
of the subdivision committee are present at the subdivision 2917
committee meeting, a majority of those present may select a 2918
person to fill the vacancy. The chairperson and secretary of the 2919
subdivision committee meeting shall certify in writing and under 2920
oath to the board of the county, not later than four p.m. of the 2921
eighty-sixth day before the day of the general election, the 2922
name of the person selected to fill the vacancy. The 2923
certification must be accompanied by the written acceptance of 2924
the nomination by the person whose name is certified. A vacancy 2925
in a party nomination that may be filled by a minor political 2926
party shall be filled in accordance with the party's rules by 2927
authorized officials of the party. Certification must be made in 2928
the manner provided for a major political party. 2929

(F) If a person nominated ~~by petition as an independent or~~ 2930
~~nonpartisan candidate for election~~ to a voter-nominated or 2931
nonpartisan office at the next general election withdraws as 2932
that candidate or is disqualified as that candidate under 2933
section 3513.052 of the Revised Code, the vacancy so created may 2934
be filled by a majority of the committee of five, as designated 2935
on the candidate's nominating petition or declaration of 2936
candidacy, if a member of that committee certifies in writing 2937
and under oath to the election officials with whom the candidate 2938
filed the candidate's nominating petition or declaration of 2939
candidacy, not later than the eighty-sixth day before the day of 2940
the general election, the name of the person selected to fill 2941
the vacancy. The certification shall be accompanied by the 2942
written acceptance of the nomination by the person whose name is 2943
certified ~~and shall be made in the manner provided for a major-~~ 2944
~~political party.~~ 2945

(G) If a person nominated in a primary election or 2946

nominated by petition ~~under section 3517.012 of the Revised Code~~ 2947
~~as a party candidate~~ for election at the next general election 2948
dies, the vacancy so created may be filled by the same committee 2949
in the same manner as provided in this section for the filling 2950
of similar vacancies created by withdrawals or disqualifications 2951
under section 3513.052 of the Revised Code, except that the 2952
certification, when filling a vacancy created by death, may not 2953
be filed with the secretary of state, or with a board of the 2954
most populous county of a district, or with the board of a 2955
county in which the major portion of the population of a 2956
subdivision is located, later than four p.m. of the tenth day 2957
before the day of such general election, or with any other board 2958
later than four p.m. of the fifth day before the day of such 2959
general election. 2960

~~(H) If a person nominated by petition as an independent or~~ 2961
~~nonpartisan candidate for election at the next general election~~ 2962
~~dies prior to the tenth day before the day of that general~~ 2963
~~election, the vacancy so created may be filled by a majority of~~ 2964
~~the committee of five designated in the nominating petition to~~ 2965
~~represent the candidate named in it. To fill the vacancy a~~ 2966
~~member of the committee shall, not later than four p.m. of the~~ 2967
~~fifth day before the day of the general election, file with the~~ 2968
~~election officials with whom the petition nominating the person~~ 2969
~~was filed, a certificate signed and sworn to under oath by a~~ 2970
~~majority of the members, designating the person they select to~~ 2971
~~fill the vacancy. The certification must be accompanied by the~~ 2972
~~written acceptance of the nomination by the person whose name is~~ 2973
~~so certified.~~ 2974

~~(I) If a person holding an elective partisan office dies~~ 2975
~~or resigns subsequent to the one hundred fifteenth day before~~ 2976
~~the day of a primary election and prior to the eighty-sixth day~~ 2977

before the day of the next general election, and if, under the 2978
laws of this state, a person may be elected at that general 2979
election to fill the unexpired term of the person who has died 2980
or resigned, the appropriate committee of each political party, 2981
acting as in the case of a vacancy in a party nomination, as 2982
provided in divisions (A) to (D) of this section, may select a 2983
person as the party candidate for election for such unexpired 2984
term at that general election, and certify the person's name to 2985
the appropriate election official not later than four p.m. on 2986
the eighty-sixth day before the day of that general election, or 2987
on the tenth day following the day on which the vacancy occurs, 2988
whichever is later. When the vacancy occurs on or subsequent to 2989
the eighty-sixth day and six or more days prior to the fortieth 2990
day before the general election, the appropriate committee may 2991
select a person as the party candidate and certify the person's 2992
name, as provided in the preceding sentence, not later than four 2993
p.m. on the tenth day following the day on which the vacancy 2994
occurs. When the vacancy occurs fewer than six days before the 2995
fortieth day before the general election, the deadline for 2996
filing shall be four p.m. on the thirty-sixth day before the 2997
general election. Thereupon the name shall be printed as the 2998
party candidate under proper titles and in the proper place on 2999
the proper ballots for use at the election. If a person has been 3000
nominated in a primary election or nominated by petition under 3001
section 3517.012 of the Revised Code, the authorized committee 3002
of that political party shall not select and certify a person as 3003
the party candidate. 3004

(I) If a person holding an elective voter-nominated or 3005
nonpartisan office dies or resigns subsequent to the one hundred 3006
fifteenth day before the day of a primary election and prior to 3007
the eighty-sixth day before the day of the next general 3008

election, and if, under the laws of this state, a person may be 3009
elected at that general election to fill the unexpired term of 3010
the person who has died or resigned, the majority of the 3011
vacating person's committee of five, acting as in the case of a 3012
vacancy in a nomination, as provided in division (F) of this 3013
section, may select a person as the candidate for election for 3014
such unexpired term at that general election and certify the 3015
selected person's name to the appropriate election official not 3016
later than four p.m. on the eighty-sixth day before the day of 3017
that general election, or on the tenth day following the day on 3018
which the vacancy occurs, whichever is later. When the vacancy 3019
occurs on or subsequent to the eighty-sixth day and six or more 3020
days prior to the fortieth day before the general election, the 3021
committee of five may select a person as the candidate and 3022
certify the selected person's name, as provided in the preceding 3023
sentence, not later than four p.m. on the tenth day following 3024
the day on which the vacancy occurs. When the vacancy occurs 3025
fewer than six days before the fortieth day before the general 3026
election, the deadline for filing shall be four p.m. on the 3027
thirty-sixth day before the general election. Thereupon the name 3028
shall be printed as the candidate under proper titles and in the 3029
proper place on the proper ballots for use at the election. 3030

(J) Each person desiring to become ~~an independent~~ a 3031
candidate to fill the unexpired term shall file a statement of 3032
candidacy and nominating petition, as provided in section 3033
3513.261 of the Revised Code, with the appropriate election 3034
official not later than four p.m. on the tenth day following the 3035
day on which the vacancy occurs, provided that when the vacancy 3036
occurs fewer than six days before the fifty-sixth day before the 3037
general election, the deadline for filing shall be four p.m. on 3038
the fiftieth day before the general election. The nominating 3039

petition shall contain at least seven hundred fifty signatures 3040
and no more than one thousand five hundred signatures of 3041
qualified electors of the district, political subdivision, or 3042
portion of a political subdivision in which the office is to be 3043
voted upon, or the amount provided for in section 3513.257 of 3044
the Revised Code, whichever is less. 3045

(K) When a person nominated as a candidate by a political 3046
party in a party primary election or by nominating petition for 3047
an elective office for which candidates are nominated at a party 3048
primary election withdraws, dies, or is disqualified under 3049
section 3513.052 of the Revised Code prior to the general 3050
election, the appropriate committee of any other major political 3051
party or committee of five that has not nominated a candidate 3052
for that office, or whose nominee as a candidate for that office 3053
has withdrawn, died, or been disqualified without the vacancy so 3054
created having been filled, may, acting as in the case of a 3055
vacancy in a party nomination or nomination by petition as 3056
provided in divisions (A) to (F) of this section, whichever is 3057
appropriate, select a person as a candidate of that party or of 3058
that committee of five for election to the office. 3059

Sec. 3513.311. (A) If a candidate for lieutenant governor 3060
dies, withdraws, or is disqualified as a candidate prior to the 3061
seventieth day before the day of a primary election, the vacancy 3062
on the ballot shall be filled by appointment by the joint 3063
candidate for the office of governor. Such candidate for 3064
governor shall certify in writing and under oath to the 3065
secretary of state not later than the sixty-fifth day before the 3066
day of such election the name and residence address of the 3067
person selected to fill such vacancy. 3068

(B) If a candidate for governor dies, withdraws, or is 3069

disqualified as a candidate prior to the seventieth day before 3070
the day of a primary election, the vacancy on the ballot shall 3071
be filled by appointment by the joint candidate for the office 3072
of lieutenant governor. Such candidate for lieutenant governor 3073
shall certify in writing and under oath to the secretary of 3074
state not later than the sixty-fifth day before the day of such 3075
election the name and residence address of the person selected 3076
to fill such vacancy. 3077

(C) If a candidate for the office of lieutenant governor 3078
dies on or after the seventieth day, but prior to the tenth day, 3079
before a primary election, the vacancy so created shall be 3080
filled by appointment by the joint candidate for the office of 3081
governor. Such candidate for governor shall certify in writing 3082
and under oath to the secretary of state not later than the 3083
fifth day before the day of such election the name and residence 3084
address of the person selected to fill such vacancy. 3085

(D) If a candidate for the office of governor dies on or 3086
after the seventieth day, but prior to the tenth day, before a 3087
primary election, the vacancy so created shall be filled by 3088
appointment by the joint candidate for the office of lieutenant 3089
governor. Such candidate for lieutenant governor shall certify 3090
in writing and under oath to the secretary of state not later 3091
than the fifth day before the day of such election the name and 3092
residence address of the person selected to fill such vacancy. 3093

(E) If a person nominated in a primary election or 3094
nominated by petition under section 3517.012 of the Revised Code 3095
as a candidate for election to the office of governor or 3096
lieutenant governor at the next general election withdraws as 3097
such candidate prior to the ninetieth day before the day of the 3098
general election or dies prior to the tenth day before the day 3099

of such general election, the vacancy so created shall be filled 3100
in the manner provided for by section 3513.31 of the Revised 3101
Code. 3102

~~(F) If a person nominated by petition as an independent 3103
candidate for election to the office of governor or lieutenant- 3104
governor withdraws as such candidate prior to the ninetieth day- 3105
before the day of the general election or dies prior to the 3106
tenth day before the day of such general election, the vacancy- 3107
so created shall be filled by the candidates' committee in the 3108
manner provided for, as in the case of death, by section 3513.31 3109
of the Revised Code, except that, in the case of withdrawal of 3110
candidacy, the name and residence address of the replacement- 3111
candidate shall be certified in writing and under oath to the 3112
secretary of state not later than the eighty-sixth day before- 3113
the day of the general election. 3114~~

~~(G) If the vacancy in a joint candidacy for governor and 3115
lieutenant governor can be filled in accordance with this 3116
section and is not so filled, the joint candidacy which has not 3117
been vacated shall be invalidated and shall not be presented for 3118
election. 3119~~

~~(H) (G) Any replacement candidate appointed or selected 3120
pursuant to this section shall be one who has the qualifications 3121
of an elector. 3122~~

Sec. 3517.01. (A) (1) A political party within the meaning 3123
of Title XXXV of the Revised Code is any group of voters that 3124
meets either of the following requirements: 3125

(a) Except as otherwise provided in this division, at the 3126
most recent regular state election, the group polled for its 3127
~~candidate for governor in the state or~~ nominees for presidential 3128

electors at least three per cent of the entire vote cast for 3129
that office in this state. A group that meets the requirements 3130
of this division remains a political party for a period of four 3131
years after meeting those requirements. 3132

(b) The group filed with the secretary of state, 3133
subsequent to its failure to meet the requirements of division 3134
(A) (1) (a) of this section, a party formation petition that meets 3135
all of the following requirements: 3136

(i) The petition is signed by qualified electors equal in 3137
number to at least one per cent of the total vote for governor 3138
or nominees for presidential electors at the most recent 3139
election for such office. 3140

(ii) The petition is signed by not fewer than five hundred 3141
qualified electors from each of at least a minimum of one-half 3142
of the congressional districts in this state. If an odd number 3143
of congressional districts exists in this state, the number of 3144
districts that results from dividing the number of congressional 3145
districts by two shall be rounded up to the next whole number. 3146

(iii) The petition declares the petitioners' intention of 3147
organizing a political party, the name of which shall be stated 3148
in the declaration, and of participating in the succeeding 3149
general election, held in even-numbered years, that occurs more 3150
than one hundred twenty-five days after the date of filing. 3151

(iv) The petition designates a committee of not less than 3152
three nor more than five individuals of the petitioners, who 3153
shall represent the petitioners in all matters relating to the 3154
petition. Notice of all matters or proceedings pertaining to the 3155
petition may be served on the committee, or any of them, either 3156
personally or by registered mail, or by leaving such notice at 3157

the usual place of residence of each of them. 3158

(2) No such group of electors shall assume a name or 3159
designation that is similar, in the opinion of the secretary of 3160
state, to that of an existing political party as to confuse or 3161
mislead the voters at an election. 3162

(B) A campaign committee shall be legally liable for any 3163
debts, contracts, or expenditures incurred or executed in its 3164
name. 3165

(C) Notwithstanding the definitions found in section 3166
3501.01 of the Revised Code, as used in this section and 3167
sections 3517.08 to 3517.991 of the Revised Code: 3168

(1) "Campaign committee" means a candidate or a 3169
combination of two or more persons authorized by a candidate 3170
under section 3517.081 of the Revised Code to receive 3171
contributions and make expenditures. 3172

(2) "Campaign treasurer" means an individual appointed by 3173
a candidate under section 3517.081 of the Revised Code. 3174

(3) "Candidate" has the same meaning as in division (H) of 3175
section 3501.01 of the Revised Code and also includes any person 3176
who, at any time before or after an election, receives 3177
contributions or makes expenditures or other use of 3178
contributions, has given consent for another to receive 3179
contributions or make expenditures or other use of 3180
contributions, or appoints a campaign treasurer, for the purpose 3181
of bringing about the person's nomination or election to public 3182
office. When two persons jointly seek the offices of governor 3183
and lieutenant governor, "candidate" means the pair of 3184
candidates jointly. "Candidate" does not include candidates for 3185
election to the offices of member of a county or state central 3186

committee, presidential elector, and delegate to a national 3187
convention or conference of a political party. 3188

(4) "Continuing association" means an association, other 3189
than a campaign committee, political party, legislative campaign 3190
fund, political contributing entity, or labor organization, that 3191
is intended to be a permanent organization that has a primary 3192
purpose other than supporting or opposing specific candidates, 3193
political parties, or ballot issues, and that functions on a 3194
regular basis throughout the year. "Continuing association" 3195
includes organizations that are determined to be not organized 3196
for profit under subsection 501 and that are described in 3197
subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal 3198
Revenue Code. 3199

(5) "Contribution" means a loan, gift, deposit, 3200
forgiveness of indebtedness, donation, advance, payment, or 3201
transfer of funds or anything of value, including a transfer of 3202
funds from an inter vivos or testamentary trust or decedent's 3203
estate, and the payment by any person other than the person to 3204
whom the services are rendered for the personal services of 3205
another person, which contribution is made, received, or used 3206
for the purpose of influencing the results of an election. Any 3207
loan, gift, deposit, forgiveness of indebtedness, donation, 3208
advance, payment, or transfer of funds or of anything of value, 3209
including a transfer of funds from an inter vivos or 3210
testamentary trust or decedent's estate, and the payment by any 3211
campaign committee, political action committee, legislative 3212
campaign fund, political party, political contributing entity, 3213
or person other than the person to whom the services are 3214
rendered for the personal services of another person, that is 3215
made, received, or used by a state or county political party, 3216
other than the moneys an entity may receive under sections 3217

3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 3218
considered to be a "contribution" for the purpose of section 3219
3517.10 of the Revised Code and shall be included on a statement 3220
of contributions filed under that section. 3221

"Contribution" does not include any of the following: 3222

(a) Services provided without compensation by individuals 3223
volunteering a portion or all of their time on behalf of a 3224
person; 3225

(b) Ordinary home hospitality; 3226

(c) The personal expenses of a volunteer paid for by that 3227
volunteer campaign worker; 3228

(d) Any gift given to an entity pursuant to section 3229
3517.101 of the Revised Code; 3230

(e) Any contribution as defined in section 3517.1011 of 3231
the Revised Code that is made, received, or used to pay the 3232
direct costs of producing or airing an electioneering 3233
communication; 3234

(f) Any gift given to a state or county political party 3235
for the party's restricted fund under division (A)(2) of section 3236
3517.1012 of the Revised Code; 3237

(g) Any gift given to a state political party for deposit 3238
in a Levin account pursuant to section 3517.1013 of the Revised 3239
Code. As used in this division, "Levin account" has the same 3240
meaning as in that section. 3241

(h) Any donation given to a transition fund under section 3242
3517.1014 of the Revised Code. 3243

(6) "Expenditure" means the disbursement or use of a 3244

contribution for the purpose of influencing the results of an 3245
election or of making a charitable donation under division (G) 3246
of section 3517.08 of the Revised Code. Any disbursement or use 3247
of a contribution by a state or county political party is an 3248
expenditure and shall be considered either to be made for the 3249
purpose of influencing the results of an election or to be made 3250
as a charitable donation under division (G) of section 3517.08 3251
of the Revised Code and shall be reported on a statement of 3252
expenditures filed under section 3517.10 of the Revised Code. 3253
During the thirty days preceding a primary or general election, 3254
any disbursement to pay the direct costs of producing or airing 3255
a broadcast, cable, or satellite communication that refers to a 3256
clearly identified candidate shall be considered to be made for 3257
the purpose of influencing the results of that election and 3258
shall be reported as an expenditure or as an independent 3259
expenditure under section 3517.10 or 3517.105 of the Revised 3260
Code, as applicable, except that the information required to be 3261
reported regarding contributors for those expenditures or 3262
independent expenditures shall be the same as the information 3263
required to be reported under divisions (D) (1) and (2) of 3264
section 3517.1011 of the Revised Code. 3265

As used in this division, "broadcast, cable, or satellite 3266
communication" and "refers to a clearly identified candidate" 3267
have the same meanings as in section 3517.1011 of the Revised 3268
Code. 3269

(7) "Personal expenses" includes, but is not limited to, 3270
ordinary expenses for accommodations, clothing, food, personal 3271
motor vehicle or airplane, and home telephone. 3272

(8) "Political action committee" means a combination of 3273
two or more persons, the primary or major purpose of which is to 3274

support or oppose any candidate, political party, or issue, or 3275
to influence the result of any election through express 3276
advocacy, and that is not a political party, a campaign 3277
committee, a political contributing entity, or a legislative 3278
campaign fund. "Political action committee" does not include 3279
either of the following: 3280

(a) A continuing association that makes disbursements for 3281
the direct costs of producing or airing electioneering 3282
communications and that does not engage in express advocacy; 3283

(b) A political club that is formed primarily for social 3284
purposes and that consists of one hundred members or less, has 3285
officers and periodic meetings, has less than two thousand five 3286
hundred dollars in its treasury at all times, and makes an 3287
aggregate total contribution of one thousand dollars or less per 3288
calendar year. 3289

(9) "Public office" means any state, county, municipal, 3290
township, or district office, except an office of a political 3291
party, that is filled by an election and the offices of United 3292
States senator and representative. 3293

(10) "Anything of value" has the same meaning as in 3294
section 1.03 of the Revised Code. 3295

(11) "Beneficiary of a campaign fund" means a candidate, a 3296
public official or employee for whose benefit a campaign fund 3297
exists, and any other person who has ever been a candidate or 3298
public official or employee and for whose benefit a campaign 3299
fund exists. 3300

(12) "Campaign fund" means money or other property, 3301
including contributions. 3302

(13) "Public official or employee" has the same meaning as 3303

in section 102.01 of the Revised Code. 3304

(14) "Caucus" means all of the members of the house of 3305
representatives or all of the members of the senate of the 3306
general assembly who are members of the same political party. 3307

(15) "Legislative campaign fund" means a fund that is 3308
established as an auxiliary of a state political party and 3309
associated with one of the houses of the general assembly. 3310

(16) "In-kind contribution" means anything of value other 3311
than money that is used to influence the results of an election 3312
or is transferred to or used in support of or in opposition to a 3313
candidate, campaign committee, legislative campaign fund, 3314
political party, political action committee, or political 3315
contributing entity and that is made with the consent of, in 3316
coordination, cooperation, or consultation with, or at the 3317
request or suggestion of the benefited candidate, committee, 3318
fund, party, or entity. The financing of the dissemination, 3319
distribution, or republication, in whole or part, of any 3320
broadcast or of any written, graphic, or other form of campaign 3321
materials prepared by the candidate, the candidate's campaign 3322
committee, or their authorized agents is an in-kind contribution 3323
to the candidate and an expenditure by the candidate. 3324

(17) "Independent expenditure" means an expenditure by a 3325
person advocating the election or defeat of an identified 3326
candidate or candidates, that is not made with the consent of, 3327
in coordination, cooperation, or consultation with, or at the 3328
request or suggestion of any candidate or candidates or of the 3329
campaign committee or agent of the candidate or candidates. As 3330
used in division (C) (17) of this section: 3331

(a) "Person" means an individual, partnership, 3332

unincorporated business organization or association, political 3333
action committee, political contributing entity, separate 3334
segregated fund, association, or other organization or group of 3335
persons, but not a labor organization or a corporation unless 3336
the labor organization or corporation is a political 3337
contributing entity. 3338

(b) "Advocating" means any communication containing a 3339
message advocating election or defeat. 3340

(c) "Identified candidate" means that the name of the 3341
candidate appears, a photograph or drawing of the candidate 3342
appears, or the identity of the candidate is otherwise apparent 3343
by unambiguous reference. 3344

(d) "Made in coordination, cooperation, or consultation 3345
with, or at the request or suggestion of, any candidate or the 3346
campaign committee or agent of the candidate" means made 3347
pursuant to any arrangement, coordination, or direction by the 3348
candidate, the candidate's campaign committee, or the 3349
candidate's agent prior to the publication, distribution, 3350
display, or broadcast of the communication. An expenditure is 3351
presumed to be so made when it is any of the following: 3352

(i) Based on information about the candidate's plans, 3353
projects, or needs provided to the person making the expenditure 3354
by the candidate, or by the candidate's campaign committee or 3355
agent, with a view toward having an expenditure made; 3356

(ii) Made by or through any person who is, or has been, 3357
authorized to raise or expend funds, who is, or has been, an 3358
officer of the candidate's campaign committee, or who is, or has 3359
been, receiving any form of compensation or reimbursement from 3360
the candidate or the candidate's campaign committee or agent; 3361

(iii) Except as otherwise provided in division (D) of 3362
section 3517.105 of the Revised Code, made by a political party 3363
in support of a candidate, unless the expenditure is made by a 3364
political party to conduct voter registration or voter education 3365
efforts. 3366

(e) "Agent" means any person who has actual oral or 3367
written authority, either express or implied, to make or to 3368
authorize the making of expenditures on behalf of a candidate, 3369
or means any person who has been placed in a position with the 3370
candidate's campaign committee or organization such that it 3371
would reasonably appear that in the ordinary course of campaign- 3372
related activities the person may authorize expenditures. 3373

(18) "Labor organization" means a labor union; an employee 3374
organization; a federation of labor unions, groups, locals, or 3375
other employee organizations; an auxiliary of a labor union, 3376
employee organization, or federation of labor unions, groups, 3377
locals, or other employee organizations; or any other bona fide 3378
organization in which employees participate and that exists for 3379
the purpose, in whole or in part, of dealing with employers 3380
concerning grievances, labor disputes, wages, hours, and other 3381
terms and conditions of employment. 3382

(19) "Separate segregated fund" means a separate 3383
segregated fund established pursuant to the Federal Election 3384
Campaign Act. 3385

(20) "Federal Election Campaign Act" means the "Federal 3386
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 3387
seq., as amended. 3388

(21) "Restricted fund" means the fund a state or county 3389
political party must establish under division (A) (1) of section 3390

3517.1012 of the Revised Code.	3391
(22) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code.	3392 3393
(23) "Express advocacy" means a communication that contains express words advocating the nomination, election, or defeat of a candidate or that contains express words advocating the adoption or defeat of a question or issue, as determined by a final judgment of a court of competent jurisdiction.	3394 3395 3396 3397 3398
(24) "Political committee" has the same meaning as in section 3517.1011 of the Revised Code.	3399 3400
(25) "Political contributing entity" means any entity, including a corporation or labor organization, that may lawfully make contributions and expenditures and that is not an individual or a political action committee, continuing association, campaign committee, political party, legislative campaign fund, designated state campaign committee, or state candidate fund. For purposes of this division, "lawfully" means not prohibited by any section of the Revised Code, or authorized by a final judgment of a court of competent jurisdiction.	3401 3402 3403 3404 3405 3406 3407 3408 3409
(26) "Internet identifier of record" has the same meaning as in section 9.312 of the Revised Code.	3410 3411
Sec. 3517.012. (A) (1) When a party formation petition meeting the requirements of section 3517.01 of the Revised Code declaring the intention to organize a political party is filed with the secretary of state, the new party comes into legal existence on the date of filing and is entitled to nominate <u>party</u> candidates to appear on the ballot at the general election held in even-numbered years that occurs more than one hundred twenty-five days after the date of filing.	3412 3413 3414 3415 3416 3417 3418 3419

(2) (a) Upon receiving a party formation petition filed 3420
under division (A) (1) of this section, the secretary of state 3421
shall promptly transmit to each board of elections the separate 3422
petition papers that purport to contain signatures of electors 3423
of that board's county. 3424

(b) Not later than the one hundred eighteenth day before 3425
the day of the general election, each board shall examine and 3426
determine the sufficiency of the signatures on the petition 3427
papers and shall return them to the secretary of state, together 3428
with the board's certification of its determination as to the 3429
validity or invalidity of the signatures on the petition. 3430

(c) Any qualified elector may file a written protest 3431
against the petition with the secretary of state not later than 3432
the one hundred fourteenth day before the day of the general 3433
election. Any such protest shall be resolved in the manner 3434
specified under section 3501.39 of the Revised Code. 3435

(d) Not later than the ninety-fifth day before the day of 3436
the general election, the secretary of state shall determine 3437
whether the party formation petition is sufficient and shall 3438
notify the committee designated in the petition of that 3439
determination. 3440

(B) (1) Not later than one hundred ten days before the day 3441
of that general election and not earlier than the day the 3442
applicable party formation petition is filed, each candidate ~~or~~ 3443
~~pair of joint candidates~~ wishing to appear on the ballot at the 3444
general election as the nominee or nominees of the party that 3445
filed the party formation petition shall file a nominating 3446
petition, on a form prescribed by the secretary of state, that 3447
includes the name of the political party that submitted the 3448
party formation petition. Except as otherwise provided in this 3449

section and sections 3505.03, 3505.08, 3506.11, and 3513.31,
~~3513.311, and 3513.312~~ of the Revised Code, the provisions of
the Revised Code concerning independent candidates who file
nominating petitions apply to candidates who file nominating
petitions under this section.

(2) (a) If the candidacy is to be submitted to electors
throughout the entire state, the nominating petition, ~~including~~
~~a petition for joint candidates for the offices of governor and~~
~~lieutenant governor,~~ shall be signed by at least fifty qualified
electors who have not voted as a member of a different political
party at any party primary election within the current year or
the immediately preceding two calendar years.

(b) ~~Except as otherwise provided in this division, if~~ If
the candidacy is to be submitted only to electors within a
district, political subdivision, or portion thereof, the
nominating petition shall be signed by not less than five
qualified electors who have not voted as a member of a different
political party at any party primary election within the current
year or the immediately preceding two calendar years.

(3) (a) Each board of elections that is responsible to
verify signatures on the nominating petition shall examine and
determine the sufficiency of those signatures not later than the
one hundred fifth day before the day of the general election ~~and~~
~~shall be resolved as specified in that section.~~

(b) Written protests against the petition may be filed in
the manner specified under section 3513.263 of the Revised Code
not later than the one hundredth day before the general election
and shall be resolved as specified in that section.

(c) Not later than the ninety-fifth day before the day of

the general election, the secretary of state or the board of 3479
elections, as applicable, shall determine whether the nominating 3480
petition is sufficient and shall notify the candidate and the 3481
committee designated in the party formation petition of that 3482
determination. 3483

(C) (1) After being notified that the political party has 3484
submitted a sufficient party formation petition under division 3485
(A) of this section, the committee designated in a party 3486
formation petition shall, not later than the seventy-fifth day 3487
before the day of the general election, certify to the secretary 3488
of state a slate of candidates consisting of candidates ~~or joint~~ 3489
~~candidates~~ who submitted sufficient nominating petitions under 3490
division (B) of this section. The slate certifying the 3491
candidates shall be on a form prescribed by the secretary of 3492
state and signed by all of the individuals of the committee 3493
designated in the party formation petition. In no event shall 3494
the slate of candidates include more than one candidate for any 3495
public office ~~or more than one set of joint candidates for the~~ 3496
~~offices of governor and lieutenant governor~~. The names of the 3497
candidates ~~or joint candidates~~ so certified shall appear on the 3498
ballot at the general election as that party's nominees for 3499
those offices. ~~For purposes of this division, "joint candidates"~~ 3500
~~means the joint candidates for the offices of governor and~~ 3501
~~lieutenant governor.~~ 3502

(2) If a candidate's nominating petition is insufficient 3503
or if the committee does not certify the candidate's name under 3504
division (C) (1) of this section, the candidate shall not appear 3505
on the ballot in the general election. 3506

(3) If a party formation petition is insufficient, no 3507
candidate shall appear on the ballot in the general election as 3508

that political party's nominee, regardless of whether any 3509
candidate's nominating petition is sufficient. 3510

Sec. 3517.03. The controlling committees of each major 3511
political party or organization shall be a state central 3512
committee consisting of two members, one a man and one a woman, 3513
representing either each congressional district in the state or 3514
each senatorial district in the state, as the outgoing committee 3515
determines; a county central committee consisting of one member 3516
from each election precinct in the county, or of one member from 3517
each ward in each city and from each township in the county, as 3518
the outgoing committee determines; and such district, city, 3519
township, or other committees as the rules of the party provide. 3520

All the members of such committees shall be members of the 3521
party and shall be elected for terms of either two or four 3522
years, as determined by party rules, by direct vote at the 3523
primary held in an even-numbered year. Except as otherwise 3524
provided in section 3517.02 of the Revised Code, candidates for 3525
election as state central committee members shall be elected at 3526
primaries in the same manner as provided in sections 3513.01 to 3527
3513.32 of the Revised Code for the nomination of candidates for 3528
partisan office in a county. Candidates for election as members 3529
of the county central committee shall be elected at primaries in 3530
the same manner as provided in those sections for the nomination 3531
of candidates for county partisan offices, except as otherwise 3532
provided in sections 3513.051 and 3517.02 of the Revised Code. 3533

Each major party controlling committee shall elect an 3534
executive committee that shall have the powers granted to it by 3535
the party controlling committee, and provided to it by law. When 3536
a judicial, senatorial, or congressional district is comprised 3537
of more than one county, the chairperson and secretary of the 3538

county central committee from each county in that district shall 3539
constitute the judicial, senatorial, or congressional committee 3540
of the district. When a judicial, senatorial, or congressional 3541
district is included within a county, the county central 3542
committee shall constitute the judicial, senatorial, or 3543
congressional committee of the district. 3544

A minor political party may elect controlling committees 3545
at a primary election in the even-numbered year by filing a plan 3546
for party organization with the secretary of state on or before 3547
the ninetieth day before the day of the primary election. The 3548
plan shall specify which offices are to be elected and provide 3549
the procedure for qualification of candidates for those offices. 3550
Candidates to be elected pursuant to the plan shall be 3551
designated and qualified on or before the ninetieth day before 3552
the day of the election. Such parties may, in lieu of electing a 3553
controlling committee or other officials, choose such committee 3554
or other officials in accordance with party rules. Each such 3555
party shall file the names and addresses of members of its 3556
controlling committee and party officers with the secretary of 3557
state. 3558

Section 2. That existing sections 111.27, 3501.01, 3559
3501.06, 3501.23, 3505.03, 3505.04, 3509.03, 3509.04, 3511.02, 3560
3511.05, 3513.01, 3513.02, 3513.04, 3513.05, 3513.052, 3513.07, 3561
3513.13, 3513.14, 3513.19, 3513.20, 3513.22, 3513.23, 3513.257, 3562
3513.261, 3513.262, 3513.30, 3513.31, 3513.311, 3517.01, 3563
3517.012, and 3517.03 of the Revised Code are hereby repealed. 3564

Section 3. That sections 3513.28, 3513.301, and 3513.312 3565
of the Revised Code are hereby repealed. 3566

Section 4. This act first applies to the nomination of 3567
candidates, and the election of those nominees at the following 3568

general election, beginning with the next primary election held 3569
in an even-numbered year that is held at least one hundred 3570
twenty days after the effective date of this section and first 3571
applies to vacancies for which the person last elected by the 3572
electors to the office that has become vacant was nominated in 3573
or after the next such primary election. 3574

Notwithstanding any contrary provision of sections 111.27, 3575
3501.01, 3501.06, 3501.23, 3505.03, 3505.04, 3509.03, 3509.04, 3576
3511.02, 3511.05, 3513.01, 3513.02, 3513.04, 3513.05, 3513.052, 3577
3513.07, 3513.13, 3513.14, 3513.19, 3513.20, 3513.22, 3513.23, 3578
3513.257, 3513.261, 3513.262, 3513.30, 3513.31, 3513.311, 3579
3517.01, 3517.012, and 3517.03 of the Revised Code as amended by 3580
this act, and notwithstanding the repeal of sections 3513.301 3581
and 3513.312 of the Revised Code, if after the effective date of 3582
this section but before the first primary election to which this 3583
act applies a vacancy occurs in the office of representative to 3584
congress or in the representation of this state in the senate of 3585
the United States, the provisions of sections 3513.301 and 3586
3513.312 of the Revised Code that were in effect immediately 3587
before the effective date of this section apply to each such 3588
occurrence until the vacancy has been filled. 3589