

As Introduced

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

S. B. No. 395

Senator Blessing

To amend sections 111.27, 3501.01, 3501.06,	1
3501.22, 3501.23, 3505.03, 3505.04, 3505.08,	2
3505.10, 3505.23, 3505.27, 3505.33, 3505.34,	3
3505.35, 3505.36, 3505.37, 3506.11, 3509.03,	4
3509.04, 3511.02, 3511.05, 3513.01, 3513.02,	5
3513.04, 3513.041, 3513.05, 3513.052, 3513.07,	6
3513.08, 3513.10, 3513.12, 3513.121, 3513.13,	7
3513.14, 3513.15, 3513.18, 3513.19, 3513.20,	8
3513.22, 3513.24, 3513.251, 3513.253, 3513.254,	9
3513.255, 3513.257, 3513.261, 3513.263, 3513.30,	10
3513.31, 3513.311, 3513.32, 3513.33, 3517.01,	11
3517.012, 3517.016, 3517.02, and 3517.03; to	12
amend, for the purpose of adopting a new section	13
number as indicated in parentheses, section	14
3513.041 (3505.101); to enact section 3505.301;	15
and to repeal sections 3513.16, 3513.191,	16
3513.192, 3513.23, 3513.256, 3513.262, 3513.28,	17
3513.301, 3513.312, 3517.013, and 3517.014 of	18
the Revised Code to implement a top-three	19
primary election system and a consensus choice	20
general election system for congressional,	21
state, and local offices.	22

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

Section 1. That sections 111.27, 3501.01, 3501.06, 23
3501.22, 3501.23, 3505.03, 3505.04, 3505.08, 3505.10, 3505.23, 24
3505.27, 3505.33, 3505.34, 3505.35, 3505.36, 3505.37, 3506.11, 25
3509.03, 3509.04, 3511.02, 3511.05, 3513.01, 3513.02, 3513.04, 26
3513.041, 3513.05, 3513.052, 3513.07, 3513.08, 3513.10, 3513.12, 27
3513.121, 3513.13, 3513.14, 3513.15, 3513.18, 3513.19, 3513.20, 28
3513.22, 3513.24, 3513.251, 3513.253, 3513.254, 3513.255, 29
3513.257, 3513.261, 3513.263, 3513.30, 3513.31, 3513.311, 30
3513.32, 3513.33, 3517.01, 3517.012, 3517.016, 3517.02, and 31
3517.03 be amended; section 3513.041 (3505.101) be amended for 32
the purpose of adopting a new section number as indicated in 33
parentheses; and section 3505.301 of the Revised Code be enacted 34
to read as follows: 35

Sec. 111.27. There is hereby established in the state 36
treasury the board of elections fund. The fund shall be used by 37
the secretary of state to provide advancements, subject to 38
recoupment, or to reimburse boards of elections pursuant to 39
sections ~~3513.301, 3513.312,~~ 3515.071, and 3521.03 of the 40
Revised Code, and to provide training and educational programs 41
for members and employees of boards of elections. The fund shall 42
receive transfers of cash pursuant to controlling board action. 43

Sec. 3501.01. As used in the sections of the Revised Code 44
relating to elections and political communications: 45

(A) "General election" means the election held on the 46
first Tuesday after the first Monday in each November. 47

(B) "Regular municipal election" means the election held 48
on the first Tuesday after the first Monday in November in each 49
odd-numbered year. 50

(C) "Regular state election" means the election held on 51

the first Tuesday after the first Monday in November in each 52
even-numbered year. 53

(D) "Special election" means any election other than those 54
elections defined in other divisions of this section. A special 55
election may be held only on the first Tuesday after the first 56
Monday in May or November, on the first Tuesday after the first 57
Monday in August in accordance with section 3501.022 of the 58
Revised Code, or on the day authorized by a particular municipal 59
or county charter for the holding of a primary election, except 60
that in any year in which a presidential primary election is 61
held, no special election shall be held in May, except as 62
authorized by a municipal or county charter, but may be held on 63
the third Tuesday after the first Monday in March. 64

(E) (1) "Primary" or "primary election" means an election 65
held for the purpose of nominating persons as candidates ~~of~~ 66
~~political parties for election to offices, and for the purpose~~ 67
~~of electing persons as members of the controlling committees of~~ 68
~~political parties and as delegates and alternates to the~~ 69
~~conventions of political parties~~ holding party primaries. 70
Primary elections shall be held on the first Tuesday after the 71
first Monday in May of each year except in years in which a 72
presidential primary election is held. 73

(2) "Party primary" means a primary election at which 74
members of a political party are elected to partisan office. 75

(3) "Presidential primary election" means a party primary 76
~~election as defined by division (E) (1) of this section at which~~ 77
an election is held for the purpose of choosing delegates and 78
alternates to the national conventions of the major political 79
parties pursuant to section 3513.12 of the Revised Code. Unless 80
otherwise specified, presidential primary elections are included 81

in references to primary elections and to party primaries. In 82
years in which a presidential primary election is held, all 83
primary elections shall be held on the third Tuesday after the 84
first Monday in March except as otherwise authorized by a 85
municipal or county charter. 86

(F) "Political party" means any group of voters meeting 87
the requirements set forth in section 3517.01 of the Revised 88
Code for the formation and existence of a political party. 89

(1) "Major political party" means any political party 90
organized under the laws of this state whose ~~candidate for~~ 91
~~governor or~~ nominees for presidential electors received not less 92
than twenty per cent of the total vote cast for such office at 93
the most recent regular state election. 94

(2) "Minor political party" means any political party 95
organized under the laws of this state that meets either of the 96
following requirements: 97

(a) Except as otherwise provided in this division, the 98
political party's ~~candidate for governor or~~ nominees for 99
presidential electors received less than twenty per cent but not 100
less than three per cent of the total vote cast for such office 101
at the most recent regular state election. A political party 102
that meets the requirements of this division remains a political 103
party for a period of four years after meeting those 104
requirements. 105

(b) The political party has filed with the secretary of 106
state, subsequent to its failure to meet the requirements of 107
division (F) (2) (a) of this section, a petition that meets the 108
requirements of section 3517.01 of the Revised Code. 109

A newly formed political party shall be known as a minor 110

political party until the time of the first election for 111
~~governor or president~~ which occurs not less than twelve months 112
subsequent to the formation of such party, after which election 113
the status of such party shall be determined by the vote for the 114
office of ~~governor or president~~. 115

(G) "Dominant party in a precinct" or "dominant political 116
party in a precinct" means that political party whose candidate 117
for election to the office of ~~governor-president~~ at the most 118
recent regular state election at which a ~~governor-president~~ was 119
elected received more votes than any other person received for 120
election to that office in such precinct at such election. 121

(H) "Candidate" means any qualified person certified in 122
accordance with the provisions of the Revised Code for placement 123
on the official ballot of a primary, general, or special 124
election to be held in this state, or any qualified person who 125
claims to be a write-in candidate, or who knowingly assents to 126
being represented as a write-in candidate by another at either a 127
primary, general, or special election to be held in this state. 128

(I) "Independent candidate" means any candidate who claims 129
not to be affiliated with a political party, and whose name has 130
been certified on the office-type ballot at a general or special 131
election through the filing of a statement of candidacy and 132
nominating petition, as prescribed in section 3513.257 of the 133
Revised Code. 134

(J) "Nonpartisan candidate" means any candidate whose name 135
is required, pursuant to section 3505.04 of the Revised Code, to 136
be listed on the nonpartisan ballot, including all candidates 137
for judge of a municipal court, county court, or court of common 138
pleas, for member of any board of education, for municipal or 139
township offices in which primary elections are not held for 140

nominating candidates by political parties, and for offices of 141
municipal corporations having charters that provide for separate 142
ballots for elections for these offices. 143

(K) "Party candidate" means any candidate who claims to be 144
a member of a political party and who has been certified to 145
appear on the office-type ballot at a general or special 146
election as the nominee of a political party because the 147
candidate has won the primary election of the candidate's party 148
for the public office the candidate seeks, has been nominated 149
under section 3517.012, or is selected by party committee in 150
accordance with section 3513.31 of the Revised Code. 151

(L) "Officer of a political party" includes, but is not 152
limited to, any member, elected or appointed, of a controlling 153
committee, whether representing the territory of the state, a 154
district therein, a county, township, a city, a ward, a 155
precinct, or other territory, of a major or minor political 156
party. 157

(M) "Question or issue" means any question or issue 158
certified in accordance with the Revised Code for placement on 159
an official ballot at a general or special election to be held 160
in this state. 161

(N) "Elector" or "qualified elector" means a person having 162
the qualifications provided by law to be entitled to vote. 163

(O) "Voter" means an elector who votes at an election. 164

(P) "Voting residence" means that place of residence of an 165
elector which shall determine the precinct in which the elector 166
may vote. 167

(Q) "Precinct" means a district within a county 168
established by the board of elections of such county within 169

which all qualified electors having a voting residence therein 170
may vote at the same polling place. 171

(R) "Polling place" means that place provided for each 172
precinct at which the electors having a voting residence in such 173
precinct may vote. 174

(S) "Board" or "board of elections" means the board of 175
elections appointed in a county pursuant to section 3501.06 of 176
the Revised Code. 177

(T) "Political subdivision" means a county, township, 178
city, village, or school district. 179

(U) "Election officer" or "election official" means any of 180
the following: 181

(1) Secretary of state; 182

(2) Employees of the secretary of state serving the 183
division of elections in the capacity of attorney, 184
administrative officer, administrative assistant, elections 185
administrator, office manager, or clerical supervisor; 186

(3) Director of a board of elections; 187

(4) Deputy director of a board of elections; 188

(5) Member of a board of elections; 189

(6) Employees of a board of elections; 190

(7) Precinct election officials; 191

(8) Employees appointed by the boards of elections on a 192
temporary or part-time basis. 193

(V) "Acknowledgment notice" means a notice sent by a board 194
of elections, on a form prescribed by the secretary of state, 195

informing a voter registration applicant or an applicant who 196
wishes to change the applicant's residence or name of the status 197
of the application; the information necessary to complete or 198
update the application, if any; and if the application is 199
complete, the precinct in which the applicant is to vote. 200

(W) "Confirmation notice" means a notice sent by a board 201
of elections, on a form prescribed by the secretary of state, to 202
a registered elector to confirm the registered elector's current 203
address, date of birth, or United States citizenship, the number 204
of the elector's Ohio driver's license or state identification 205
card, the last four digits of the elector's social security 206
number, or any other information required for registration. The 207
notice shall be sent by forwardable mail, shall be accompanied 208
by a postage prepaid, preaddressed return envelope containing a 209
form on which the elector may verify or correct the elector's 210
registration, and shall meet the requirements of the National 211
Voter Registration Act of 1993. 212

(X) "Designated agency" means an office or agency in the 213
state that provides public assistance or that provides state- 214
funded programs primarily engaged in providing services to 215
persons with disabilities and that is required by the National 216
Voter Registration Act of 1993 to implement a program designed 217
and administered by the secretary of state for registering 218
voters, or any other public or government office or agency that 219
implements a program designed and administered by the secretary 220
of state for registering voters, including the department of job 221
and family services, the program administered under section 222
3701.132 of the Revised Code by the department of health, the 223
department of behavioral health, the department of developmental 224
disabilities, the opportunities for Ohioans with disabilities 225
agency, and any other agency the secretary of state designates. 226

"Designated agency" does not include public high schools and 227
vocational schools, public libraries, or the office of a county 228
treasurer. 229

(Y) "National Voter Registration Act of 1993" means the 230
"National Voter Registration Act of 1993," 107 Stat. 77, 42 231
U.S.C.A. 1973gg. 232

(Z) "Voting Rights Act of 1965" means the "Voting Rights 233
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 234

(AA) (1) "Photo identification" means one of the following 235
documents that includes the individual's name and photograph and 236
is not expired: 237

(a) An Ohio driver's license, state identification card, 238
or interim identification form issued by the registrar of motor 239
vehicles or a deputy registrar under Chapter 4506. or 4507. of 240
the Revised Code; 241

(b) A United States passport or passport card; 242

(c) A United States military identification card, Ohio 243
national guard identification card, or United States department 244
of veterans affairs identification card. 245

(2) A "copy" of an individual's photo identification means 246
images of both the front and back of a document described in 247
division (AA) (1) of this section, except that if the document is 248
a United States passport, a copy of the photo identification 249
means an image of the passport's identification page that 250
includes the individual's name, photograph, and other 251
identifying information and the passport's expiration date. 252

(BB) "Driver's license" means a license or permit issued 253
by the registrar or a deputy registrar under Chapter 4506. or 254

4507. of the Revised Code that authorizes an individual to 255
drive. "Driver's license" includes a driver's license, 256
commercial driver's license, probationary license, restricted 257
license, motorcycle operator's license, or temporary instruction 258
permit identification card. "Driver's license" does not include 259
a limited term license issued under section 4506.14 or 4507.09 260
of the Revised Code. 261

(CC) "State identification card" means a card issued by 262
the registrar or a deputy registrar under sections 4507.50 to 263
4507.52 of the Revised Code. 264

(DD) "Interim identification form" means the document 265
issued by the registrar or a deputy registrar to an applicant 266
for a driver's license or state identification card that 267
contains all of the information otherwise found on the license 268
or card and that an applicant may use as a form of 269
identification until the physical license or card arrives in the 270
mail. 271

(EE) (1) "Proof of citizenship" means evidence that an 272
individual is a United States citizen, in the form of one of the 273
following: 274

(a) The number of the individual's current Ohio driver's 275
license or state identification card, if the secretary of state 276
verifies using information obtained from the bureau of motor 277
vehicles that the individual has submitted documentation to the 278
bureau that indicates that the individual is a United States 279
citizen; 280

(b) The individual's current Ohio driver's license, state 281
identification card, or interim identification form issued on or 282
after April 7, 2023, or a copy of the front and back of that 283

license, card, or form, if the license, card, or form does not 284
include a notation designating that the individual is a 285
noncitizen of the United States; 286

(c) The individual's birth certificate, certification of 287
report of birth, or consular report of birth abroad, or a copy 288
of one of those documents; 289

(d) The individual's current United States passport or 290
passport card, a copy of the identification page of the 291
passport, or a copy of the front and back of the passport card; 292

(e) The individual's certificate of naturalization or 293
certificate of citizenship or a copy of one of those documents; 294

(f) The individual's I-797 notice of action for form 295
N-565, application for replacement naturalization/citizenship 296
document issued by United States citizenship and immigration 297
services, if the notice indicates that the application has been 298
approved; a copy of that notice; or an original or copy of the 299
successor form of that notice issued by the federal agency that 300
is responsible for fulfilling requests for replacement 301
naturalization or citizenship documents. 302

(2) If an individual's current legal name is different 303
from the name on the individual's proof of citizenship, the 304
individual also shall provide proof of the change of name, such 305
as a copy of a marriage license or court order. 306

(FF) "Voter-nominated office" means a congressional or 307
state elective office for which a candidate may choose to have 308
the candidate's party preference or lack of party preference 309
indicated upon the ballot. The following offices are voter- 310
nominated offices: 311

(1) Governor; 312

<u>(2) Lieutenant governor;</u>	313
<u>(3) Secretary of state;</u>	314
<u>(4) Treasurer of state;</u>	315
<u>(5) Attorney general;</u>	316
<u>(6) Member of the senate of the United States;</u>	317
<u>(7) Member of the United States house of representatives;</u>	318
<u>(8) Member of the Ohio senate;</u>	319
<u>(9) Member of the Ohio house of representatives.</u>	320
<u>(GG) "Nonpartisan office" means an elective office, except</u>	321
<u>for a voter-nominated office, for which no party may nominate a</u>	322
<u>candidate. The following offices are nonpartisan offices:</u>	323
<u>(1) Judicial offices;</u>	324
<u>(2) Member of a board of education;</u>	325
<u>(3) County offices, except for elective offices within a</u>	326
<u>political party as described in section 3517.03 of the Revised</u>	327
<u>Code;</u>	328
<u>(4) Municipal offices;</u>	329
<u>(5) Township offices.</u>	330
<u>(HH) "Partisan office" means the office of member of a</u>	331
<u>political party's controlling committee or the office of</u>	332
<u>delegate or alternate to a political party's national</u>	333
<u>convention.</u>	334
<u>(II) "Consensus choice" means a candidate who wins each of</u>	335
<u>the candidate's pairings in a general election held in</u>	336
<u>connection to a preceding top-three primary election.</u>	337

(JJ) "Margin of loss" means, for a losing candidate in a 338
given pairing in a general election, the number of voters who 339
indicated a preference for the winning candidate over the losing 340
candidate minus the number of voters who indicated a preference 341
for the losing candidate over the winning candidate. 342

Sec. 3501.06. (A) There shall be in each county of the 343
state a board of elections consisting of four qualified electors 344
of the county, who shall be appointed by the secretary of state, 345
as the secretary's representatives. 346

(B) (1) On the first day of March in the years 2014 and 347
2016, the secretary of state shall appoint two of such board 348
members for a term of three years. One of those board members 349
shall be from the political party which cast the highest number 350
of votes for the office of governor at the most recent regular 351
state election, and the other shall be from the political party 352
which cast the next highest number of votes for the office of 353
governor at such election. 354

(2) Beginning in 2017, on the first day of March in odd- 355
numbered years, the secretary of state shall appoint two of such 356
board members for a term of four years. One of those board 357
members shall be from the political party which cast the highest 358
number of votes in this state for the office of ~~governor~~ 359
president at the most recent regular state election at which a 360
person was elected to such office, and the other shall be from 361
the political party which cast the next highest number of votes 362
in this state for the office of ~~governor~~ president at such 363
election. Thereafter, all appointments shall be made on the 364
first day of March in odd-numbered years for a term of four 365
years. 366

(C) All vacancies filled for unexpired terms and all 367

appointments to new terms shall be made from the political party 368
to which the vacating or outgoing member belonged, unless there 369
is a third political party which cast a greater number of votes 370
in the state at the most recent regular state election for the 371
office of ~~governor~~president than did the party to which the 372
retiring member belonged, in which event the vacancy shall be 373
filled from such third party. 374

Sec. 3501.22. (A) (1) Except as otherwise provided in 375
division (A) (2) of this section, on or before the fifteenth day 376
of September in each year, the board of elections by a majority 377
vote shall, after careful examination and investigation as to 378
their qualifications, appoint for each election precinct four 379
residents of the county in which the precinct is located, as 380
precinct election officials. Except as otherwise provided in 381
division (C) of this section, all precinct election officials 382
shall be qualified electors. The precinct election officials 383
shall constitute the election officers of the precinct. Not more 384
than one-half of the total number of precinct election officials 385
shall be members of the same political party. The term of such 386
precinct officers shall be for one year. The board may, at any 387
time, designate any number of election officers, not more than 388
one-half of whom shall be members of the same political party, 389
to perform their duties at any precinct in any election. The 390
board may appoint additional officials, equally divided between 391
the two major political parties, when necessary to expedite 392
voting. If the board of elections determines that four precinct 393
election officials are not required in a precinct for a special 394
election, the board of elections may select two of the 395
precinct's election officers, who are not members of the same 396
political party, to serve as the precinct election officials for 397
that precinct in that special election. 398

Vacancies for unexpired terms shall be filled by the 399
board. When new precincts have been created, the board shall 400
appoint precinct election officials for those precincts for the 401
unexpired term. Any precinct election official may be summarily 402
removed from office at any time by the board for neglect of 403
duty, malfeasance, or misconduct in office or for any other good 404
and sufficient reason. 405

Precinct election officials shall perform all of the 406
duties provided by law for receiving the ballots and supplies, 407
opening and closing the polls, and overseeing the casting of 408
ballots during the time the polls are open, and any other duties 409
required by section 3501.26 of the Revised Code. 410

A board of elections may designate two precinct election 411
officials as counting officials to count and tally the votes 412
cast and certify the results of the election at each precinct, 413
and perform other duties as provided by law. To expedite the 414
counting of votes at each precinct, the board may appoint 415
additional officials, not more than one-half of whom shall be 416
members of the same political party. 417

Except as otherwise provided in division (A) (2) of this 418
section, the board shall designate one of the precinct election 419
officials who is a member of the dominant political party to 420
serve as a voting location manager, whose duty it is to deliver 421
the returns of the election and all supplies to the office of 422
the board. For these services, the voting location manager shall 423
receive additional compensation in an amount, consistent with 424
section 3501.28 of the Revised Code, determined by the board of 425
elections. 426

The board shall issue to each precinct election official a 427
certificate of appointment, which the official shall present to 428

the voting location manager at the time the polls are opened. 429

(2) If the board of elections, by a vote of at least three 430
members of the board, opts to have a single voting location 431
serve more than one precinct, the board may do any of the 432
following: 433

(a) Designate a single voting location manager for the 434
voting location. The voting location manager shall be a member 435
of the political party whose candidate received the highest 436
number of votes for ~~governor-president~~ at the most recent 437
general election for that office in the precincts whose polling 438
places are located at the applicable voting location, when 439
tallying the combined vote for ~~governor-president~~ in all such 440
precincts. 441

(b) Combine the pollbooks for those precincts to create a 442
single pollbook for the voting location; 443

(c) If electronic pollbooks are being used in the voting 444
location, as described in section 3506.021 of the Revised Code, 445
appoint not less than two precinct election officials for each 446
precinct, so long as the board approves the decision to reduce 447
the number of precinct election officials by the affirmative 448
vote of at least three of its members. 449

(B) If the board of elections determines that not enough 450
qualified electors in a precinct are available to serve as 451
precinct officers, it may appoint persons to serve as precinct 452
officers at a primary, special, or general election who are at 453
least seventeen years of age and are registered to vote in 454
accordance with section 3503.07 of the Revised Code. 455

(C) (1) A board of elections, in conjunction with the board 456
of education of a city, local, or exempted village school 457

district, the governing authority of a community school 458
established under Chapter 3314. of the Revised Code, or the 459
chief administrator of a nonpublic school may establish a 460
program permitting certain high school students to apply and, if 461
appointed by the board of elections, to serve as precinct 462
officers at a primary, special, or general election. 463

In addition to the requirements established by division 464
(C) (2) of this section, a board of education, governing 465
authority, or chief administrator that establishes a program 466
under this division in conjunction with a board of elections may 467
establish additional criteria that students shall meet to be 468
eligible to participate in that program. 469

(2) (a) To be eligible to participate in a program 470
established under division (C) (1) of this section, a student 471
shall be a United States citizen, a resident of the county, and 472
at least seventeen years of age. 473

(b) Any student applying to participate in a program 474
established under division (C) (1) of this section, as part of 475
the student's application process, shall declare the student's 476
political party affiliation with the board of elections. 477

(3) No student appointed as a precinct officer pursuant to 478
a program established under division (C) (1) of this section 479
shall be designated as a voting location manager. 480

(4) Any student participating in a program established 481
under division (C) (1) of this section shall be excused for that 482
student's absence from school on the day of an election at which 483
the student is serving as a precinct officer. 484

(D) In any precinct with six or more precinct officers, up 485
to two students participating in a program established under 486

division (C) (1) of this section who are under eighteen years of 487
age may serve as precinct officers. Not more than one precinct 488
officer in any given precinct with fewer than six precinct 489
officers shall be under eighteen years of age. 490

Sec. 3501.23. A board of elections shall, by the adoption 491
of a resolution, provide that, at any special election at which 492
no candidates are to be elected, ~~or at any primary election when~~ 493
~~only one party primary is to be held for the nomination of~~ 494
~~candidates for municipal office which is to be held in its~~ 495
~~county,~~ the precinct officials at any such election shall 496
consist of not more than four judges who shall perform all the 497
duties prescribed for the proper conduct of an election by 498
precinct officials. Such precinct officials shall be well 499
qualified for the performance of their duties and said precinct 500
officials for any special election shall be selected from among 501
those regularly appointed under section 3501.22 of the Revised 502
Code, but the precinct officials for any party primary election 503
shall be selected from among those regularly appointed under 504
such section, provided that such officials shall be equally 505
divided between the two major political parties. 506

Sec. 3505.03. (A) On the office type ballot shall be 507
printed the names of all candidates for election to voter- 508
nominated offices, ~~except the office of judge of a municipal~~ 509
~~court, county court, or court of common pleas, who were~~ 510
~~nominated at the most recent primary election as candidates of a~~ 511
~~political party or who were nominated in accordance with section~~ 512
~~3513.02 of the Revised Code, and the names of all candidates for~~ 513
~~election to offices who were nominated by nominating petitions,~~ 514
~~except candidates for the office of judge of a municipal court,~~ 515
~~county court, or court of common pleas, for member of a board of~~ 516
~~education, for municipal offices, and for township offices.~~ 517

(B) The face of the ballot below the stub shall be 518
substantially in the following form: 519

"OFFICIAL OFFICE TYPE BALLOT 520

(1) To vote for a candidate record your vote in the manner 521
provided next to the name of such candidate. 522

(2) If you tear, soil, deface, or erroneously mark this 523
ballot, return it to the precinct election officers or, if you 524
cannot return it, notify the precinct election officers, and 525
obtain another ballot." 526

(C) The order in which the offices shall be listed on the 527
ballot shall be prescribed by, and certified to each board of 528
elections by, the secretary of state; provided that for state, 529
district, and county offices the order from top to bottom shall 530
be as follows: governor and lieutenant governor, attorney 531
general, auditor of state, secretary of state, treasurer of 532
state, chief justice of the supreme court, justice of the 533
supreme court, United States senator, representative to 534
congress, state senator, and state representative, ~~judge of a~~ 535
~~court of appeals, county commissioner, county auditor,~~ 536
~~prosecuting attorney, clerk of the court of common pleas,~~ 537
~~sheriff, county recorder, county treasurer, county engineer, and~~ 538
~~coroner.~~ The offices of governor and lieutenant governor shall 539
be printed on the ballot in a manner that requires a voter to 540
cast one vote jointly for the candidates who have been nominated 541
~~by the same political party or petition together.~~ 542

~~(D) Within the rectangular space within which the title of 543
each judicial office listed in division (C) of this section is 544
printed on the ballot and immediately below the title shall be 545
printed the date of the commencement of the term of the office,~~ 546

~~if it is a full term, as follows: "Full term commencing~~ 547
~~_____ (Date) _____," or the date of the end of the term of the~~ 548
~~office, if it is an unexpired term, as follows: "Unexpired term~~ 549
~~ending _____ (Date) _____"~~ 550

~~(E) (1) The names of all candidates for an office shall be~~ 551
~~arranged in a group under the title of that office, and, except~~ 552
~~for absentee ballots or when the number of candidates for a~~ 553
~~particular office is the same as the number of candidates to be~~ 554
~~elected for that office, shall be rotated from one precinct to~~ 555
~~another. On absentee ballots, the names of all candidates for an~~ 556
~~office shall be arranged in a group under the title of that~~ 557
~~office and shall be so alternated that each name shall appear,~~ 558
~~insofar as may be reasonably possible, substantially an equal~~ 559
~~number of times at the beginning, at the end, and in each~~ 560
~~intermediate place, if any, of the group in which such name~~ 561
~~belongs, unless the number of candidates for a particular office~~ 562
~~is the same as the number of candidates to be elected for that~~ 563
~~office.~~ 564

~~(2) The method of printing the ballots to meet the~~ 565
~~rotation requirement of this section shall be as follows: the~~ 566
~~least common multiple of the number of names in each of the~~ 567
~~several groups of candidates shall be used, and the number of~~ 568
~~changes made in the printer's forms in printing the ballots~~ 569
~~shall correspond with that multiple. The board of elections~~ 570
~~shall number all precincts in regular serial sequence. In the~~ 571
~~first precinct, the names of the candidates in each group shall~~ 572
~~be listed in alphabetical order. In each succeeding precinct,~~ 573
~~the name in each group that is listed first in the preceding~~ 574
~~precinct shall be listed last, and the name of each candidate~~ 575
~~shall be moved up one place. In each precinct using paper~~ 576
~~ballots, the printed ballots shall then be assembled in tablets.~~ 577

(D) (1) (a) Except as otherwise provided in division (D) (2) of 578
this section, under the title of each office, the names of the 579
candidates for that office shall be arranged in pairs, such that 580
the ballot displays every possible unique pairing of the 581
candidates' names. The two names in each pair shall be separated 582
by a solid line with one name printed above the other. An 583
enclosed blank rectangular space shall be provided at the left 584
of each name. 585

(b) For each pairing, the ballot shall direct the voter to 586
indicate which of the two candidates the voter prefers by 587
marking the space provided next to the preferred candidate. The 588
ballot shall inform the voter that the voter may express a 589
preference for not more than one candidate in each pair and is 590
not required to express a preference in every pair. If a voter 591
marks both candidates in a pair or otherwise marks the ballot in 592
a way that does not clearly indicate a preference in a pair, the 593
ballot shall be treated as indicating no preference for that 594
pair. 595

(c) The candidate who receives more indications of 596
preference than the other candidate in a given pair is 597
considered to have won that pairing. If a candidate wins each of 598
the candidate's pairings, that candidate is the consensus choice 599
and winner of the election. If no candidate wins each of the 600
candidate's pairings, the candidate with the smallest margin of 601
loss is the winner of the election. If two or more candidates 602
tie for the smallest margin of loss, the tie shall be resolved 603
as follows: 604

(i) If a board of elections is to declare the results of 605
the election, the tie shall be resolved by lot by the 606
chairperson of the board in the presence of all of the members 607

of the board.

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(ii) If the secretary of state is to declare the results
of the election, the tie shall be resolved by lot by the
secretary of state in the presence of the governor, the auditor
of state, and the attorney general, who at the request of the
secretary of state shall assemble to witness the drawing of the
lot.

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(iii) If the general assembly is to declare the results of
the election, the winning candidate shall be declared elected by
a majority of the votes of all of the members of the senate and
the house of representatives of the general assembly.

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(d) The order in which each candidate's name in a pair of
candidates appears on the ballots shall be alternated so that,
insofar as is reasonably possible, each candidate's name appears
first in the pair substantially an equal number of times. The
order in which each pair of candidates appears on the ballots
shall be alternated so that, insofar as is reasonably possible,
each pair appears in each position in the list of pairs
substantially an equal number of times.

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(2) (a) If the number of candidates for an office does not
exceed the number of candidates to be elected to the office, the
names of the candidates for the office shall be arranged in a
group under the title of the office. The ballot shall direct the
voter to indicate a number of preferred candidates that does not
exceed the number of candidates to be elected.

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(b) If more than one candidate appears on the ballots, the
order in which each candidate appears shall be alternated so
that, insofar as is reasonably possible, each candidate appears
in each position in the list of candidates substantially an

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equal number of times.

~~(F)~~ (E) Under the name of each candidate ~~nominated at a~~
~~primary election, nominated by petition under section 3517.012~~
~~of the Revised Code, or certified by a party committee to fill a~~
~~vacancy under section 3513.31 of the Revised Code shall be~~
printed, in less prominent type face than that in which the
candidate's name is printed, "Preference:" followed by the name
of the political party ~~by which the candidate was nominated or~~
~~certified. Under the name of each candidate appearing on the~~
~~ballot who filed a nominating petition and requested a ballot~~
~~designation as a nonparty candidate under section 3513.257 of~~
~~the Revised Code shall be printed, in less prominent type face~~
~~than that in which the candidate's name is printed, the~~
~~designation of "nonparty candidate." Under the name of each~~
~~candidate appearing on the ballot who filed a nominating~~
~~petition and requested a ballot designation as an other-party~~
~~candidate under section 3513.257 of the Revised Code shall be~~
~~printed, in less prominent type face than that in which the~~
~~candidate's name is printed, the designation of "other-party~~
~~candidate." No designation shall appear under the name of a~~
~~candidate appearing on the ballot who filed a nominating~~
~~petition and requested that no ballot designation appear under~~
~~the candidate's name under section 3513.257 of the Revised Code,~~
~~or who filed a nominating petition and failed to request a~~
~~ballot designation either as a nonparty candidate or as an~~
~~other-party candidate under that section.~~ declared as the
candidate's preferred party in the candidate's declaration of
candidacy or, in the case of a candidate who declared a
preference for no political party in the candidate's declaration
of candidacy, the phrase, "No political party preference."

~~(G)~~ (F) Except as provided in this section, no words,

designations, or emblems descriptive of a candidate or the
candidate's political affiliation, or indicative of the method
by which the candidate was nominated or certified, shall be
printed under or after a candidate's name that is printed on the
ballot.

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

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

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

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

"Unexpired term ending _____ (Date) _____." The candidates 698
for each term so designated shall be candidates for that term 699
only, unless two or more new judgeships have been created, in 700
which case from all candidates for a newly created judgeship 701
those receiving the highest number of votes shall be nominated. 702

Within the rectangular space within which the title of 703
each office for member of a board of education is printed on the 704
ballot shall be printed "For Member of Board of Education," and 705
the number to be elected, directions to the voter as to voting 706
for one, two, or more, and, if the office to be voted for is 707
member of a board of education of a city school district, words 708
shall be printed in said space on the ballot to indicate whether 709
candidates are to be elected from subdistricts or at large. 710

The names of all nonpartisan candidates for an office 711
shall be arranged ~~in a group under the title of that office, and~~ 712
~~shall be,~~ rotated, and printed on the ballot as provided in 713
division (D) of section 3505.03 of the Revised Code. 714

No name or designation of any political party nor any 715
words, designations, or emblems descriptive of a candidate or 716
the candidate's political affiliation, or indicative of the 717
method by which such candidate was nominated or certified, shall 718
be printed under or after any nonpartisan candidate's name which 719
is printed on the ballot. 720

Sec. 3505.08. (A) Ballots shall be provided by the board 721
of elections for all general and special elections. The ballots 722
shall be printed with black ink on No. 2 white book paper fifty 723
pounds in weight per ream assuming such ream to consist of five 724
hundred sheets of such paper twenty-five by thirty-eight inches 725
in size. Each ballot shall have attached at the top two stubs, 726
each of the width of the ballot and not less than one-half inch 727

in length, except that, if the board of elections has an 728
alternate method to account for the ballots that the secretary 729
of state has authorized, each ballot may have only one stub that 730
shall be the width of the ballot and not less than one-half inch 731
in length. In the case of ballots with two stubs, the stubs 732
shall be separated from the ballot and from each other by 733
perforated lines. The top stub shall be known as Stub B and 734
shall have printed on its face "Stub B." The other stub shall be 735
known as Stub A and shall have printed on its face "Stub A." 736
Each stub shall also have printed on its face "Consecutive 737
Number _____" 738

Each ballot of each kind of ballot provided for use in 739
each precinct shall be numbered consecutively beginning with 740
number 1 by printing such number upon both of the stubs attached 741
to the ballot. On ballots bearing the names of candidates, each 742
candidate's name shall be printed in twelve point boldface upper 743
case type in an enclosed rectangular space, and an enclosed 744
blank rectangular space shall be provided at the left of the 745
candidate's name. The name of ~~the any political party of a~~ 746
~~candidate nominated at a primary election, nominated by petition~~ 747
~~under section 3517.012 of the Revised Code, or certified by a~~ 748
~~party committee appearing under a candidate's name~~ shall be 749
printed in ten point lightface upper and lower case type and 750
shall be separated by a two point blank space. The name of each 751
candidate shall be indented one space within the enclosed 752
rectangular space, and the name of the political party shall be 753
indented two spaces within the enclosed rectangular space. 754

The title of each office on the ballots shall be printed 755
in twelve point boldface upper and lower case type in a separate 756
enclosed rectangular space. A four point rule shall separate the 757
name of a candidate or a group of candidates for the same office 758

from the title of the office next appearing below on the ballot; 759
a two point rule shall separate the title of the office from the 760
names of candidates; and a one point rule shall separate names_ 761
and pairs of names of candidates. Headings shall be printed in 762
display Roman type. When the names of several candidates are 763
grouped together as candidates for the same office, except when 764
the names are grouped together as pairs, there shall be printed 765
on the ballots immediately below the title of the office and 766
within the separate rectangular space in which the title is 767
printed "Vote for not more than _____," in six point boldface 768
upper and lower case filling the blank space with that number 769
which will indicate the number of persons who may be lawfully 770
elected to the office. 771

Columns on ballots shall be separated from each other by a 772
heavy vertical border or solid line at least one-eighth of an 773
inch wide, and a similar vertical border or line shall enclose 774
the left and right side of ballots. Ballots shall be trimmed 775
along the sides close to such lines. 776

The ballots provided for by this section shall be 777
comprised of four kinds of ballots designated as follows: office 778
type ballot; nonpartisan ballot; questions and issues ballot; 779
and presidential ballot. 780

On the back of each office type ballot shall be printed 781
"Official Office Type Ballot;" on the back of each nonpartisan 782
ballot shall be printed "Official Nonpartisan Ballot;" on the 783
back of each questions and issues ballot shall be printed 784
"Official Questions and Issues Ballot;" and on the back of each 785
presidential ballot shall be printed "Official Presidential 786
Ballot." At the end of every ballot also shall be printed the 787
date of the election at which the ballot is used and the 788

facsimile signatures of the members of the board of the county 789
in which the ballot is used. For the purpose of identifying the 790
kind of ballot, the back of every ballot may be numbered in the 791
order the board shall determine. The numbers shall be printed in 792
not less than thirty-six point type above the words "Official 793
Office Type Ballot," "Official Nonpartisan Ballot," "Official 794
Questions and Issues Ballot," or "Official Presidential Ballot," 795
as the case may be. A ballot box bearing corresponding numbers 796
shall be furnished for each precinct in which the above- 797
described numbered ballots are used. 798

On the back of every ballot used, there shall be a solid 799
black line printed opposite the blank rectangular space that is 800
used to mark the choice of the voter. This line shall be printed 801
wide enough so that the mark in the blank rectangular space will 802
not be visible from the back side of the ballot. 803

Sample ballots may be printed by the board of elections 804
for all general elections. The ballots shall be printed on 805
colored paper, and "Sample Ballot" shall be plainly printed in 806
boldface type on the face of each ballot. In counties of less 807
than one hundred thousand population, the board may print not 808
more than five hundred sample ballots; in all other counties, it 809
may print not more than onethousand sample ballots. The sample 810
ballots shall not be distributed by a political party or a 811
candidate, nor shall a political party or candidate cause their 812
title or name to be imprinted on sample ballots. 813

(B) Notwithstanding division (A) of this section, in 814
approving the form of an official ballot, the secretary of state 815
may authorize the use of fonts, type face settings, and ballot 816
formats other than those prescribed in that division. 817

Sec. 3505.10. (A) On the presidential ballot below the 818

stubs at the top of the face of the ballot shall be printed 819
"Official Presidential Ballot" centered between the side edges 820
of the ballot. Below "Official Presidential Ballot" shall be 821
printed a heavy line centered between the side edges of the 822
ballot. Below the line shall be printed "Instruction to Voters" 823
centered between the side edges of the ballot, and below those 824
words shall be printed the following instructions: 825

"(1) To vote for the candidates for president and vice- 826
president whose names are printed below, record your vote in the 827
manner provided next to the names of such candidates. That 828
recording of the vote will be counted as a vote for each of the 829
candidates for presidential elector whose names have been 830
certified to the secretary of state and who are members of the 831
same political party as the nominees for president and vice- 832
president. A recording of the vote for independent candidates 833
for president and vice-president shall be counted as a vote for 834
the presidential electors filed by such candidates with the 835
secretary of state. 836

(2) To vote for candidates for president and vice- 837
president in the blank space below, record your vote in the 838
manner provided and write the names of your choice for president 839
and vice-president under the respective headings provided for 840
those offices. Such write-in will be counted as a vote for the 841
candidates' presidential electors whose names have been properly 842
certified to the secretary of state. 843

(3) If you tear, soil, deface, or erroneously mark this 844
ballot, return it to the precinct election officers or, if you 845
cannot return it, notify the precinct election officers, and 846
obtain another ballot." 847

(B) Below those instructions to the voter shall be printed 848

a single vertical column of enclosed rectangular spaces equal in 849
number to the number of presidential candidates plus one 850
additional space for write-in candidates. Each of those 851
rectangular spaces shall be enclosed by a heavy line along each 852
of its four sides, and such spaces shall be separated from each 853
other by one-half inch of open space. 854

In each of those enclosed rectangular spaces, except the 855
space provided for write-in candidates, shall be printed the 856
names of the candidates for president and vice-president 857
certified to the secretary of state or nominated in one of the 858
following manners: 859

(1) Nominated by the national convention of a political 860
party to which delegates and alternates were elected in this 861
state at the next preceding primary election. A political party 862
certifying candidates so nominated shall certify the names of 863
those candidates to the secretary of state on or before the 864
ninetieth day before the day of the general election. 865

(2) Nominated by nominating petition in accordance with 866
section 3513.257 of the Revised Code. Such a petition shall be 867
filed on or before the ninetieth day before the day of the 868
general election to provide sufficient time to verify the 869
sufficiency and accuracy of signatures on it. 870

(3) Certified to the secretary of state for placement on 871
the presidential ballot by authorized officials of a minor 872
political party that has held a state or national convention for 873
the purpose of choosing those candidates or that may, without a 874
convention, certify those candidates in accordance with the 875
procedure authorized by its party rules. The officials shall 876
certify the names of those candidates to the secretary of state 877
on or before the ninetieth day before the day of the general 878

election. The certification shall be accompanied by a 879
designation of a sufficient number of presidential electors to 880
satisfy the requirements of law. 881

(4) Certified to the secretary of state for placement on 882
the presidential ballot by a newly formed minor political party 883
under division (C) of section 3517.012 of the Revised Code not 884
later than the seventy-fifth day before the day of the general 885
election. The certification shall be accompanied by a 886
designation of a sufficient number of presidential electors to 887
satisfy the requirements of law. 888

The names of candidates for electors of president and 889
vice-president shall not be placed on the ballot, but shall be 890
certified to the secretary of state as required by this section 891
and sections 3513.11~~and~~, 3513.257, and 3517.012 of the Revised 892
Code. A vote for any candidates for president and vice-president 893
shall be a vote for the electors of those candidates whose names 894
have been certified to the secretary of state. 895

(C) The arrangement of the printing in each of the 896
enclosed rectangular spaces shall be substantially as follows: 897
Near the top and centered within the rectangular space shall be 898
printed "For President" in ten-point boldface upper and lower 899
case type. Below "For President" shall be printed the name of 900
the candidate for president in twelve-point boldface upper case 901
type. Below the name of the candidate for president shall be 902
printed the name of the political party by which that candidate 903
for president was nominated in eight-point lightface upper and 904
lower case type. Below the name of such political party shall be 905
printed "For Vice-President" in ten-point boldface upper and 906
lower case type. Below "For Vice-President" shall be printed the 907
name of the candidate for vice-president in twelve-point 908

boldface upper case type. Below the name of the candidate for 909
vice-president shall be printed the name of the political party 910
by which that candidate for vice-president was nominated in 911
eight-point lightface upper and lower case type. Except for 912
candidates nominated by petition under section 3517.012 of the 913
Revised Code, no political identification or name of any 914
political party shall be printed below the names of presidential 915
and vice-presidential candidates nominated by petition. 916

~~The rectangular spaces on the ballot described in this~~ 917
~~section shall be rotated and printed as provided in section~~ 918
~~3505.03 of the Revised Code.~~The order in which each pair of 919
joint candidates for president and vice-president appears on the 920
ballots shall be alternated so that, insofar as is reasonably 921
possible, each pair of joint candidates appears in each position 922
in the list of pairs of joint candidates substantially an equal 923
number of times. 924

(D) If more than one pair of joint candidates for 925
president and vice-president receives the largest and an equal 926
number of votes, the tie shall be resolved by lot by the 927
secretary of state in the presence of the governor, the auditor 928
of state, and the attorney general, who at the request of the 929
secretary of state shall assemble to witness the drawing of the 930
lot. 931

Sec. 3513.041 3505.101. ~~A write-in space shall be provided~~ 932
~~on the ballot for every office, except in an election for which~~ 933
~~the board of elections has received no valid declarations of~~ 934
~~intent to be a write-in candidate under this section.~~(A) A pair 935
of qualified persons may be write-in candidates for president 936
and vice-president of the United States by filing a joint 937
declaration of intent to be write-in candidates under this 938

~~section. Write-in votes shall not be counted for any candidate- 939~~
~~joint candidates who has-have not filed a declaration of intent 940~~
~~to be a write-in candidate pursuant to this section. A qualified 941~~
~~person who has filed a declaration of intent may receive write- 942~~
~~in votes at either a primary or general election. Any candidate- 943~~

~~(B) Joint candidates for president and vice-president of 944~~
~~the United States shall file a declaration of intent to be a- 945~~
~~write-in candidate before four p.m. of the seventy-second day- 946~~
~~preceding the election at which such candidacy is to be- 947~~
~~considered. If the election is to be determined by electors of a 948~~
~~county or a district or subdivision within the county, such- 949~~
~~declaration shall be filed with the board of elections of that- 950~~
~~county. If the election is to be determined by electors of a- 951~~
~~subdivision located in more than one county, such declaration- 952~~
~~shall be filed with the board of elections of the county in- 953~~
~~which the major portion of the population of such subdivision is 954~~
~~located. If the election is to be determined by electors of a- 955~~
~~district comprised of more than one county but less than all of- 956~~
~~the counties of the state, such declaration shall be filed with- 957~~
~~the board of elections of the most populous county in such- 958~~
~~district. Any candidate for an office to be voted upon by- 959~~
~~electors throughout the entire state shall file a declaration of 960~~
~~intent to be a write-in candidate candidates with the secretary 961~~
~~of state, on a form prescribed by the secretary of state, before 962~~
~~four p.m. of the seventy-second day preceding the election at 963~~
~~which such candidacy is to be considered. In addition,- 964~~
~~candidates for president and vice-president of the United States 965~~
~~shall also file with the secretary of state by that seventy- 966~~
~~second day, along with a slate of presidential electors 967~~
~~sufficient in number to satisfy the requirements of the United 968~~
~~States constitution. 969~~

~~A board of elections shall not accept for filing the~~ 970
~~declaration of intent to be a write-in candidate of a person~~ 971
~~seeking to become a candidate if that person, for the same~~ 972
~~election, has already filed a declaration of candidacy, a~~ 973
~~declaration of intent to be a write-in candidate, or a~~ 974
~~nominating petition, or has become a candidate through party~~ 975
~~nomination at a primary election or by the filling of a vacancy~~ 976
~~under section 3513.30 or 3513.31 of the Revised Code, for any~~ 977
~~federal, state, or county office, if the declaration of intent~~ 978
~~to be a write-in candidate is for a state or county office, or~~ 979
~~for any municipal or township office, for member of a city,~~ 980
~~local, or exempted village board of education, or for member of~~ 981
~~a governing board of an educational service center, if the~~ 982
~~declaration of intent to be a write-in candidate is for a~~ 983
~~municipal or township office, or for member of a city, local, or~~ 984
~~exempted village board of education, or for member of a~~ 985
~~governing board of an educational service center.~~ 986

~~No person shall file a declaration of intent to be a~~ 987
~~write-in candidate for the office of governor unless the~~ 988
~~declaration also shows the intent of another person to be a~~ 989
~~write-in candidate for the office of lieutenant governor. No~~ 990
~~person shall file a declaration of intent to be a write-in~~ 991
~~candidate for the office of lieutenant governor unless the~~ 992
~~declaration also shows the intent of another person to be a~~ 993
~~write-in candidate for the office of governor. No person shall~~ 994
~~file a declaration of intent to be a write-in candidate for the~~ 995
~~office of governor or lieutenant governor if the person has~~ 996
~~previously filed a declaration of intent to be a write-in~~ 997
~~candidate to the office of governor or lieutenant governor at~~ 998
~~the same primary or general election. A write-in vote for the~~ 999
~~two candidates who file such a declaration shall be counted as a~~ 1000

~~vote for them as joint candidates for the offices of governor- 1001
and lieutenant governor. 1002~~

~~The secretary of state shall not accept for filing the 1003
declaration of intent to be a write-in candidate of a person for 1004
the office of governor unless the declaration also shows the 1005
intent of another person to be a write-in candidate for the 1006
office of lieutenant governor, shall not accept for filing the 1007
declaration of intent to be a write-in candidate of a person for 1008
the office of lieutenant governor unless the declaration also 1009
shows the intent of another person to be a write-in candidate 1010
for the office of governor, and shall not accept for filing the 1011
declaration of intent to be a write-in candidate of a person to 1012
the office of governor or lieutenant governor if that person, 1013
for the same election, has already filed a declaration of 1014
candidacy, a declaration of intent to be a write-in candidate, 1015
or a nominating petition, or has become a candidate through 1016
party nomination at a primary election or by the filling of a 1017
vacancy under section 3513.30 or 3513.31 of the Revised Code, 1018
for any other state office or any federal or county office. 1019~~

(C) Protests against the candidacy of any person filing a 1020
declaration of intent to be a write-in candidate may be filed 1021
with the secretary of state by any qualified elector who is 1022
eligible to vote in the election at which the candidacy is to be 1023
considered. The protest shall be in writing and shall be filed 1024
not later than four p.m. of the sixty-seventh day before the day 1025
of the election. The protest shall be filed with the board of 1026
elections with which the declaration of intent to be a write-in 1027
candidate was filed. Upon the filing of the protest, the board 1028
with which it is filed secretary of state shall promptly fix the 1029
time for hearing it and shall proceed in regard to the hearing 1030
in the same manner as for hearings set for protests filed under 1031

section 3513.05 of the Revised Code. At the time fixed, the 1032
~~board secretary of state~~ shall hear the protest and determine 1033
the validity or invalidity of the declaration of intent to be a 1034
write-in candidate. If the ~~board secretary of state~~ finds that 1035
~~the either~~ candidate is not an elector of the state, district, 1036
~~county, or political subdivision in which the candidate seeks~~ 1037
~~election to office eligible for the office of president or vice-~~ 1038
~~president of the United States~~ or has not fully complied with 1039
the requirements of Title XXXV of the Revised Code in regard to 1040
the candidate's candidacy, the ~~candidate's~~ declaration of intent 1041
to be a write-in candidate shall be determined to be invalid and 1042
shall be rejected; otherwise, it shall be determined to be 1043
valid. The determination of the ~~board secretary of state~~ is 1044
final. 1045

~~The secretary of state shall prescribe the form of the~~ 1046
~~declaration of intent to be a write-in candidate.~~ 1047

Sec. 3505.23. Except as otherwise provided in this 1048
section, no voter shall be allowed to occupy a voting 1049
compartment or use a voting machine more than ten minutes when 1050
all the voting compartments or machines are in use and voters 1051
are waiting to occupy them. The ten-minute time limit shall not 1052
apply to any person who requires the use of an accessible voting 1053
machine as required under the "Help America Vote Act of 2002," 1054
116 Stat. 1704, 42 U.S.C. 15481. 1055

Except as otherwise provided by section 3505.24 of the 1056
Revised Code, no voter shall occupy a voting compartment or 1057
machine with another person or speak to anyone, nor shall anyone 1058
speak to the voter, while the voter is in a voting compartment 1059
or machine. 1060

In precincts that do not use voting machines the following 1061

procedure shall be followed: 1062

If a voter tears, soils, defaces, or erroneously marks a 1063
ballot the voter may return it to the precinct election 1064
officials and a second ballot shall be issued to the voter. 1065
Before returning a torn, soiled, defaced, or erroneously marked 1066
ballot, the voter shall fold it so as to conceal any marks the 1067
voter made upon it, but the voter shall not remove Stub A 1068
therefrom. If the voter tears, soils, defaces, or erroneously 1069
marks such second ballot, the voter may return it to the 1070
precinct election officials, and a third ballot shall be issued 1071
to the voter. In no case shall more than three ballots be issued 1072
to a voter. Upon receiving a returned torn, soiled, defaced, or 1073
erroneously marked ballot the precinct election officials shall 1074
detach Stub A therefrom, write "Defaced" on the back of such 1075
ballot, and place the stub and the ballot in the separate 1076
containers provided therefor. 1077

No elector shall leave the polling place until the elector 1078
returns to the precinct election officials every ballot issued 1079
to the elector with Stub A on each ballot attached thereto, 1080
regardless of whether the elector has or has not placed any 1081
marks upon the ballot. 1082

Before leaving the voting compartment, the voter shall 1083
fold each ballot marked by the voter so that no part of the face 1084
of the ballot is visible, and so that the printing thereon 1085
indicating the kind of ballot it is and the facsimile signatures 1086
of the members of the board of elections are visible. The voter 1087
shall then leave the voting compartment, deliver the voter's 1088
ballots, and state the voter's name to the precinct election 1089
official having charge of the ballot box, who shall announce the 1090
name, detach Stub A from each ballot, and announce the number on 1091

the stubs. The precinct election officials in charge of the poll
lists or poll books shall check to ascertain whether the number
so announced is the number on Stub B of the ballots issued to
such voter, and if no discrepancy appears to exist, the precinct
election official in charge of the ballot box shall, in the
presence of the voter, deposit each such ballot in the ballot
box and shall place Stub A from each ballot in the container
provided therefor. The voter shall then immediately leave the
polling place.

No ballot delivered by a voter to the precinct election
official in charge of the ballot box with Stub A detached
therefrom, and only ballots provided in accordance with Title
XXXV of the Revised Code, shall be voted or deposited in the
ballot box.

In marking a presidential ballot, the voter shall record
the vote in the manner provided on the ballot next to the names
of the candidates for the offices of president and vice-
president. Such ballot shall be considered and counted as a vote
for each of the candidates for election as presidential elector
whose names were certified to the secretary of state by the
political party of such nominees for president and vice-
president.

In marking an office type ballot or nonpartisan ballot,
the voter shall record the vote in the manner provided on the
~~ballot next to the name of each candidate for whom the voter~~
~~desires to vote.~~

In marking a primary election ballot, the voter shall
record the vote in the manner provided on the ballot next to the
name of each candidate for whom the voter desires to vote. If
the voter desires to vote for the nomination of a person whose

name is not printed on the primary election ballot, the voter 1122
may do so by writing such person's name on the ballot in the 1123
proper place provided for such purpose. 1124

In marking a questions and issues ballot, the voter shall 1125
record the vote in the manner provided on the ballot at the left 1126
or at the right of "YES" or "NO" or other words of similar 1127
import which are printed on the ballot to enable the voter to 1128
indicate how the voter votes in connection with each question or 1129
issue upon which the voter desires to vote. 1130

In marking any ballot on which a blank space has been 1131
provided wherein an elector may write in the name of a person 1132
for whom the elector desires to vote, the elector shall write 1133
such person's name in such blank space and on no other place on 1134
the ballot. Unless specific provision is made by statute, no 1135
blank space shall be provided on a ballot for write-in votes, 1136
and any names written on a ballot other than in a blank space 1137
provided therefor shall not be counted or recorded. 1138

Sec. 3505.27. Unless otherwise ordered by the secretary of 1139
state or the board of elections, the counting and tallying of 1140
ballots shall be conducted according to procedures prescribed by 1141
the board of elections that assure an accurate count of all 1142
votes cast and that include all of the following: 1143

(A) The counting and tallying of ballots at the 1144
appropriate office, as designated by the board, in the full view 1145
of members of the board and observers; 1146

(B) The recording on a worksheet or other appropriate 1147
document of the number of votes cast or preferences indicated 1148
for each candidate, as applicable, and the number of votes cast 1149
for and against each question or issue; 1150

(C) The periodic reporting to the public and the office of the secretary of state of the number of votes cast or preferences indicated for each candidate, as applicable, and the number of votes cast for and against each question or issue as tallied at the time of the report;

(D) An examination and verification by the appropriate authority, as designated by the board, of the votes so tallied and recorded in the pollbook under section 3505.26 of the Revised Code.

The board shall prescribe additional procedures as necessary to assure an accurate count of all votes cast. These procedures shall be followed until all of the ballots that are required to be counted on the day of the election after the close of the polls have been counted.

All work sheets that are prepared at the polling locations shall be preserved and placed inside the pollbook and returned to the board.

If there is any disagreement as to how a ballot should be counted, it shall be submitted to the members of the board for a decision on whether or to what extent the ballot should be counted. If three of the members do not agree as to how any part of the ballot shall be counted, only that part of the ballot on which three of the members do agree shall be counted. A notation shall be made upon the ballot indicating what part has not been counted, and the ballot shall be placed in an envelope marked "Disputed Ballots."

Sec. 3505.301. (A) For each voter-nominated office and each nonpartisan office to be filled at a general election in the manner described in division (D)(1) of section 3505.03 of

the Revised Code, the secretary of state shall make available to 1180
the public the following reports: 1181

(1) A summary report that lists, for each pair of 1182
candidates, the number of voters who preferred the first 1183
candidate to the second and the number of voters who preferred 1184
the second candidate to the first. The report also shall 1185
identify the consensus choice if one exists. If no consensus 1186
choice exists, the report shall identify the candidate or 1187
candidates with the smallest margin of loss. 1188

(2) A ballot image report that lists, for each ballot, the 1189
voter's indicated preference in each candidate pairing, the 1190
precinct of the ballot, and whether the ballot was cast in 1191
person or by mail. In the report, the ballots shall be listed in 1192
a manner that does not permit the order in which they were cast 1193
in each precinct to be reconstructed. 1194

(3) A comprehensive report that lists for each precinct 1195
and for each pair of candidates all of the following 1196
information: 1197

(a) The number of ballots preferring the first candidate 1198
to the second; 1199

(b) The number of ballots preferring the second candidate 1200
to the first; 1201

(c) The number of ballots that indicated no preference for 1202
that comparison. 1203

(B) As soon as practicable after the close of the polls, 1204
the secretary of state shall make preliminary versions of the 1205
summary report and ballot image report available to the public 1206
in a plain text electronic format on the secretary of state's 1207
official web site. When the results of the election are 1208

declared, the secretary of state shall make the summary report, 1209
ballot image report, and comprehensive report available to the 1210
public on the secretary of state's official web site in a plain 1211
text electronic format. 1212

Sec. 3505.33. When the board of elections has completed 1213
the canvass of the election returns from the precincts in its 1214
county, in which electors were entitled to vote at any general 1215
or special election, it shall determine and declare the results 1216
of the elections determined by the electors of such county or of 1217
a district or subdivision within such county. ~~If more than the~~ 1218
~~number of candidates to be elected to an office received the~~ 1219
~~largest and an equal number of votes, such tie shall be resolved~~ 1220
~~by lot by the chairperson of the board in the presence of a~~ 1221
~~majority of the members of the board.~~ Such declaration shall be 1222
in writing and shall be signed by at least a majority of the 1223
members of the board. It shall bear the date of the day upon 1224
which it is made, and a copy thereof shall be posted by the 1225
board in a conspicuous place in its office. The board shall keep 1226
such copy posted for a period of at least five days. 1227

Thereupon the board shall promptly certify abstracts of 1228
the results of such elections within its county, in such forms 1229
as the secretary of state prescribes. Such forms shall be 1230
designated and shall contain abstracts as follows: 1231

Form No. 1. An abstract of the votes cast for the office 1232
of president and vice-president of the United States. 1233

Form No. 2. An abstract of the votes cast for the office 1234
of governor and lieutenant governor, secretary of state, auditor 1235
of state, treasurer of state, attorney general, chief justice of 1236
the supreme court of Ohio, judge of the supreme court of Ohio, 1237
member of the senate of the congress of the United States, 1238

member at large of the house of representatives of the congress 1239
of the United States, district member of the house of 1240
representatives of the congress of the United States, and an 1241
abstract of the votes cast upon each question or issue submitted 1242
at such election to electors throughout the entire state. 1243

Form No. 3. An abstract of the votes cast for the office 1244
of member of the senate of the general assembly, and member of 1245
the house of representatives of the general assembly. 1246

Form No. 4. A report of the votes cast for judge of the 1247
court of appeals, judge of the court of common pleas, judge of 1248
the probate court, judge of the county court, county 1249
commissioner, county auditor, prosecuting attorney, clerk of the 1250
court of common pleas, sheriff, county recorder, county 1251
treasurer, county engineer, and coroner. 1252

Form No. 5. A report of the votes cast upon all questions 1253
and issues other than such questions and issues which were 1254
submitted to electors throughout the entire state. 1255

Form No. 6. A report of the votes cast for municipal 1256
offices, judge of the municipal court, township offices, and the 1257
office of member of a board of education. 1258

One copy of each of these forms shall be kept in the 1259
office of the board. One copy of each of these forms shall 1260
promptly be sent to the secretary of state, who shall place the 1261
records contained in forms No. 1, No. 2, No. 3, No. 4, and No. 6 1262
in electronic format. One copy of Form No. 2 shall promptly be 1263
sent by electronic mail to the president of the senate of the 1264
general assembly. The board shall also at once upon completion 1265
of the official count send a certified copy of that part of each 1266
of the forms which pertains to an election in which only 1267

electors of a district comprised of more than one county but 1268
less than all of the counties of the state voted to the board of 1269
the most populous county in such district. It shall also at once 1270
upon completion of the official count send a certified copy of 1271
that part of each of the forms which pertains to an election in 1272
which only electors of a subdivision located partly within the 1273
county voted to the board of the county in which the major 1274
portion of the population of such subdivision is located. 1275

If, after certifying and sending abstracts and parts 1276
thereof, a board finds that any such abstract or part thereof is 1277
incorrect, it shall promptly prepare, certify, and send a 1278
corrected abstract or part thereof to take the place of each 1279
incorrect abstract or part thereof theretofore certified and 1280
sent. 1281

Sec. 3505.34. During the first week of the regular session 1282
of the general assembly following a regular state election, the 1283
president of the senate, in the presence of a majority of the 1284
members of each house of the general assembly, shall open, 1285
announce, and canvass the abstracts of the votes cast for the 1286
offices of governor and lieutenant governor, secretary of state, 1287
auditor of state, treasurer of state, and attorney general, as 1288
contained in the Form No. 2 sent to the president of the senate 1289
as required by section 3505.33 of the Revised Code, and shall 1290
determine and declare the results of such election for such 1291
offices. ~~The joint candidates for governor and lieutenant~~ 1292
~~governor and the candidate for each other office who received~~ 1293
~~the largest number of votes shall be declared elected to such~~ 1294
~~office. If two or more candidates for election to the same~~ 1295
~~office, or two or more sets of joint candidates for governor and~~ 1296
~~lieutenant governor, receive the largest and an equal number of~~ 1297
~~votes, one of them, or one set of joint candidates for governor~~ 1298

~~and lieutenant governor, shall be declared elected to such~~ 1299
~~office by a majority of the votes of all of the members of the~~ 1300
~~senate and the house of representatives of the general assembly.~~ 1301
If said Form No. 2 has not at such time been received by the 1302
president of the senate from the board of elections of any 1303
county, the secretary of state, upon request of the president of 1304
the senate, shall furnish to the president of the senate such 1305
copies of said Form No. 2 as have not been received by the 1306
president of the senate. When said canvass has been completed 1307
and the results of the election declared, the president of the 1308
senate shall certify to the secretary of state the names of the 1309
persons declared elected together with the title of the office 1310
to which each has been elected, and from such certification the 1311
secretary of state shall issue a certificate of election to the 1312
officials declared elected and so certified to the secretary of 1313
state. Thereupon the governor shall forthwith issue a commission 1314
to each of the persons elected to such offices. 1315

Sec. 3505.35. (A) When the secretary of state has received 1316
from the board of elections of every county in the state Form 1317
No. 2, as provided for in section 3505.33 of the Revised Code, 1318
the secretary of state shall promptly fix the time and place for 1319
the canvass of such abstracts, and the time fixed shall not be 1320
later than ten days after such abstracts have been received by 1321
the secretary of state from all counties. The secretary of state 1322
shall notify the governor, auditor of state, attorney general, 1323
and the chairperson of the state central committee of each 1324
political party of the time and place fixed. At such time and in 1325
the presence of such of the persons so notified who attend, the 1326
secretary of state shall canvass the abstracts contained in said 1327
Form No. 2 and shall determine and declare the results of all 1328
elections in which electors throughout the entire state voted. 1329

~~If two or more candidates for election to the same office, or
two or more sets of joint candidates for governor and lieutenant
governor, receive the largest and an equal number of votes, such
tie shall be resolved by lot by the secretary of state. Such
declaration of results by the secretary of state shall be in
writing and shall be signed by the secretary of state. It shall
bear the date of the day upon which it is made, and a copy
thereof shall be posted by the secretary of state in a
conspicuous place in the secretary of state's office. The
secretary of state shall keep such copy posted for a period of
at least five days.~~ 1330
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Such declaration of results made by the secretary of 1341
state, insofar as it pertains to the offices of governor and 1342
lieutenant governor, secretary of state, auditor of state, 1343
treasurer of state, and attorney general, is only for the 1344
purpose of fixing the time of the commencement of the period of 1345
time within which applications for recounts of votes may be 1346
filed as provided by section 3515.02 of the Revised Code. 1347

(B) When the secretary of state has received from the 1348
board of elections of every county in the state Form No. 4 and 1349
Form No. 6, as provided in section 3505.33 of the Revised Code, 1350
the secretary of state shall promptly transmit by electronic 1351
mail or other telecommunication device a copy of each form to 1352
the administrative director of the supreme court. 1353

Sec. 3505.36. When the board of elections of the most 1354
populous county of a district comprised of more than one county 1355
but less than all of the counties of the state has received from 1356
the board of every county in such district certified copies of 1357
parts of abstracts pertaining to an election in which only the 1358
electors of such district voted, such board shall canvass such 1359

parts of abstracts and determine and declare the results of the 1360
elections determined by the electors of such district. ~~If more-~~ 1361
~~than the number of candidates to be elected to an office receive~~ 1362
~~the largest number and an equal number of votes, such tie shall~~ 1363
~~be resolved by lot by the chairman of such board in the presence~~ 1364
~~of all of the members of such board.~~ Such declaration of results 1365
by such board shall be in writing and shall be signed by at 1366
least a majority of the members of such board. It shall bear the 1367
date of the day upon which it was made, and a copy thereof shall 1368
be posted by the board in a conspicuous place in its office. The 1369
board shall keep such copy posted for a period of at least five 1370
days. 1371

Sec. 3505.37. When the board of elections of a county in 1372
which the major portion of the population of a subdivision 1373
located in more than one county is located receives from the 1374
boards of each county in which other portions of such 1375
subdivision are located parts of abstracts pertaining to an 1376
election in which only the electors of such subdivision voted, 1377
such board shall canvass such parts of abstracts and determine 1378
and declare the results of the elections determined by the 1379
electors of such subdivision. ~~If more than the number of-~~ 1380
~~candidates to be elected to an office receive the largest number~~ 1381
~~and an equal number of votes, such tie shall be resolved by lot-~~ 1382
~~by the chairman of such board in the presence of a majority of-~~ 1383
~~the members of such board.~~ Such declaration of results by such 1384
board shall be in writing and shall be signed by at least a 1385
majority of the members of such board. It shall bear the date of 1386
the day upon which it is made, and a copy thereof shall be 1387
posted by such board in a conspicuous place in its office. The 1388
board shall keep such copy posted for a period of at least five 1389
days. 1390

Sec. 3506.11. ~~The names of all candidates for an office—~~ 1391
~~shall be arranged in a group under the title of the office and—~~ 1392
~~printed on labels so that they may—~~ The names of candidates shall 1393
appear and be rotated on the voting machine in a manner as near 1394
as possible to that provided in section 3505.03 of the Revised 1395
Code, as directed by the secretary of state. Under the name of— 1396
~~each candidate nominated at a primary election, nominated by—~~ 1397
~~petition under section 3517.012 of the Revised Code, or—~~ 1398
~~certified by a party committee to fill a vacancy under section—~~ 1399
~~3513.31 of the Revised Code, the name of the political party—~~ 1400
~~that nominated or certified the candidate shall be printed in—~~ 1401
~~less prominent typeface than that in which the candidate's name—~~ 1402
~~is printed.—~~ 1403

Sec. 3509.03. (A) Except as otherwise provided in sections 1404
3509.051, 3511.02, and 3511.021 of the Revised Code, any 1405
qualified elector desiring to vote absent voter's ballots at an 1406
election shall deliver a written application for those ballots, 1407
either in person or by mail, to the board of elections of the 1408
county in which the elector's voting residence is located. 1409

(B) Except as otherwise permitted under section 3511.02 of 1410
the Revised Code and under division (C) of this section, the 1411
application shall be on a form prescribed by the secretary of 1412
state and shall contain all of the following: 1413

- (1) The elector's name; 1414
- (2) The elector's signature; 1415
- (3) The address at which the elector is registered to 1416
vote; 1417
- (4) The elector's date of birth; 1418
- (5) One of the following: 1419

(a) The elector's Ohio driver's license or state 1420
identification card number; 1421

(b) The last four digits of the elector's social security 1422
number; 1423

(c) A copy of the elector's photo identification. 1424

(6) A statement identifying the election for which absent 1425
voter's ballots are requested; 1426

(7) A statement that the person requesting the ballots is 1427
a qualified elector; 1428

(8) If the request is for party primary election ballots, 1429
the elector's party affiliation; 1430

(9) If the elector desires ballots to be mailed to the 1431
elector, the address to which those ballots shall be mailed. 1432

(C) If the elector has a confidential voter registration 1433
record, as described in section 111.44 of the Revised Code, the 1434
elector may provide the elector's program participant 1435
identification number instead of the address at which the 1436
elector is registered to vote. 1437

(D) Except as otherwise provided in division (A) of 1438
section 3509.051 and in division (B) of section 3509.08 of the 1439
Revised Code, an application to receive absent voter's ballots 1440
shall be delivered to the office of the board not earlier than 1441
the first day of January of the year of the elections for which 1442
the absent voter's ballots are requested or not earlier than 1443
ninety days before the day of the election at which the ballots 1444
are to be voted, whichever is earlier, and not later than the 1445
close of business on the seventh day before the day of the 1446
election at which the ballots are to be voted. 1447

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

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

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

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

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

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

Sec. 3509.04. (A) If a board of elections receives an application for absent voter's ballots that does not contain all of the required information or is not submitted on an appropriate form, the board promptly shall notify the applicant of the additional information required to be provided by the

applicant to complete that application, direct the applicant to 1477
use an appropriate form, or both, as applicable. 1478

(B) Upon receipt by the board of elections of an 1479
application for absent voter's ballots that contains all of the 1480
required information and is submitted on an appropriate form, as 1481
provided by section 3509.03 and division (G) of section 3503.16 1482
of the Revised Code, the board, if the board finds that the 1483
applicant is a qualified elector, shall deliver to the applicant 1484
in person or mail directly to the applicant by special delivery 1485
mail, air mail, or regular mail, postage prepaid, proper absent 1486
voter's ballots. The board shall deliver or mail with the 1487
ballots an unsealed identification envelope upon the face of 1488
which shall be printed a form substantially as follows: 1489

"Identification Envelope Statement of Voter 1490

I, _____ (Name of voter), declare under 1491
penalty of election falsification that the within ballot or 1492
ballots contained no voting marks of any kind when I received 1493
them, and I caused the ballot or ballots to be marked, enclosed 1494
in the identification envelope, and sealed in that envelope. 1495

My voting residence in Ohio is 1496

_____ 1497

(Street and Number, if any, or Rural Route and Number) 1498
of _____ (City, Village, or Township) 1499
Ohio, which is in Ward _____ Precinct _____ 1500
in that city, village, or township. 1501

If I have a confidential voter registration record, I am 1502
providing my program participant identification number instead 1503
of my residence address: _____ 1504

The party primary election ballots, if any, within this 1505
envelope are primary election ballots of the _____ 1506
Party. 1507

Ballots contained within this envelope are to be voted at 1508
the _____ (general, special, or primary) election to be 1509
held on the _____ day of 1510
_____, _____. 1511

My date of birth is _____ (Month and Day), 1512
_____ (Year). 1513

(Voter must provide one of the following:) 1514

My Ohio driver's license or state identification card 1515
number is _____ (Driver's license or state 1516
identification card number). 1517

The last four digits of my Social Security Number are 1518
_____ (Last four digits of Social Security Number). 1519

_____ In lieu of providing a driver's license or state 1520
identification card number or the last four digits of my Social 1521
Security Number, I am enclosing a copy of my photo 1522
identification in the return envelope in which this 1523
identification envelope will be mailed. 1524

I hereby declare, under penalty of election falsification, 1525
that the statements above are true, as I verily believe. 1526

_____ 1527

(Signature of Voter) 1528

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 1529
THE FIFTH DEGREE." 1530

The board shall mail with the ballots and the unsealed 1531

identification envelope an unsealed return envelope upon the 1532
face of which shall be printed the post-office address of the 1533
board. In the upper left corner on the face of the return 1534
envelope, several blank lines shall be printed upon which the 1535
voter may write the voter's name and return address. The return 1536
envelope shall be of such size that the identification envelope 1537
can be conveniently placed within it for returning the 1538
identification envelope to the board. 1539

No public office, and no public official or employee who 1540
is acting in an official capacity, shall prepay the return 1541
postage for any absent voter's ballots. 1542

Except as otherwise provided in this section and in 1543
sections 3505.24 and 3509.08 of the Revised Code, an election 1544
official shall not fill out any portion of an identification 1545
envelope statement of voter or an absent voter's ballot on 1546
behalf of an elector. A board of elections may preprint only an 1547
elector's name and address on an identification envelope 1548
statement of voter before mailing absent voter's ballots to the 1549
elector, except that if the elector has a confidential voter 1550
registration record, as described in section 111.44 of the 1551
Revised Code, the board of elections shall not preprint the 1552
elector's address on the identification envelope statement of 1553
voter. 1554

Sec. 3511.02. (A) Notwithstanding any section of the 1555
Revised Code to the contrary, whenever any person applies for 1556
registration as a voter on a form adopted in accordance with 1557
federal regulations relating to the "Uniformed and Overseas 1558
Citizens Absentee Voting Act," 100 Stat. 924, 52 U.S.C.A. 20301, 1559
this application shall be sufficient for voter registration and 1560
as a request for an absent voter's ballot. Uniformed services or 1561

overseas absent voter's ballots may be obtained by any person 1562
meeting the requirements of section 3511.011 of the Revised Code 1563
by applying electronically to the secretary of state or to the 1564
board of elections of the county in which the person's voting 1565
residence is located in accordance with section 3511.021 of the 1566
Revised Code or by applying to the board of elections of the 1567
county in which the person's voting residence is located, in one 1568
of the following ways: 1569

(1) That person may make written application for those 1570
ballots. The person may personally deliver the application to 1571
the office of the board or may mail it, send it by facsimile 1572
machine, send it by electronic mail, send it through internet 1573
delivery if such delivery is offered by the board of elections 1574
or the secretary of state, or otherwise send it to the board. 1575
Except as otherwise provided in division (B) of this section, 1576
the application shall be on a form prescribed by the secretary 1577
of state and shall contain all of the following information: 1578

(a) The elector's name; 1579
(b) The elector's signature; 1580
(c) The address at which the elector is registered to 1581
vote; 1582

(d) The elector's date of birth; 1583
(e) One of the following: 1584

(i) The elector's Ohio driver's license or state 1585
identification card number; 1586

(ii) The last four digits of the elector's social security 1587
number; 1588

(iii) A copy of the elector's photo identification. 1589

(f) A statement identifying the election for which absent voter's ballots are requested; 1590
1591

(g) A statement that the person requesting the ballots is a qualified elector; 1592
1593

(h) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 52 U.S.C. 20310; 1594
1595

(i) A statement of 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 the 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, whichever is applicable; 1596
1597
1598
1599
1600
1601
1602
1603

(j) If the request is for party primary election ballots, the elector's party affiliation; 1604
1605

(k) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed; 1606
1607

(l) If the elector desires ballots to be sent to the elector by facsimile machine, the telephone number to which they shall be so sent; 1608
1609
1610

(m) If the elector desires ballots to be sent to the elector by electronic mail or, if offered by the board of elections or the secretary of state, through internet delivery, the elector's electronic mail address or other internet contact information. 1611
1612
1613
1614
1615

(2) A voter or any relative of a voter listed in division (A) (3) of this section may use a single federal post card 1616
1617

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

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

(a) The full name of the elector for whom ballots are

requested; 1649

(b) A statement that the elector is an absent uniformed 1650
services voter or overseas voter as defined in 52 U.S.C. 20310; 1651

(c) The address at which the elector is registered to 1652
vote; 1653

(d) A statement identifying the elector's length of 1654
residence in the state immediately preceding the commencement of 1655
service, immediately preceding the date of leaving to be with or 1656
near a service member, or immediately preceding leaving the 1657
United States, or a statement that the elector's parent or legal 1658
guardian resided in this state long enough to establish 1659
residency for voting purposes immediately preceding leaving the 1660
United States, as the case may be; 1661

(e) The elector's date of birth; 1662

(f) One of the following: 1663

(i) The elector's Ohio driver's license or state 1664
identification card number; 1665

(ii) The last four digits of the elector's social security 1666
number; 1667

(iii) A copy of the elector's photo identification. 1668

(g) A statement identifying the election for which absent 1669
voter's ballots are requested; 1670

(h) A statement that the person requesting the ballots is 1671
a qualified elector; 1672

(i) If the request is for party primary election ballots, 1673
the elector's party affiliation; 1674

(j) A statement that the applicant bears a relationship to 1675

the elector as specified in division (A)(3) of this section; 1676

(k) The address to which ballots shall be mailed, the 1677
telephone number to which ballots shall be sent by facsimile 1678
machine, the electronic mail address to which ballots shall be 1679
sent by electronic mail, or, if internet delivery is offered by 1680
the board of elections or the secretary of state, the internet 1681
contact information to which ballots shall be sent through 1682
internet delivery; 1683

(l) The signature and address of the person making the 1684
application. 1685

(B) If the elector has a confidential voter registration 1686
record, as described in section 111.44 of the Revised Code, the 1687
application may include the elector's program participant 1688
identification number instead of the address at which the 1689
elector is registered to vote. 1690

(C) Each application for uniformed services or overseas 1691
absent voter's ballots shall be delivered to the office of the 1692
board not earlier than the first day of January of the year of 1693
the elections for which the uniformed services or overseas 1694
absent voter's ballots are requested or not earlier than ninety 1695
days before the day of the election at which the ballots are to 1696
be voted, whichever is earlier. An application to receive 1697
uniformed services or overseas absent voter's ballots by mail or 1698
by another method permitted under section 3511.021 of the 1699
Revised Code shall be delivered to the office of the board not 1700
later than the close of business on the seventh day preceding 1701
the day of the election. 1702

(D) If the voter for whom the application is made is 1703
entitled to vote for presidential and vice-presidential electors 1704

only, the applicant shall submit to the board, in addition to 1705
the requirements of division (A) of this section, a statement to 1706
the effect that the voter is qualified to vote for presidential 1707
and vice-presidential electors and for no other offices. 1708

(E) Except as permitted under section 111.31 of the 1709
Revised Code, no public office, and no public official or 1710
employee who is acting in an official capacity, shall do either 1711
of the following: 1712

(1) Prepay the return postage for an application for 1713
absent voter's ballots; 1714

(2) Mail or otherwise deliver an unsolicited application 1715
for absent voter's ballots to any person. 1716

(F) (1) Except as otherwise provided in divisions (A) (2) 1717
and (3) and (F) (2) of this section and in sections 3505.24 and 1718
3509.08 of the Revised Code, no person shall fill out any 1719
portion of a federal post card application or other application 1720
for absent voter's ballots on behalf of an applicant. 1721

(2) The secretary of state or a board of elections may 1722
preprint only an applicant's name and address on a federal post 1723
card application or other application for absent voter's ballots 1724
before mailing that application to the applicant, except that if 1725
the applicant has a confidential voter registration record, the 1726
secretary of state or the board of elections shall not preprint 1727
the applicant's address on the application. 1728

(3) A completed application for absent voter's ballots is 1729
not valid if any portion of it has been completed by any person 1730
other than the applicant in violation of division (F) of this 1731
section. 1732

Sec. 3511.05. (A) The board of elections shall place 1733

uniformed services or overseas absent voter's ballots sent by 1734
mail in an unsealed identification envelope, gummed ready for 1735
sealing. The board shall include with uniformed services or 1736
overseas absent voter's ballots sent electronically, including 1737
by facsimile machine, an instruction sheet for preparing a 1738
gummed envelope in which the ballots shall be returned. The 1739
envelope for returning ballots sent by either means shall have 1740
printed or written on its face a form substantially as follows: 1741

"Identification Envelope Statement of Voter 1742

I, _____ (Name of voter), declare under 1743
penalty of election falsification that the within ballot or 1744
ballots contained no voting marks of any kind when I received 1745
them, and I caused the ballot or ballots to be marked, enclosed 1746
in the identification envelope, and sealed in that envelope. 1747

My voting residence in Ohio is 1748

_____ 1749

(Street and Number, if any, or Rural Route and Number) 1750

of _____ (City, Village, or Township) 1751

Ohio, which is in Ward _____ Precinct _____ 1752

in that city, village, or township. 1753

If I have a confidential voter registration record, I am 1754
providing my program participant identification number instead 1755
of my residence address: _____ 1756

The party primary election ballots, if any, within this 1757
envelope are primary election ballots of the _____ 1758
Party. 1759

Ballots contained within this envelope are to be voted at 1760
the _____ (general, special, or primary) election to be 1761

held on the _____ day of 1762

_____, 1763

My date of birth is _____ (Month and Day), 1764

_____ (Year). 1765

(Voter must provide one of the following:) 1766

My Ohio driver's license or state identification card 1767

number is _____ (Driver's license or state 1768

identification card number). 1769

The last four digits of my Social Security Number are 1770

_____ (Last four digits of Social Security Number). 1771

_____ In lieu of providing a driver's license or state 1772

identification card number or the last four digits of my Social 1773

Security Number, I am enclosing a copy of my photo 1774

identification in the return envelope in which this 1775

identification envelope will be mailed. 1776

I hereby declare, under penalty of election falsification, 1777

that the statements above are true, as I verily believe. 1778

1779

(Signature of Voter) 1780

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 1781

THE FIFTH DEGREE." 1782

(B) The board shall also mail with the ballots and the 1783

unsealed identification envelope sent by mail an unsealed return 1784

envelope, gummed, ready for sealing, for use by the voter in 1785

returning the voter's marked ballots to the office of the board. 1786

The board shall send with the ballots and the instruction sheet 1787

for preparing a gummed envelope sent electronically, including 1788

by facsimile machine, an instruction sheet for preparing a 1789
second gummed envelope as described in this division, for use by 1790
the voter in returning that voter's marked ballots to the board. 1791
The return envelope shall have two parallel lines, each one 1792
quarter of an inch in width, printed across its face paralleling 1793
the top, with an intervening space of one quarter of an inch 1794
between such lines. The top line shall be one and one-quarter 1795
inches from the top of the envelope. Between the parallel lines 1796
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 1797
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 1798
lines shall be printed in the upper left corner on the face of 1799
the envelope for the use by the voter in placing the voter's 1800
complete military, naval, or mailing address on these lines. The 1801
post-office address of the office of the board shall be printed 1802
on the face of such envelope in the lower right portion below 1803
the bottom parallel line. 1804

(C) On the back of each identification envelope and each 1805
return envelope shall be printed the following: 1806

"Instructions to voter: 1807

If the flap on this envelope is so firmly stuck to the 1808
back of the envelope when received by you as to require forcible 1809
opening in order to use it, open the envelope in the manner 1810
least injurious to it, and, after marking your ballots and 1811
enclosing same in the envelope for mailing them to the board of 1812
elections, reclose the envelope in the most practicable way, by 1813
sealing or otherwise, and sign the blank form printed below. 1814

The flap on this envelope was firmly stuck to the back of 1815
the envelope when received, and required forced opening before 1816
sealing and mailing. 1817

_____ 1818

(Signature of voter)" 1819

(D) Division (C) of this section does not apply when 1820
absent voter's ballots are sent electronically, including by 1821
facsimile machine. 1822

(E) Except as otherwise provided in this division and in 1823
sections 3505.24 and 3509.08 of the Revised Code, an election 1824
official shall not fill out any portion of an identification 1825
envelope statement of voter or an absent voter's ballot on 1826
behalf of an elector. A board of elections may preprint only an 1827
elector's name and address on an identification envelope 1828
statement of voter before mailing or electronically transmitting 1829
absent voter's ballots to the elector, except that if the 1830
elector has a confidential voter registration record, as 1831
described in section 111.44 of the Revised Code, the board of 1832
elections shall not preprint the elector's address on the 1833
identification envelope statement of voter. 1834

Sec. 3513.01. ~~(A) Except as otherwise provided in this~~ 1835
~~section and section 3517.012 of the Revised Code, primary~~ 1836
~~elections shall be held as provided in division (E) of section~~ 1837
~~3501.01 of the Revised Code for the purpose of nominating~~ 1838
~~persons as candidates of political parties~~ (A) (1) Candidates for 1839
election to offices to be voted for at the succeeding general 1840
election shall be nominated under this chapter as follows: 1841

(a) A primary election shall be held for the purpose of 1842
nominating candidates for election to voter-nominated offices as 1843
follows: 1844

(i) All candidates for an office shall be listed on a 1845
single primary ballot, and a voter may vote for any candidate, 1846

regardless of the candidate's or voter's affiliation or 1847
membership with a political party, provided that the elector is 1848
otherwise qualified to vote for candidates for that office. 1849

(ii) The candidates receiving the highest, second highest, 1850
and third highest number of votes shall advance to the 1851
succeeding general election. If more than one candidate is to be 1852
elected to an office, or if multiple offices of the same type 1853
are to be filled by the same slate of candidates, the number of 1854
candidates advancing to the general election shall be three 1855
times the number to be elected. 1856

(iii) A candidate shall have the candidate's political 1857
party preference, or lack of political party preference, 1858
indicated on the ballot for an office in the manner described 1859
under section 3505.03 of the Revised Code. Selection of a party 1860
preference by a candidate does not constitute or imply 1861
endorsement of the candidate by the party designated. No 1862
candidate for an office shall be deemed the official candidate 1863
of any party by virtue of the candidate's selection in the 1864
primary election. 1865

(iv) A political party or party central committee does not 1866
have the right to have its preferred candidate participate in 1867
the general election other than as chosen by voters in the 1868
primary. Nothing in this section shall be interpreted to 1869
prohibit a political party or party central committee from 1870
endorsing, supporting, or opposing any candidate. 1871

(b) Candidates shall be nominated for election to 1872
nonpartisan offices by nominating petition, except where a 1873
political subdivision has chosen to nominate candidates for 1874
election as officers of the political subdivision by primary 1875
election, as permitted under this section. Such a primary 1876

election shall be conducted in the manner described under 1877
division (A) (1) (a) of this section, except that a candidate 1878
shall not have the candidate's political party preference, or 1879
lack of political party preference, indicated on the ballot. 1880

(2) Party primaries shall be held as provided in this 1881
chapter and in section 3517.02 of the Revised Code for the 1882
purpose of electing members of political parties to partisan 1883
office and for the purpose of choosing delegates and alternates 1884
to the national conventions of the major political parties. 1885

(B) ~~The manner of nominating persons as candidates for~~ 1886
~~election as officers of~~ If, before the effective date of this 1887
~~amendment, a municipal corporation having a population of two~~ 1888
~~thousand or more, as ascertained by the most recent federal~~ 1889
~~census, shall be the same as the manner in which candidates were~~ 1890
~~political subdivision nominated candidates~~ for election as 1891
~~officers in of the municipal corporation in 1989~~ political 1892
~~subdivision by primary election, the political subdivision shall~~ 1893
~~nominate those candidates by primary election under division (A)~~ 1894
~~(2) of this section unless the manner of nominating such~~ 1895
~~candidates is changed under division (C), (D), or (E), or (F) of~~ 1896
~~this section. If, before the effective date of this amendment, a~~ 1897
~~political subdivision nominated candidates for election as~~ 1898
~~officers of the political subdivision by nominating petition,~~ 1899
~~the political subdivision shall continue to nominate those~~ 1900
~~candidates by nominating petition unless the manner of~~ 1901
~~nominating those candidates is changed under division (C), (D),~~ 1902
~~(E), or (F) of this section.~~ 1903

(C) Primary elections shall not be held for the nomination 1904
of candidates for election as officers of any township, or any 1905
municipal corporation having a population of less than two 1906

thousand, unless a majority of the electors of any such township 1907
or municipal corporation, as determined by the total number of 1908
votes cast in such township or municipal corporation for the 1909
office of governor at the most recent regular state election, 1910
files with the board of elections of the county within which 1911
such township or municipal corporation is located, or within 1912
which the major portion of the population thereof is located, if 1913
the municipal corporation is situated in more than one county, 1914
not later than one hundred twenty days before the day of a 1915
primary election, a petition signed by such electors asking that 1916
candidates for election as officers of such township or 1917
municipal corporation be nominated ~~as candidates of political~~ 1918
~~parties~~ by primary election, in which event primary elections 1919
shall be held in such township or municipal corporation for the 1920
purpose of nominating persons as candidates ~~of political parties~~ 1921
for election as officers of such township or municipal 1922
corporation to be voted for at the succeeding regular municipal 1923
election. In a township or municipal corporation where a 1924
majority of the electors have filed a petition asking that 1925
candidates for election as officers of the township or municipal 1926
corporation be nominated ~~as candidates of political parties~~ by 1927
primary election, the nomination of candidates ~~for a nonpartisan~~ 1928
~~election by nominating petition~~ may be reestablished in the 1929
manner prescribed in division (E) of this section. 1930

(D) (1) The electors in a municipal corporation having a 1931
population of two thousand or more, ~~in which municipal officers~~ 1932
~~were nominated in the most recent election by nominating~~ 1933
~~petition and elected by nonpartisan election~~, may place on the 1934
ballot in the manner prescribed in division (D) (2) of this 1935
section the question of changing to the primary-election method 1936
of nominating persons as candidates for election as officers of 1937

the municipal corporation. 1938

(2) The board of elections of the county within which the 1939
municipal corporation is located, or, if the municipal 1940
corporation is located in more than one county, of the county 1941
within which the major portion of the population of the 1942
municipal corporation is located, shall, upon receipt of a 1943
petition signed by electors of the municipal corporation equal 1944
in number to at least ten per cent of the vote cast at the most 1945
recent regular municipal election, submit to the electors of the 1946
municipal corporation the question of changing to the primary- 1947
election method of nominating persons as candidates for election 1948
as officers of the municipal corporation. The ballot language 1949
shall be substantially as follows: 1950

"Shall candidates for election as officers of _____ 1951
(name of municipal corporation) in the county of _____ 1952
(name of county) be nominated ~~as candidates of political parties~~ 1953
by primary election? 1954

_____ yes 1955

_____ no" 1956

The question shall be placed on the ballot at the next 1957
general election in an even-numbered year occurring at least 1958
ninety days after the petition is filed with the board. If a 1959
majority of the electors voting on the question vote in the 1960
affirmative, candidates for election as officers of the 1961
municipal corporation shall thereafter be nominated as 1962
~~candidates of political parties~~ in primary elections, under 1963
division (A) of this section, unless a change in the manner of 1964
nominating persons as candidates for election as officers of the 1965
municipal corporation is made under division (E) of this 1966

section. 1967

(E) (1) The electors in a township or municipal corporation 1968
in which the township or municipal officers are nominated as 1969
~~candidates of political parties~~ in a primary election may place 1970
on the ballot, in the manner prescribed in division (E) (2) of 1971
this section, the question of changing to the ~~nonpartisan~~ 1972
nominating petition method of nominating persons as candidates 1973
for election as officers of the township or municipal 1974
corporation. 1975

(2) The board of elections of the county within which the 1976
township or municipal corporation is located, or, if the 1977
municipal corporation is located in more than one county, of the 1978
county within which the major portion of the population of the 1979
municipal corporation is located, shall, upon receipt of a 1980
petition signed by electors of the township or municipal 1981
corporation equal in number to at least ten per cent of the vote 1982
cast at the most recent regular township or municipal election, 1983
as appropriate, submit to the electors of the township or 1984
municipal corporation, as appropriate, the question of changing 1985
to the ~~nonpartisan~~ nominating petition method of nominating 1986
persons as candidates for election as officers of the township 1987
or municipal corporation. The ballot language shall be 1988
substantially as follows: 1989

"Shall candidates for election as officers of _____ 1990
(name of the township or municipal corporation) in the county of 1991
_____ (name of county) be nominated as candidates by 1992
~~nominating petition and be elected only in a nonpartisan~~ 1993
~~election?~~ 1994
_____ yes 1995

_____ no" 1996

The question shall appear on the ballot at the next 1997
general election in an even-numbered year occurring at least 1998
ninety days after the petition is filed with the board. If a 1999
majority of electors voting on the question vote in the 2000
affirmative, candidates for officer of the township or municipal 2001
corporation shall thereafter be nominated by nominating petition 2002
~~and be elected only in a nonpartisan election,~~ unless a change 2003
in the manner of nominating persons as candidates for election 2004
as officers of the township or municipal corporation is made 2005
under division (C) or (D) of this section. 2006

(F) (1) The board of education of a city, local, or 2007
exempted village school district or the governing board of an 2008
educational service center may, by adopting a resolution by a 2009
three-fifths majority vote of the board's total membership, 2010
choose to nominate candidates for election to the board by 2011
primary election. The board of education or governing board 2012
shall certify the resolution to the board of elections at least 2013
two hundred ten days before the day of the primary election. 2014
Subject to division (F) (2) of this section, the resolution 2015
applies to all subsequent nominations for a position as a member 2016
of that board of education or governing board. 2017

(2) Not earlier than five years after the adoption of a 2018
resolution under division (F) (1) of this section, the board of 2019
education of a city, local, or exempted village school district 2020
or the governing board of an educational service center may 2021
rescind that resolution by subsequent resolution upon a three- 2022
fifths majority vote of its total membership. The board of 2023
education or governing board shall certify the resolution to the 2024
board of elections at least two hundred ten days before the day 2025

of the primary election. Subject to division (F) (4) of this 2026
section, the resolution applies to all subsequent nominations 2027
for a position as a member of that board of education or 2028
governing board unless the board adopts another resolution under 2029
division (F) (1) of this section. 2030

Sec. 3513.02. If, in any odd-numbered year, no valid 2031
declaration of candidacy is filed for nomination as a candidate 2032
~~of a political party~~ for election to any of the offices to be 2033
voted for at the general election to be held in such year, or if 2034
the number of persons filing such declarations of candidacy for 2035
nominations as candidates ~~of one political party~~ for election to 2036
such offices does not exceed, as to any such office, the number 2037
of candidates ~~which such political party is entitled to nominate~~ 2038
~~as its candidates~~ be nominated for election to such office, then 2039
no primary election shall be held for the purpose of nominating 2040
~~party~~ candidates ~~of such party~~ for election to offices to be 2041
voted for at such general election and no primary ballots shall 2042
be provided ~~for such party~~. If, however, the only office for 2043
which there are more valid declarations of candidacy filed than 2044
the number to be nominated ~~by a political party~~, is the office 2045
of councilperson in a ward, a primary election shall be held ~~for~~ 2046
~~such party~~ only in the ward or wards in which there is a 2047
contest, and only the names of the candidates for the office of 2048
councilperson in such ward shall appear on the primary ballot ~~of~~ 2049
~~such political party~~. 2050

The election officials whose duty it would have been to 2051
provide for and conduct the holding of such primary election, 2052
declare the results thereof, and issue certificates of 2053
nomination to the persons entitled thereto if such primary 2054
election had been held shall declare each of such persons to be 2055
nominated as of the date of the ninetieth day before the primary 2056

election, issue appropriate certificates of nomination to each 2057
of them, and certify their names to the proper election 2058
officials, in order that their names may be printed on the 2059
official ballots provided for use in the succeeding general 2060
election in the same manner as though such primary election had 2061
been held and such persons had been nominated at such election. 2062

Sec. 3513.04. Candidates for ~~party nominations to state,~~ 2063
~~district, county, and municipal offices or positions, for which~~ 2064
~~party nominations are provided by law~~ nomination at a primary 2065
election, and candidates for election as members of party 2066
controlling committees, shall have their names printed on the 2067
official primary ballot by filing a declaration of candidacy and 2068
paying the fees specified for the office under divisions (A) and 2069
(B) of section 3513.10 of the Revised Code, except that the 2070
joint candidates for ~~party~~ nomination to the offices of governor 2071
and lieutenant governor shall, for the two of them, file one 2072
declaration of candidacy. The joint candidates also shall pay 2073
the fees specified for the joint candidates under divisions (A) 2074
and (B) of section 3513.10 of the Revised Code. 2075

The secretary of state shall not accept for filing the 2076
declaration of candidacy of a candidate for ~~party~~ nomination to 2077
the office of governor unless the declaration of candidacy also 2078
shows a joint candidate for ~~the same party's~~ nomination to the 2079
office of lieutenant governor, shall not accept for filing the 2080
declaration of candidacy of a candidate for ~~party~~ nomination to 2081
the office of lieutenant governor unless the declaration of 2082
candidacy also shows a joint candidate for ~~the same party's~~ 2083
nomination to the office of governor, and shall not accept for 2084
filing a declaration of candidacy that shows a candidate for 2085
~~party~~ nomination to the office of governor or lieutenant 2086
governor who, for the same election, has already filed a 2087

declaration of candidacy ~~or a declaration of intent to be a~~ 2088
~~write-in candidate,~~ or has become a candidate by the filling of 2089
a vacancy under section 3513.30 of the Revised Code for any 2090
other state office or any federal or county office. 2091

No person who seeks ~~party~~ nomination for an office or 2092
position at a primary election by declaration of candidacy ~~or by~~ 2093
~~declaration of intent to be a write-in candidate~~ and no person 2094
who is a first choice for president of candidates seeking 2095
election as delegates and alternates to the national conventions 2096
of the different major political parties who are chosen by 2097
direct vote of the electors as provided in this chapter shall be 2098
permitted to become a candidate by nominating petition, 2099
including a nominating petition filed under section 3517.012 of 2100
the Revised Code, by declaration of intent to be a write-in 2101
candidate, or by filling a vacancy under section 3513.31 of the 2102
Revised Code at the following general election for any office 2103
other than the ~~office of member of the state board of education,~~ 2104
office of member of a city, local, or exempted village board of 2105
education, office of member of a governing board of an 2106
educational service center, or office of township trustee. 2107

Sec. 3513.05. Each person desiring to become a candidate 2108
for a ~~party~~ nomination at a primary election or for election to 2109
~~an a partisan office or position to be voted for at a party~~ 2110
~~primary election,~~ except persons desiring to become joint 2111
candidates for the offices of governor and lieutenant governor 2112
and except as otherwise provided in section 3513.051 of the 2113
Revised Code, shall, not later than four p.m. of the ninetieth 2114
day before the day of the primary election, file a declaration 2115
of candidacy and petition and pay the fees required under 2116
divisions (A) and (B) of section 3513.10 of the Revised Code. 2117
The declaration of candidacy and all separate petition papers 2118

shall be filed at the same time as one instrument. When the 2119
offices are to be voted for at a primary election, persons 2120
desiring to become joint candidates for the offices of governor 2121
and lieutenant governor shall, not later than four p.m. of the 2122
ninetieth day before the day of the primary election, comply 2123
with section 3513.04 of the Revised Code. The prospective joint 2124
candidates' declaration of candidacy and all separate petition 2125
papers of candidacies shall be filed at the same time as one 2126
instrument. The secretary of state or a board of elections shall 2127
not accept for filing a declaration of candidacy and petition of 2128
a person seeking to become a candidate if that person, for the 2129
same election, has already filed a declaration of candidacy ~~or a~~ 2130
~~declaration of intent to be a write-in candidate,~~ or has become 2131
a candidate by the filling of a vacancy under section 3513.30 of 2132
the Revised Code for any federal, state, or county office, if 2133
the declaration of candidacy is for a state or county office, or 2134
for any municipal or township office, if the declaration of 2135
candidacy is for a municipal or township office. 2136

If the declaration of candidacy declares a candidacy which 2137
is to be submitted to electors throughout the entire state, the 2138
petition, including a petition for joint candidates for the 2139
offices of governor and lieutenant governor, shall be signed by 2140
at least one thousand qualified electors ~~who are members of the~~ 2141
~~same political party as the candidate or joint candidates,~~ and 2142
the declaration of candidacy and petition shall be filed with 2143
the secretary of state; provided that the secretary of state 2144
shall not accept or file any such petition appearing on its face 2145
to contain signatures of more than three thousand electors. 2146

Except as otherwise provided in this paragraph, if the 2147
declaration of candidacy is of one that is to be submitted only 2148
to electors within a district, political subdivision, or portion 2149

thereof, the petition shall be signed by not less than fifty 2150
qualified electors ~~who are members of the same political party~~ 2151
~~as the political party of which the candidate is a member.~~ If 2152
the declaration of candidacy is for ~~party~~ nomination as a 2153
candidate for member of the legislative authority of a municipal 2154
corporation elected by ward, the petition shall be signed by not 2155
less than twenty-five qualified electors ~~who are members of the~~ 2156
~~political party of which the candidate is a member.~~ 2157

No such petition, except the petition for a candidacy that 2158
is to be submitted to electors throughout the entire state, 2159
shall be accepted for filing if it appears to contain on its 2160
face signatures of more than three times the minimum number of 2161
signatures. When a petition of a candidate has been accepted for 2162
filing by a board of elections, the petition shall not be deemed 2163
invalid if, upon verification of signatures contained in the 2164
petition, the board of elections finds the number of signatures 2165
accepted exceeds three times the minimum number of signatures 2166
required. A board of elections may discontinue verifying 2167
signatures on petitions when the number of verified signatures 2168
equals the minimum required number of qualified signatures. 2169

If the declaration of candidacy declares a candidacy for 2170
~~party nomination or for election as a candidate~~ a partisan 2171
office of a minor party, the minimum number of signatures on 2172
such petition is one-half the minimum number provided in this 2173
section, except that, when the candidacy is one for election as 2174
a member of the state central committee or the county central 2175
committee of a political party, the minimum number shall be the 2176
same for a minor party as for a major party. 2177

If a declaration of candidacy is one for election as a 2178
member of the state central committee or the county central 2179

committee of a political party, the petition shall be signed by 2180
five qualified electors of the district, county, ward, township, 2181
or precinct within which electors may vote for such candidate. 2182
~~The~~ 2183

In the case of a declaration of candidacy filed by a 2184
candidate for partisan office, the electors signing ~~such the~~ 2185
petition and the circulator of the petition shall be members of 2186
the same political party as the political party of which the 2187
candidate is a member. 2188

For purposes of signing or circulating a petition of 2189
candidacy for ~~party nomination or election~~ partisan office, an 2190
elector is considered to be a member of a political party if the 2191
elector voted in that party's primary election within the 2192
preceding two calendar years, or if the elector did not vote in 2193
any other party's primary election within the preceding two 2194
calendar years. 2195

If the declaration of candidacy is of one that is to be 2196
submitted only to electors within a county, or within a district 2197
or subdivision or part thereof smaller than a county, the 2198
petition shall be filed with the board of elections of the 2199
county. If the declaration of candidacy is of one that is to be 2200
submitted only to electors of a district or subdivision or part 2201
thereof that is situated in more than one county, the petition 2202
shall be filed with the board of elections of the county within 2203
which the major portion of the population thereof, as 2204
ascertained by the next preceding federal census, is located. 2205

A petition shall consist of separate petition papers, each 2206
of which shall contain signatures of electors of only one 2207
county. Petitions or separate petition papers containing 2208
signatures of electors of more than one county shall not thereby 2209

be declared invalid. In case petitions or separate petition 2210
papers containing signatures of electors of more than one county 2211
are filed, the board shall determine the county from which the 2212
majority of signatures came, and only signatures from such 2213
county shall be counted. Signatures from any other county shall 2214
be invalid. 2215

Each separate petition paper shall be circulated by one 2216
person only, ~~who shall be the candidate or a joint candidate or~~ 2217
~~a member of the same political party as the candidate or joint~~ 2218
~~candidates,~~ and each separate petition paper shall be governed 2219
by the rules set forth in section 3501.38 of the Revised Code. 2220

The secretary of state shall promptly transmit to each 2221
board such separate petition papers of each petition 2222
accompanying a declaration of candidacy filed with the secretary 2223
of state as purport to contain signatures of electors of the 2224
county of such board. The board of the most populous county of a 2225
district shall promptly transmit to each board within such 2226
district such separate petition papers of each petition 2227
accompanying a declaration of candidacy filed with it as purport 2228
to contain signatures of electors of the county of each such 2229
board. The board of a county within which the major portion of 2230
the population of a subdivision, situated in more than one 2231
county, is located, shall promptly transmit to the board of each 2232
other county within which a portion of such subdivision is 2233
located such separate petition papers of each petition 2234
accompanying a declaration of candidacy filed with it as purport 2235
to contain signatures of electors of the portion of such 2236
subdivision in the county of each such board. 2237

All petition papers so transmitted to a board and all 2238
petitions accompanying declarations of candidacy filed with a 2239

board shall, under proper regulations, be open to public 2240
inspection until four p.m. of the eightieth day before the day 2241
of the next primary election. Each board shall, not later than 2242
the seventy-eighth day before the day of that primary election, 2243
examine and determine the validity or invalidity of the 2244
signatures on the petition papers so transmitted to or filed 2245
with it and shall return to the secretary of state all petition 2246
papers transmitted to it by the secretary of state, together 2247
with its certification of its determination as to the validity 2248
or invalidity of signatures thereon, and shall return to each 2249
other board all petition papers transmitted to it by such board, 2250
together with its certification of its determination as to the 2251
validity or invalidity of the signatures thereon. All other 2252
matters affecting the validity or invalidity of such petition 2253
papers shall be determined by the secretary of state or the 2254
board with whom such petition papers were filed. 2255

Protests against the candidacy of any person filing a 2256
declaration of candidacy ~~for party nomination or for election to~~ 2257
~~an a partisan office or position, as provided in this section,~~ 2258
may be filed by any qualified elector who is a member of the 2259
same political party as the candidate and who is eligible to 2260
vote at the primary election for the candidate whose declaration 2261
of candidacy the elector objects to, or by the controlling 2262
committee of that political party. Protests against the 2263
candidacy of any person filing a declaration of candidacy for 2264
nomination or for election to a voter-nominated or nonpartisan 2265
office may be filed by any qualified elector who is eligible to 2266
vote at the primary election for the candidate whose declaration 2267
of candidacy the elector objects to. The protest shall be in 2268
writing, and shall be filed not later than four p.m. of the 2269
seventy-fourth day before the day of the primary election. The 2270

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

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 2302
comprised of more than one county but less than all of the 2303
counties of the state shall, on the seventieth day before the 2304
day of a primary election, certify to the board of each county 2305
in the district the names of the candidates to be printed on the 2306
official ballots to be used at the primary election, whose 2307
nomination or election is to be determined only by electors 2308
within the district and who filed valid declarations of 2309
candidacy and petitions. 2310

The board of a county within which the major portion of 2311
the population of a subdivision smaller than the county and 2312
situated in more than one county is located shall, on the 2313
seventieth day before the day of a primary election, certify to 2314
the board of each county in which a portion of that subdivision 2315
is located the names of the candidates to be printed on the 2316
official ballots to be used at the primary election, whose 2317
nomination or election is to be determined only by electors 2318
within that subdivision and who filed valid declarations of 2319
candidacy and petitions. 2320

Sec. 3513.052. (A) No person shall seek nomination or 2321
election to any of the following offices or positions at the 2322
same election by filing a declaration of candidacy and petition, 2323
~~a declaration of intent to be a write-in candidate,~~ or a 2324
nominating petition, or by becoming a candidate through ~~party-~~ 2325
nomination in a primary election, or by the filling of a vacancy 2326
under section 3513.30 or 3513.31 of the Revised Code: 2327

(1) Two or more state offices; 2328

(2) Two or more county offices; 2329

(3) A state office and a county office; 2330

- (4) A federal office and a state or county office; 2331
- (5) Any combination of two or more municipal or township 2332
offices, positions as a member of a city, local, or exempted 2333
village board of education, or positions as a member of a 2334
governing board of an educational service center. 2335
- (B) The secretary of state or a board of elections shall 2336
not accept for filing a declaration of candidacy and petition, ~~a~~ 2337
~~declaration of intent to be a write-in candidate,~~ or a 2338
nominating petition of a person seeking to become a candidate if 2339
that person, for the same election, has already filed a 2340
declaration of candidacy, ~~a declaration of intent to be a write-~~ 2341
~~in candidate,~~ or a nominating petition, or has become a 2342
candidate through ~~party~~ nomination at a primary election or by 2343
the filling of a vacancy under section 3513.30 or 3513.31 of the 2344
Revised Code for: 2345
- (1) Any federal, state, or county office, if the 2346
declaration of candidacy, ~~declaration of intent to be a write-in~~ 2347
~~candidate,~~ or nominating petition is for a state or county 2348
office; 2349
- (2) Any municipal or township office, or for member of a 2350
city, local, or exempted village board of education, or for 2351
member of a governing board of an educational service center, if 2352
the declaration of candidacy, ~~declaration of intent to be a~~ 2353
~~write-in candidate,~~ or nominating petition is for a municipal or 2354
township office, or for member of a city, local, or exempted 2355
village board of education, or for member of a governing board 2356
of an educational service center. 2357
- (C) (1) If the secretary of state determines, before the 2358
day of the primary election, that a person is seeking nomination 2359

to more than one office at that election in violation of 2360
division (A) of this section, the secretary of state shall do 2361
one of the following: 2362

(a) If each office or the district for each office for 2363
which the person is seeking nomination is wholly within a single 2364
county and none of those offices is a federal office, the 2365
secretary of state shall notify the board of elections of that 2366
county. The board then shall determine the date on which the 2367
person first sought to become a candidate for each of those 2368
offices by filing a declaration of candidacy ~~or a declaration of~~ 2369
~~intent to be a write-in candidate~~ or by the filling of a vacancy 2370
under section 3513.30 of the Revised Code. The board shall vote 2371
promptly to disqualify that person as a candidate for each 2372
office for which the person sought to become a candidate after 2373
the date on which the person first sought to become a candidate 2374
for any of those offices. If the board determines that the 2375
person sought to become a candidate for more than one of those 2376
offices on the same date, the board shall vote promptly to 2377
disqualify that person as a candidate for each office that would 2378
be listed on the ballot below the highest office for which that 2379
person seeks nomination, according to the ballot order 2380
prescribed under section 3505.03 of the Revised Code. 2381

(b) If one or more of the offices for which the person is 2382
seeking nomination is a state office or an office with a 2383
district larger than a single county and none of the offices for 2384
which the person is seeking nomination is a federal office, the 2385
secretary of state shall determine the date on which the person 2386
first sought to become a candidate for each of those offices by 2387
filing a declaration of candidacy ~~or a declaration of intent to~~ 2388
~~be a write-in candidate~~ or by the filling of a vacancy under 2389
section 3513.30 of the Revised Code. The secretary of state 2390

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

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

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

accordance with the order of the secretary of state. 2422

(2) If a board of elections determines, before the day of 2423
the primary election, that a person is seeking nomination to 2424
more than one office at that election in violation of division 2425
(A) of this section, the board shall do one of the following: 2426

(a) If each office or the district for each office for 2427
which the person is seeking nomination is wholly within that 2428
county and none of those offices is a federal office, the board 2429
shall determine the date on which the person first sought to 2430
become a candidate for each of those offices by filing a 2431
declaration of candidacy ~~or a declaration of intent to be a~~ 2432
~~write-in candidate~~ or by the filling of a vacancy under section 2433
3513.30 of the Revised Code. The board shall vote promptly to 2434
disqualify that person as a candidate for each office for which 2435
the person sought to become a candidate after the date on which 2436
the person first sought to become a candidate for any of those 2437
offices. If the board determines that the person sought to 2438
become a candidate for more than one of those offices on the 2439
same date, the board shall vote promptly to disqualify that 2440
person as a candidate for each office that would be listed on 2441
the ballot below the highest office for which that person seeks 2442
nomination, according to the ballot order prescribed under 2443
section 3505.03 of the Revised Code. 2444

(b) If one or more of the offices for which the person is 2445
seeking nomination is a state office or an office with a 2446
district larger than a single county and none of the offices for 2447
which the person is seeking nomination is a federal office, the 2448
board shall notify the secretary of state. The secretary of 2449
state then shall determine the date on which the person first 2450
sought to become a candidate for each of those offices by filing 2451

a declaration of candidacy ~~or a declaration of intent to be a~~ 2452
~~write-in candidate~~ or by the filling of a vacancy under section 2453
3513.30 of the Revised Code. The secretary of state shall order 2454
the board of elections of each county in which the person is 2455
seeking to appear on the ballot to disqualify that person as a 2456
candidate for each office for which the person sought to become 2457
a candidate after the date on which the person first sought to 2458
become a candidate for any of those offices. If the secretary of 2459
state determines that the person sought to become a candidate 2460
for more than one of those offices on the same date, the 2461
secretary of state shall order the board of elections of each 2462
county in which the person is seeking to appear on the ballot to 2463
disqualify that person as a candidate for each office that would 2464
be listed on the ballot below the highest office for which that 2465
person seeks nomination, according to the ballot order 2466
prescribed under section 3505.03 of the Revised Code. Each board 2467
of elections so notified shall vote promptly to disqualify the 2468
person as a candidate in accordance with the order of the 2469
secretary of state. 2470

(c) If each office or the district for each office for 2471
which the person is seeking nomination is wholly within a single 2472
county and any of those offices is a federal office, the board 2473
shall vote promptly to disqualify that person as a candidate for 2474
each office that is not a federal office. 2475

(d) If one or more of the offices for which the person is 2476
seeking nomination is a state office and any of the offices for 2477
which the person is seeking nomination is a federal office, the 2478
board shall notify the secretary of state. The secretary of 2479
state then shall order the board of elections of each county in 2480
which the person is seeking to appear on the ballot to 2481
disqualify that person as a candidate for each office that is 2482

not a federal office. Each board of elections so notified shall 2483
vote promptly to disqualify the person as a candidate in 2484
accordance with the order of the secretary of state. 2485

(D) (1) If the secretary of state determines, after the day 2486
of the primary election and before the day of the general 2487
election, that a person is seeking election to more than one 2488
office at that election in violation of division (A) of this 2489
section, the secretary of state shall do one of the following: 2490

(a) If each office or the district for each office for 2491
which the person is seeking election is wholly within a single 2492
county and none of those offices is a federal office, the 2493
secretary of state shall notify the board of elections of that 2494
county. The board then shall determine the offices for which the 2495
person seeks to appear as a candidate on the ballot. The board 2496
shall vote promptly to disqualify that person as a candidate for 2497
each office that would be listed on the ballot below the highest 2498
office for which that person seeks election, according to the 2499
ballot order prescribed under section 3505.03 of the Revised 2500
Code. If the person sought nomination at a primary election and 2501
has not yet been issued a certificate of nomination, the board 2502
shall not issue that certificate for that person for any office 2503
that would be listed on the ballot below the highest office for 2504
which that person seeks election, according to the ballot order 2505
prescribed under section 3505.03 of the Revised Code. 2506

(b) If one or more of the offices for which the person is 2507
seeking election is a state office or an office with a district 2508
larger than a single county and none of the offices for which 2509
the person is seeking election is a federal office, the 2510
secretary of state shall promptly investigate and determine the 2511
offices for which the person seeks to appear as a candidate on 2512

the ballot. The secretary of state shall order the board of 2513
elections of each county in which the person is seeking to 2514
appear on the ballot to disqualify that person as a candidate 2515
for each office that would be listed on the ballot below the 2516
highest office for which that person seeks election, according 2517
to the ballot order prescribed under section 3505.03 of the 2518
Revised Code. Each board of elections so notified shall vote 2519
promptly to disqualify the person as a candidate in accordance 2520
with the order of the secretary of state. If the person sought 2521
nomination at a primary election and has not yet been issued a 2522
certificate of nomination, the board shall not issue that 2523
certificate for that person for any office that would be listed 2524
on the ballot below the highest office for which that person 2525
seeks election, according to the ballot order prescribed under 2526
section 3505.03 of the Revised Code. 2527

(c) If each office or the district for each office for 2528
which the person is seeking election is wholly within a single 2529
county and any of those offices is a federal office, the 2530
secretary of state shall notify the board of elections of that 2531
county. The board then shall vote promptly to disqualify that 2532
person as a candidate for each office that is not a federal 2533
office. If the person sought nomination at a primary election 2534
and has not yet been issued a certificate of nomination, the 2535
board shall not issue that certificate for that person for any 2536
office that is not a federal office. 2537

(d) If one or more of the offices for which the person is 2538
seeking election is a state office and any of the offices for 2539
which the person is seeking election is a federal office, the 2540
secretary of state shall order the board of elections of each 2541
county in which the person is seeking to appear on the ballot to 2542
disqualify that person as a candidate for each office that is 2543

not a federal office. Each board of elections so notified shall 2544
vote promptly to disqualify the person as a candidate in 2545
accordance with the order of the secretary of state. If the 2546
person sought nomination at a primary election and has not yet 2547
been issued a certificate of nomination, the board shall not 2548
issue that certificate for that person for any office that is 2549
not a federal office. 2550

(2) If a board of elections determines, after the day of 2551
the primary election and before the day of the general election, 2552
that a person is seeking election to more than one office at 2553
that election in violation of division (A) of this section, the 2554
board of elections shall do one of the following: 2555

(a) If each office or the district for each office for 2556
which the person is seeking election is wholly within that 2557
county and none of those offices is a federal office, the board 2558
shall determine the offices for which the person seeks to appear 2559
as a candidate on the ballot. The board shall vote promptly to 2560
disqualify that person as a candidate for each office that would 2561
be listed on the ballot below the highest office for which that 2562
person seeks election, according to the ballot order prescribed 2563
under section 3505.03 of the Revised Code. If the person sought 2564
nomination at a primary election and has not yet been issued a 2565
certificate of nomination, the board shall not issue that 2566
certificate for that person for any office that would be listed 2567
on the ballot below the highest office for which that person 2568
seeks election, according to the ballot order prescribed under 2569
section 3505.03 of the Revised Code. 2570

(b) If one or more of the offices for which the person is 2571
seeking election is a state office or an office with a district 2572
larger than a single county and none of the offices for which 2573

the person is seeking election is a federal office, the board 2574
shall notify the secretary of state. The secretary of state 2575
promptly shall investigate and determine the offices for which 2576
the person seeks to appear as a candidate on the ballot. The 2577
secretary of state shall order the board of elections of each 2578
county in which the person is seeking to appear on the ballot to 2579
disqualify that person as a candidate for each office that would 2580
be listed on the ballot below the highest office for which that 2581
person seeks election, according to the ballot order prescribed 2582
under section 3505.03 of the Revised Code. Each board of 2583
elections so notified shall vote promptly to disqualify the 2584
person as a candidate in accordance with the order of the 2585
secretary of state. If the person sought nomination at a primary 2586
election and has not yet been issued a certificate of 2587
nomination, the board shall not issue that certificate for that 2588
person for any office that would be listed on the ballot below 2589
the highest office for which that person seeks election, 2590
according to the ballot order prescribed under section 3505.03 2591
of the Revised Code. 2592

(c) If each office or the district for each office for 2593
which the person is seeking election is wholly within that 2594
county and any of those offices is a federal office, the board 2595
shall vote promptly to disqualify that person as a candidate for 2596
each office that is not a federal office. If the person sought 2597
nomination at a primary election and has not yet been issued a 2598
certificate of nomination, the board shall not issue that 2599
certificate for that person for any office that is not a federal 2600
office. 2601

(d) If one or more of the offices for which the person is 2602
seeking election is a state office and any of the offices for 2603
which the person is seeking election is a federal office, the 2604

board shall notify the secretary of state. The secretary of 2605
state shall order the board of elections of each county in which 2606
the person is seeking to appear on the ballot to disqualify that 2607
person as a candidate for each office that is not a federal 2608
office. Each board of elections so notified shall vote promptly 2609
to disqualify the person as a candidate in accordance with the 2610
order of the secretary of state. If the person sought nomination 2611
at a primary election and has not yet been issued a certificate 2612
of nomination, the board shall not issue that certificate for 2613
that person for any office that is not a federal office. 2614

(E) When a person is disqualified as a candidate under 2615
division (C) or (D) of this section, on or before the seventieth 2616
day before the day of the applicable election, the board of 2617
elections shall remove the person's name from the ballot for any 2618
office for which that person has been disqualified as a 2619
candidate according to the directions of the secretary of state. 2620
When a person is disqualified as a candidate under division (C) 2621
or (D) of this section after the seventieth day before the day 2622
of the applicable election, the board of elections shall not 2623
remove the person's name from the ballot for any office for 2624
which that person has been disqualified as a candidate. The 2625
board of elections shall post a notice at each polling location 2626
on the day of the applicable election, and shall enclose with 2627
each absent voter's ballot given or mailed after the candidate 2628
is disqualified, a notice that votes for the person for the 2629
office for which the person has been disqualified as a candidate 2630
will be void and will not be counted. If the name is not removed 2631
from the ballots before the day of the election, the votes for 2632
the disqualified candidate are void and shall not be counted. 2633

(F) Any vacancy created by the disqualification of a 2634
person as a candidate under division (C) or (D) of this section 2635

may be filled in the manner provided for in sections 3513.30 and 2636
3513.31 of the Revised Code. 2637

(G) Nothing in this section or section 3513.04, ~~3513.041,~~ 2638
3513.05, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257, or 2639
3513.261 of the Revised Code prohibits, and the secretary of 2640
state or a board of elections shall not disqualify, a person 2641
from being a candidate for an office, if that person timely 2642
withdraws as a candidate for any offices specified in division 2643
(A) of this section for which that person first sought to become 2644
a candidate by filing a declaration of candidacy and petition, ~~a~~ 2645
~~declaration of intent to be a write-in candidate,~~ or a 2646
nominating petition, by ~~party~~ nomination in a primary election, 2647
or by the filling of a vacancy under section 3513.30 or 3513.31 2648
of the Revised Code. 2649

(H) As used in this section: 2650

(1) "State office" means the offices of governor, 2651
lieutenant governor, secretary of state, auditor of state, 2652
treasurer of state, attorney general, member of the general 2653
assembly, chief justice of the supreme court, and justice of the 2654
supreme court. 2655

(2) "Timely withdraws" means either of the following: 2656

(a) Withdrawing as a candidate before the applicable 2657
deadline for filing a declaration of candidacy, ~~declaration of~~ 2658
~~intent to be a write-in candidate,~~ or nominating petition for 2659
the subsequent office for which the person is seeking to become 2660
a candidate at the same election; 2661

(b) Withdrawing as a candidate before the applicable 2662
deadline for the filling of a vacancy under section 3513.30 or 2663
3513.31 of the Revised Code, if the person is seeking to become 2664

a candidate for a subsequent office at the same election under 2665
either of those sections. 2666

Sec. 3513.07. (A) The form of declaration of candidacy and 2667
petition of a person desiring to be a candidate for a party 2668
nomination or a candidate for election to ~~an~~ a partisan office 2669
or position to be voted for at a primary election shall be 2670
substantially as follows: 2671

"DECLARATION OF CANDIDACY ~~PARTY PRIMARY ELECTION~~ FOR PARTISAN 2672
OFFICE 2673

I, _____ (Name of Candidate), the 2674
undersigned, hereby declare under penalty of election 2675
falsification that my voting residence is in _____ 2676
precinct of the _____ (Township) or 2677
(Ward and City or Village) in the county of _____, 2678
Ohio; that my voting residence is _____ (Street and 2679
Number, if any, or Rural Route and Number) of the 2680
_____ (City or Village) of 2681
_____, Ohio; and that I am a qualified elector in 2682
the precinct in which my voting residence is located. I am a 2683
member of the _____ Party. I hereby declare that I desire to 2684
be _____ (a candidate for nomination as a 2685
~~candidate of the Party for election to the office of~~ 2686
~~_____~~) (a candidate for election to the office or 2687
position of _____) for the _____ in the state, 2688
district, (Full term or unexpired term ending _____) 2689
county, city, or village of _____, at the primary 2690
election to be held on the _____ day of _____, _____, 2691
and I hereby request that my name be printed upon the official 2692
primary election ballot of the said _____ Party as a 2693
candidate for _____ (such nomination) or (such election) as 2694

provided by law. 2695

I further declare that, if elected to said office or 2696
position, I will qualify therefor, and that I will support and 2697
abide by the principles enunciated by the _____ Party. 2698

Dated this _____ day of _____, _____ 2699

_____ 2700

(Signature of candidate) 2701

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2702
FELONY OF THE FIFTH DEGREE. 2703

PETITION OF CANDIDATE 2704

We, the undersigned, qualified electors of the state of 2705
Ohio, whose voting residence is in the county, city, village, 2706
ward, township, or school district, and precinct set opposite 2707
our names, and members of the 2708

_____ Party, hereby certify 2709
that _____ (Name of candidate) whose 2710
declaration of candidacy is filed herewith, is a member of the 2711
_____ Party, and is, in our opinion, well qualified to 2712
perform the duties of the office or position to which that 2713
candidate desires to be elected. 2714

Street City, 2715

and Village or 2716

Signature Number Township Ward Precinct County Date 2717

(Must use address on file with the board of elections) 2718

_____ 2719

_____ 2720

_____ 2721

_____ (Name of circulator 2722
of petition), declares under penalty of election falsification 2723
that the circulator of the petition is a qualified elector of 2724
the state of Ohio and resides at the address appearing below the 2725
signature of that circulator; that the circulator is a member of 2726
the _____ Party; that the circulator is the circulator of 2727
the foregoing petition paper containing _____ (Number) 2728
signatures; that the circulator witnessed the affixing of every 2729
signature; that all signers were to the best of the circulator's 2730
knowledge and belief qualified to sign; and that every signature 2731
is to the best of the circulator's knowledge and belief the 2732
signature of the person whose signature it purports to be or of 2733
an attorney in fact acting pursuant to section 3501.382 of the 2734
Revised Code. 2735

(Signature of circulator) 2737

(Address of circulator's 2738
permanent residence in this 2739
state) 2740
2741

(If petition is for a 2743
statewide candidate, the 2744
name and address of person 2745
employing to circulate 2746
petition, if any) 2747

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2748
FELONY OF THE FIFTH DEGREE." 2749

~~The secretary of state shall prescribe a form of 2750
declaration of candidacy and petition, and the form shall be 2751
substantially similar to the declaration of candidacy and 2752
petition set forth in this section, that will be suitable for 2753
joint candidates for the offices of governor and lieutenant 2754
governor. 2755~~

The petition provided for in this ~~section~~ division shall 2756
be circulated only by a member of the same political party as 2757
the candidate. 2758

(B) "DECLARATION OF CANDIDACY FOR NOMINATION BY PRIMARY 2759
ELECTION 2760

I, _____ (Name of Candidate), the 2761
undersigned, hereby declare under penalty of election 2762
falsification that my voting residence is in 2763
precinct of the _____ (Township) or 2764
(Ward and City or Village) in the county of _____, 2765
Ohio; that my voting residence is _____ (Street and 2766
Number, if any, or Rural Route and Number) of the 2767
_____ (City or Village) of 2768
_____, Ohio; and that I am a qualified elector in 2769
the precinct in which my voting residence is located. I desire 2770
to be nominated as a candidate for election to the office or 2771
position of _____ in the state, district, (Full term or 2772
unexpired term ending _____) county, city, or village 2773
of _____, at the primary election to be held on 2774
the _____ day of _____, _____, and I request that my 2775
name be printed upon the official primary election ballot as a 2776
candidate for that nomination as provided by law. 2777

In the case of a candidate for a voter-nominated office 2778
(check one): My preference is for the Party or 2779
no political party. 2780

I further declare that, if elected to said office or 2781
position, I will qualify therefor. 2782

Dated this day of , 2783

2784

(Signature of candidate) 2785

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2786
FELONY OF THE FIFTH DEGREE. 2787

PETITION OF CANDIDATE 2788

We, the undersigned, qualified electors of the state of 2789
Ohio, whose voting residence is in the county, city, village, 2790
ward, township, or school district, and precinct set opposite 2791
our names, hereby certify that 2792
(Name of candidate) whose declaration of candidacy is filed 2793
herewith is, in our opinion, well qualified to perform the 2794
duties of the office or position to which that candidate desires 2795
to be elected. 2796

Street City, 2797

and Village or Signature Number Township Ward Precinct 2798
County Date 2799

(Must use address on file with the board of elections) 2800

2801

2802

2803

(Name of 2804

circulator of petition), declares under penalty of election 2805
falsification that the circulator of the petition is a qualified 2806
elector of the state of Ohio and resides at the address 2807
appearing below the signature of that circulator; that the 2808
circulator is the circulator of the foregoing petition paper 2809
containing _____ (Number) signatures; that the 2810
circulator witnessed the affixing of every signature; that all 2811
signers were to the best of the circulator's knowledge and 2812
belief qualified to sign; and that every signature is to the 2813
best of the circulator's knowledge and belief the signature of 2814
the person whose signature it purports to be or of an attorney 2815
in fact acting pursuant to section 3501.382 of the Revised Code. 2816

2817

(Signature of circulator) 2818

2819

(Address of circulator's 2820

permanent residence in this 2821

state) 2822

2823

(If petition is for a 2824

statewide candidate, the 2825

name and address of person 2826

employing to circulate 2827

petition, if any) 2828

I, _____, hereby constitute 2829
the persons named below a committee to represent me: 2830

<u>Name</u>	<u>Residence</u>	2831
-------------	------------------	------

2832

2833

2834

2835

2836

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2837

FELONY OF THE FIFTH DEGREE." 2838

The secretary of state shall prescribe a form of

declaration of candidacy and petition, and the form shall be 2840

substantially similar to the declaration of candidacy and 2841

petition set forth in this division, that will be suitable for 2842

joint candidates for the offices of governor and lieutenant 2843

governor. 2844

~~Sec. 3513.08. Each person filing a declaration of~~ 2845

~~candidacy for nomination at a primary election as a candidate~~ 2846

~~for election to the office of judge of the supreme court, court~~ 2847

~~of appeals, court of common pleas, probate court, and such other~~ 2848

~~courts as are established by law, in addition to designating in~~ 2849

~~such declaration the office for election to which he seeks such~~ 2850

~~nomination, shall, if two or more judges of the same court are~~ 2851

~~to be elected at any one election, designate the term of the~~ 2852

~~office for election to which he seeks such nomination by stating~~ 2853

~~therein, if a full term, the date of the commencement of such~~ 2854

~~term as follows:~~ 2855

~~"Full term commencing _____ (date) _____,"~~ 2856

~~or by stating therein, if an unexpired term, the date on which~~ 2857

~~such unexpired term will end as follows: "unexpired term ending~~ 2858

_____(Date)_____" 2859

~~Each person filing a declaration of candidacy for~~ 2860
~~nomination at a primary election as a candidate for election to~~ 2861
~~the office of county commissioner, in addition to designating in~~ 2862
~~the declaration the office for election to which he seeks the~~ 2863
~~nomination, shall, if two or more commissioners of the same~~ 2864
~~county are to be elected at any one election, designate the term~~ 2865
~~of the office for election to which he seeks the nomination by~~ 2866
~~stating therein, if a full term, the date of the commencement of~~ 2867
~~the term, as follows:~~ 2868

~~"Full term commencing _____ (Date) _____,"~~ 2869
~~or by stating therein, if an unexpired term, the date on which~~ 2870
~~the unexpired term will end, as follows: "unexpired term ending~~ 2871
~~_____ (Date) _____"~~ 2872

~~Each person filing a declaration of candidacy for~~ 2873
~~nomination at a primary election or nominating petition as a~~ 2874
candidate for the unexpired term of any an office shall 2875
designate in ~~such~~ the declaration or petition the date on which 2876
such unexpired term will end. 2877

Each person filing a declaration of candidacy or 2878
nominating petition for an office to which multiple candidates 2879
are to be elected at the same election shall designate in the 2880
declaration or petition the date on which the term of office the 2881
person seeks will commence. 2882

Sec. 3513.10. (A) At the time of filing a declaration of 2883
candidacy for nomination for any office, or a declaration of 2884
intent to be a write-in candidate, each candidate, except joint 2885
candidates for governor and lieutenant governor, shall pay a fee 2886
as follows: 2887

2888

1

2

A	For statewide office	\$100
B	For court of appeals judge	\$50
C	For court of common pleas judge	\$50
D	For county court judge	\$50
E	For municipal court judge	\$50
F	For district office, including member of the United States house of representatives and member of the general assembly	\$50
G	For county office	\$50
H	For city office	\$20
I	For village office	\$10
J	For township office	\$10
K	For member of local, city, or exempted village board of education or educational service center governing board	\$10

At the time of filing a declaration of candidacy or a	2889
declaration of intent to be a write-in candidate for the offices	2890
of governor and lieutenant governor, the joint candidates shall	2891
jointly pay to the secretary of state a fee of one hundred	2892
dollars.	2893

(B) (1) At the same time the fee required under division 2894
(A) of this section is paid, each candidate shall pay an 2895
additional fee as follows: 2896
2897

1

2

A	For the joint candidates for governor and lieutenant governor	\$50
B	For statewide office	\$50
C	For district office, including member of the United States house of representatives and member of the general assembly	\$35
D	For member of state board of education	\$35
E	For court of appeals judge	\$30
F	For court of common pleas judge	\$30
G	For county court judge	\$30
H	For municipal court judge	\$30
I	For county office	\$30
J	For city office	\$25
K	For village office	\$20
L	For township office	\$20
M	For member of local, city, or exempted village board of education or educational service center	\$20

governing board

(2) Whoever seeks to propose a ballot question or issue to 2898
be submitted to the electors shall pay the following fee at the 2899
time the petition proposing the question or issue is filed: 2900

(a) If the question or issue is to be submitted to the 2901
electors throughout the entire state, twenty-five dollars; 2902

(b) If the question or issue is to be submitted to the 2903
electors of a county or of a district that consists of all or 2904
part of two or more counties but less than the entire state, 2905
fifteen dollars; 2906

(c) If the question or issue is to be submitted to the 2907
electors of a city, twelve dollars and fifty cents; 2908

(d) If the question or issue is to be submitted to the 2909
electors of a village, a township, a local, city, county, or 2910
exempted village school district, a precinct, or another 2911
district consisting of less than an entire county, ten dollars. 2912

(C) No fee shall be required of candidates filing for the 2913
office of delegate or alternate to the national convention of 2914
political parties, member of the state central committee of a 2915
political party, or member of the county central committee of a 2916
political party. 2917

(D) All fees required under division (A) of this section 2918
immediately shall be paid by the officer receiving them into the 2919
state treasury to the credit of the general revenue fund, in the 2920
case of fees received by the secretary of state, and into the 2921
county treasury to the credit of the county general fund, in the 2922
case of fees received by a board of elections. 2923

(E) The officer who receives a fee required under division 2924
(B) of this section immediately shall pay the fee to the credit 2925
of the Ohio election integrity commission fund created under 2926
section 111.29 of the Revised Code. 2927

(F) (1) In no case shall a fee paid under this section be 2928
returned to a candidate. 2929

(2) Whenever a section of law refers to a filing fee to be 2930
paid by a candidate or by a committee proposing a ballot 2931
question or issue to be submitted to the electors, that fee 2932
includes the fees required under divisions (A) and (B) of this 2933
section. 2934

(G) As used in divisions (A) and (B) of this section, 2935
"statewide office" means the office of secretary of state, 2936
auditor of state, treasurer of state, attorney general, justice 2937
and chief justice of the supreme court, and member of the United 2938
States senate. 2939

Sec. 3513.12. At a presidential primary election, which 2940
shall be held as provided in division ~~(E) (2)~~ (E) (3) of section 2941
3501.01 of the Revised Code, delegates and alternates to the 2942
national conventions of the different major political parties 2943
shall be chosen by direct vote of the electors as provided in 2944
this chapter. Candidates for delegate and alternate shall be 2945
qualified and the election shall be conducted in the manner 2946
prescribed in this chapter for the nomination of candidates for 2947
state and district partisan offices, except as provided in 2948
section 3513.151 of the Revised Code and except that whenever 2949
any group of candidates for delegate at large or alternate at 2950
large, or any group of candidates for delegates or alternates 2951
from districts, file with the secretary of state statements as 2952
provided by this section, designating the same persons as their 2953

first and second choices for president of the United States, 2954
such a group of candidates may submit a group petition 2955
containing a declaration of candidacy for each of such 2956
candidates. The group petition need be signed only by the number 2957
of electors required for the petition of a single candidate. No 2958
group petition shall be submitted except by a group of 2959
candidates equal in number to the whole number of delegates at 2960
large or alternates at large to be elected or equal in number to 2961
the whole number of delegates or alternates from a district to 2962
be elected. 2963

Each person seeking to be elected as delegate or alternate 2964
to the national convention of the person's political party shall 2965
file with the person's declaration of candidacy and certificate 2966
a statement in writing signed by the person in which the person 2967
shall state the person's first and second choices for nomination 2968
as the candidate of the person's party for the presidency of the 2969
United States. The secretary of state shall not permit any 2970
declaration of candidacy and certificate of a candidate for 2971
election as such delegate or alternate to be filed unless 2972
accompanied by such statement in writing. The name of a 2973
candidate for the presidency shall not be so used without the 2974
candidate's written consent. 2975

A person who is a first choice for president of candidates 2976
seeking election as delegates and alternates shall file with the 2977
secretary of state, prior to the day of the election, a list 2978
indicating the order in which certificates of election are to be 2979
issued to delegate or alternate candidates to whose candidacy 2980
the person has consented, if fewer than all of such candidates 2981
are entitled under party rules to be certified as elected. Each 2982
candidate for election as such delegate or alternate may also 2983
file along with the candidate's declaration of candidacy and 2984

certificate a statement in writing signed by the candidate in 2985
the following form: 2986

"Statement of Candidate 2987

For Election as _____ (Delegate) (Alternate) to the 2988

_____ (name of political party) National Convention 2989

I hereby declare to the voters of my political party in 2990
the State of Ohio that, if elected as _____ (delegate) 2991
(alternate) to their national party convention, I shall, to the 2992
best of my judgment and ability, support that candidate for 2993
President of the United States who shall have been selected at 2994
this primary by the voters of my party in the manner provided in 2995
Chapter 3513. of the Ohio Revised Code, as their candidate for 2996
such office. 2997

_____ (name), 2998

Candidate for _____ 2999

(Delegate) (Alternate)" 3000

The procedures for the selection of candidates for 3001
delegate and alternate to the national convention of a political 3002
party set forth in this section and in section 3513.121 of the 3003
Revised Code are alternative procedures, and if the procedures 3004
of this section are followed, the procedures of section 3513.121 3005
of the Revised Code need not be followed. 3006

Sec. 3513.121. (A) Any candidate for the presidency of the 3007
United States who has raised at least five thousand dollars for 3008
the primary election in each of twenty states from individuals, 3009
with a maximum of two hundred fifty dollars per contributor 3010
counting toward the threshold, may file with the secretary of 3011
state a declaration of candidacy not later than four p.m. of the 3012

ninetieth day before the presidential primary election. Such 3013
declaration of candidacy shall be accompanied by a reasonable 3014
accounting proving eligibility and a statement from the 3015
candidate's registered principal campaign committee treasurer, 3016
meeting the standards of 28 U.S.C. sec. 1746, certifying that 3017
the candidate has met the contribution requirements of this 3018
division. Any candidate who files a declaration of candidacy 3019
pursuant to this division shall also file, or shall cause to be 3020
filed by a person authorized in writing to represent the 3021
candidate, not later than four p.m. of the ninetieth day before 3022
the same primary election, a list of candidates for district 3023
delegate and alternate to the national convention of the 3024
candidate's political party who have been selected in accordance 3025
with rules adopted by the state central committee of the 3026
candidate's political party. The candidates for district 3027
delegate and alternate whose names appear on this list shall be 3028
represented on the ballot in accordance with section 3513.151 of 3029
the Revised Code in every congressional district that the 3030
presidential candidate named in the presidential candidate's 3031
declaration of candidacy, provided that such candidates meet the 3032
other requirements of this section. 3033

(B) Candidates for delegate at large and alternate at 3034
large to the national convention of a political party for a 3035
presidential candidate who submits a declaration of candidacy in 3036
accordance with division (A) of this section shall be selected 3037
in accordance with rules adopted by the state central committee 3038
of the presidential candidate's political party. 3039

(C) Each candidate for district delegate and alternate to 3040
the national convention of a political party selected pursuant 3041
to division (A) of this section shall file or shall cause to be 3042
filed with the secretary of state, not later than four p.m. of 3043

the ninetieth day before the presidential primary election in 3044
which the person is a candidate, both of the following: 3045

(1) A declaration of candidacy in the form prescribed in 3046
division (A) of section 3513.07 of the Revised Code, but not the 3047
petition prescribed in that section; 3048

(2) A statement in writing signed by the candidate in 3049
which the candidate states the candidate's first and second 3050
choices for nomination as the candidate of the candidate's party 3051
for the presidency of the United States. 3052

(D) A declaration of candidacy filed pursuant to division 3053
(A) of this section shall be in substantially the form 3054
prescribed in division (A) of section 3513.07 of the Revised 3055
Code except that the secretary of state shall modify that form 3056
to include spaces for a presidential candidate to indicate in 3057
which congressional districts the candidate wishes the 3058
candidate's candidacy to be submitted to the electors and shall 3059
modify it in any other ways necessary to adapt it to use by 3060
presidential candidates. A candidate who files a declaration of 3061
candidacy pursuant to division (A) of this section shall not 3062
file the petition prescribed in section 3513.07 of the Revised 3063
Code. 3064

(E) Section 3513.151 of the Revised Code applies in regard 3065
to candidates for delegate and alternate to the national 3066
convention of a political party selected pursuant to this 3067
section. The state central committee of the political party of 3068
any presidential candidate who files a declaration of candidacy 3069
pursuant to division (A) of this section shall file with the 3070
secretary of state the rules of its political party in 3071
accordance with division (E) of section 3513.151 of the Revised 3072
Code. 3073

(F) The procedures for the selection of candidates for 3074
delegate and alternate to the national convention of a political 3075
party set forth in this section and in section 3513.12 of the 3076
Revised Code are alternative procedures, and if the procedures 3077
of this section are followed, the procedures of section 3513.12 3078
of the Revised Code need not be followed. 3079

Sec. 3513.13. (A) For a primary election, the board of 3080
elections shall provide ballots as follows: 3081

(1) A ballot that includes the candidates for nomination 3082
to each voter-nominated office and each nonpartisan office for 3083
which candidates are to be nominated at the primary election; 3084

(2) Separate primary election ballots ~~shall be provided by~~ 3085
~~the board of elections for each political party having~~ 3086
~~candidates for nomination or election in~~ holding a party primary 3087
election. ~~Section~~ 3088

(B) Section 3505.08 of the Revised Code governing the kind 3089
of paper, the kind of ink, and the size and style of type to be 3090
used in the printing of ballots for general elections shall 3091
apply in the printing of ballots for primary elections. 3092

Primary election ballots shall have printed on the back 3093
thereof "Official _____ (~~name of party~~ type of ballot) 3094
_____ primary ballot," the date of the election, and the 3095
facsimile signatures of the members of the board. 3096

Such ballots shall have stubs attached at the top thereof 3097
as required on ballots for general elections. 3098

On the back of every ballot used there shall be a solid 3099
black line printed opposite the blank rectangular space that is 3100
used to mark the choice of the voter. This line shall be printed 3101
wide enough so that the mark in the blank rectangular space will 3102

not be visible from the back side of the ballot. 3103

Such ballots shall have printed at the top thereof and 3104
below the stubs "Official _____ (~~name of party~~type of 3105
ballot) _____ primary ballot" and instructions to the 3106
voter to the effect that to vote for a candidate the voter shall 3107
record the vote in the manner provided on the ballot next to the 3108
name of such candidate, except as provided in section 3513.151 3109
of the Revised Code, and that ~~if he~~a voter who tears, soils, 3110
defaces, or erroneously marks the ballot ~~he~~ may return it to the 3111
precinct election officers and obtain another ballot. 3112

(C) Except as provided in section 3513.151 of the Revised 3113
Code, primary election ballots shall contain the names of all 3114
persons whose declarations of candidacy and petitions have been 3115
determined to be valid. The name of each candidate for 3116
nomination for, or election to, an office or position shall be 3117
printed in an enclosed rectangular space at the left of which an 3118
enclosed blank rectangular space shall be provided. The names of 3119
candidates shall be printed on the ballot immediately below the 3120
title of the office or position for nomination or election to 3121
which the candidate seeks nomination or election. The order in 3122
which offices and positions shall be listed on the ballot shall 3123
be prescribed by and shall be certified to each board by the 3124
secretary of state, and shall be the same, to the extent the 3125
secretary of state deems practicable, as is provided for the 3126
listing of offices on general election ballots. 3127

Sec. 3513.14. ~~Except in elections for which the board of~~ 3128
~~elections has received no valid declarations of intent to be a~~ 3129
~~write-in candidate under section 3513.041 of the Revised Code,~~ 3130
~~immediately below the title of each office for which nominations~~ 3131
~~are to be made and the names of candidates for such nomination~~ 3132

~~printed thereunder, there shall be provided on each primary
election ballot as many blank spaces as, but not more than, the
number of nominations to be made for such office, in which the
voter may write the names of persons for whose nomination he
desires to vote, provided that inasmuch as candidates for the
office of delegate and alternate to the national and state
conventions, member of the state central committee, and member
of the county central committee are elected at the primary
election no blank space shall be left on the ballot after the
names of the candidates for such office, and no vote shall be
counted for any person whose name has been written in on said
ballot for any of such offices. If no person files and qualifies
as a candidate for the office of member of the state central
committee or member of the county central committee such office
shall not appear on the ballot.~~

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

OFFICIAL _____ (name of party) _____

PRIMARY BALLOT

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

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

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

OFFICIAL PRIMARY BALLOT

(1) To vote for a candidate record your vote in the manner

provided next to the name of such candidate. 3161

(2) If you tear, soil, deface, or erroneously mark this 3162
ballot return it to the election officials and obtain another. 3163

Sec. 3513.15. (A) (1) The names of the candidates in each 3164
group of two or more candidates seeking the same nomination or 3165
election at a primary election, except delegates and alternates 3166
to the national convention of a political party, shall be- 3167
rotated and printed as provided in section 3505.03 of the 3168
Revised Code, except that no indication of membership in or 3169
affiliation with a political party shall be printed after or 3170
under the candidate's name arranged in a group under the title 3171
of the office. When The ballots shall be printed so that the 3172
order in which each candidate appears shall be alternated so 3173
that, insofar as is reasonably possible, each candidate appears 3174
in each position in the list of candidates substantially an 3175
equal number of times. 3176

(2) In the case of a voter-nominated office, under the 3177
name of each candidate shall be printed, in less prominent type 3178
face than that in which the candidate's name is printed, 3179
"Preference:" followed by the name of the political party the 3180
candidate declared as the candidate's preferred party in the 3181
candidate's declaration of candidacy or, in the case of a 3182
candidate who declared a preference for no political party in 3183
the candidate's declaration of candidacy, the phrase, "No 3184
political party preference." 3185

(3) In the case of a nonpartisan office or a partisan 3186
office, no indication of membership in or affiliation with a 3187
political party shall be printed after or under the candidate's 3188
name. 3189

(B) When the names of the first choices for president of 3190
candidates for delegate and alternate are not grouped with the 3191
names of such candidates, the names of the first choices for 3192
president shall be rotated in the same manner as the names of 3193
candidates. ~~The~~ 3194

(C) The specific form and size of the ballot shall be 3195
prescribed by the secretary of state in compliance with this 3196
chapter. 3197

(D) It shall not be necessary to have the names of 3198
candidates for member of a county central committee printed on 3199
the ballots provided for absentee voters, and the board may 3200
cause the names of such candidates to be written on said ballots 3201
in the spaces provided therefor. 3202

(E) The secretary of state shall prescribe the procedure 3203
for rotating the names of candidates on the ballot and the form 3204
of the ballot for the election of delegates and alternates to 3205
the national convention of a political party in accordance with 3206
section 3513.151 of the Revised Code. 3207

Sec. 3513.18. Party primaries shall be held at the same 3208
place and time, but there shall be separate pollbooks and tally 3209
sheets provided at each polling place for each party 3210
participating in the election. 3211

~~If a special election on a question or issue is held on~~ 3212
~~the day of a primary election, there~~ There shall be provided in 3213
the pollbooks pages on which shall be recorded the names of all 3214
electors voting only on the nomination of voter-nominated or 3215
nonpartisan candidates and on said any special election on a 3216
question or issue held on the day of the primary election and 3217
not voting in ~~such a party~~ primary. It shall not be necessary 3218

for those electors ~~desiring to vote only on the question or~~ 3219
~~issue~~ to declare their political affiliation. 3220

Sec. 3513.19. (A) It is the duty of any precinct election 3221
official, whenever any such official doubts that a person 3222
attempting to vote at a primary election is legally entitled to 3223
vote at that election, to challenge the right of that person to 3224
vote. The right of a person to vote at a primary election may be 3225
challenged upon the following grounds: 3226

(1) That the person whose right to vote is challenged is 3227
not a legally qualified elector; 3228

(2) That the person has received or has been promised some 3229
valuable reward or consideration for the person's vote; 3230

(3) ~~That~~ If the election is a party primary, that the 3231
person is not affiliated with or is not a member of the 3232
political party whose ballot the person desires to vote. Such 3233
party affiliation shall be determined by examining the elector's 3234
voting record for the current year and the immediately preceding 3235
two calendar years as shown on the voter's registration card, 3236
using the standards of affiliation specified in the seventh 3237
paragraph of section 3513.05 of the Revised Code. ~~Division (A)~~ 3238
~~(3) of this section and the seventh paragraph of section 3513.05~~ 3239
~~of the Revised Code do not prohibit a person who holds an~~ 3240
~~elective office for which candidates are nominated at a party~~ 3241
~~primary election from doing any of the following:~~ 3242

~~(a) If the person voted as a member of a different~~ 3243
~~political party at any primary election within the current year~~ 3244
~~and the immediately preceding two calendar years, being a~~ 3245
~~candidate for nomination at a party primary held during the~~ 3246
~~times specified in division (C) (2) of section 3513.191 of the~~ 3247

~~Revised Code provided that the person complies with the~~ 3248
~~requirements of that section;~~ 3249

~~(b) Circulating the person's own petition of candidacy for~~ 3250
~~party nomination in the primary election.~~ 3251

(B) When the right of a person to vote is challenged upon 3252
the ground set forth in division (A) (3) of this section, 3253
membership in or political affiliation with a political party 3254
shall be determined by the person's statement, made under 3255
penalty of election falsification, that the person desires to be 3256
affiliated with and supports the principles of the political 3257
party whose primary ballot the person desires to vote. 3258

Sec. 3513.20. Before any challenged person shall be 3259
allowed to vote at a primary election, the person shall make a 3260
statement, under penalty of election falsification, before one 3261
of the precinct officials, blanks for which shall be furnished 3262
by the board of elections, giving name, age, residence, length 3263
of residence in the precinct, county, and state; if applicable, 3264
stating that the person desires to be affiliated with and 3265
supports the principles of the political party whose party 3266
primary ballot the person desires to vote; and giving all other 3267
facts necessary to determine whether the person is entitled to 3268
vote in that primary election. The statement shall be returned 3269
to the office of the board with the pollbooks and tally sheets. 3270

If a person challenged refuses to make that statement 3271
under penalty of election falsification, the person shall be 3272
permitted to vote a provisional ballot under section 3505.181 of 3273
the Revised Code. If a majority of the precinct officials finds 3274
that the statements of a person challenged or the person's 3275
voting record or other evidence shows that the person lacks any 3276
of the qualifications required to make the person a qualified 3277

elector at the primary election or, if applicable, that the 3278
person is not affiliated with or is not a member of the 3279
political party whose ballot the person desires to vote, the 3280
person shall be permitted to vote a provisional ballot under 3281
section 3505.181 of the Revised Code. 3282

Sec. 3513.22. (A) Not earlier than the fifth day or later 3283
than the fifteenth day after a primary election, the board of 3284
elections shall begin to canvass the election returns from the 3285
precincts in which electors were entitled to vote at that 3286
election and shall continue the canvass daily until it is 3287
completed. 3288

The board shall complete the canvass not later than the 3289
twenty-first day after the day of the election. Eighty-one days 3290
after the day of the election, the canvass of election returns 3291
shall be deemed final, and no amendments to the canvass may be 3292
made after that date. The secretary of state may specify an 3293
earlier date upon which the canvass of election returns shall be 3294
deemed final, and after which amendments to the final canvass 3295
may not be made, if so required by federal law. 3296

(B) The county executive committee of each political party 3297
~~that participated in the election~~, and each committee designated 3298
in a petition to represent the petitioners pursuant to which a 3299
question or issue was submitted at the election, may designate a 3300
qualified elector who may be present at and may observe the 3301
making of the canvass. Each person for whom votes were cast in 3302
the election may also be present at and observe the making of 3303
the canvass. 3304

(C) When the canvass of the election returns from all of 3305
the precincts in the county in which electors were entitled to 3306
vote at the election has been completed, the board shall 3307

determine and declare the results of the elections determined by 3308
the electors of the county or of a district or subdivision 3309
within the county. If more than the number of persons to be 3310
nominated for or elected to an office received the largest and 3311
an equal number of votes, the tie shall be resolved by lot by 3312
the chairperson of the board in the presence of a majority of 3313
the members of the board. The declaration shall be in writing 3314
and shall be signed by at least a majority of the members of the 3315
board. It shall bear the date of the day upon which it is made, 3316
and a copy of it shall be posted by the board in a conspicuous 3317
place in its office. The board shall keep the copy posted for a 3318
period of at least five days. 3319

The board shall promptly certify abstracts of the results 3320
of the elections within its county upon forms the secretary of 3321
state prescribes. One certified copy of each abstract shall be 3322
kept in the office of the board, and one certified copy of each 3323
abstract shall promptly be sent to the secretary of state. The 3324
board shall also promptly send a certified copy of that part of 3325
an abstract that pertains to an election in which only electors 3326
of a district comprised of more than one county but less than 3327
all of the counties of the state voted to the board of the most 3328
populous county in the district. It shall also promptly send a 3329
certified copy of that part of an abstract that pertains to an 3330
election in which only electors of a subdivision located partly 3331
within the county voted to the board of the county in which the 3332
major portion of the population of the subdivision is located. 3333

If, after certifying and sending abstracts and parts of 3334
abstracts, a board finds that any abstract or part of any 3335
abstract is incorrect, it shall promptly prepare, certify, and 3336
send a corrected abstract or part of an abstract to take the 3337
place of each incorrect abstract or part of an abstract 3338

previously certified and sent. 3339

(D) (1) When certified copies of abstracts are received by 3340
the secretary of state, the secretary of state shall canvass 3341
those abstracts and determine and declare the results of all 3342
elections in which electors throughout the entire state voted. 3343
If more than the number of persons to be nominated for or 3344
elected to an office received the largest and an equal number of 3345
votes, the tie shall be resolved by lot by the secretary of 3346
state in the presence of the governor, the auditor of state, and 3347
the attorney general, who at the request of the secretary of 3348
state shall assemble to witness the drawing of the lot. The 3349
declaration of results by the secretary of state shall be in 3350
writing and shall be signed by the secretary of state. It shall 3351
bear the date of the day upon which it is made, and a copy of it 3352
shall be posted by the secretary of state in a conspicuous place 3353
in the secretary of state's office. The secretary of state shall 3354
keep the copy posted for a period of at least five days. 3355

(2) When certified copies of parts of abstracts are 3356
received by the board of the most populous county in a district 3357
from the boards of all of the counties in the district, the 3358
board receiving those abstracts shall canvass them and determine 3359
and declare the results of the elections in which only electors 3360
of the district voted. If more than the number of persons to be 3361
nominated for or elected to an office received the largest and 3362
equal number of votes, the tie shall be resolved by lot by the 3363
chairperson of the board in the presence of a majority of the 3364
members of the board. The declaration of results by the board 3365
shall be in writing and shall be signed by at least a majority 3366
of the members of the board. It shall bear the date of the day 3367
upon which it is made, and a copy of it shall be posted by the 3368
board in a conspicuous place in its office. The board shall keep 3369

the copy posted for a period of at least five days. 3370

(3) When certified copies of parts of abstracts are 3371
received by the board of a county in which the major portion of 3372
the population of a subdivision located in more than one county 3373
is located from the boards of each county in which other 3374
portions of that subdivision are located, the board receiving 3375
those abstracts shall canvass them and determine and declare the 3376
results of the elections in which only electors of that 3377
subdivision voted. If more than the number of persons to be 3378
nominated for or elected to an office received the largest and 3379
an equal number of votes, the tie shall be resolved by lot by 3380
the chairperson of the board in the presence of a majority of 3381
the members of the board. The declaration of results by the 3382
board shall be in writing and shall be signed by at least a 3383
majority of the members of the board. It shall bear the date of 3384
the day upon which it is made, and a copy of it shall be posted 3385
by the board in a conspicuous place in its office. The board 3386
shall keep the copy posted for a period of at least five days. 3387

(E) Election officials, who are required to declare the 3388
results of primary elections, shall issue to each person 3389
declared nominated for or elected to an office, an appropriate 3390
certificate of nomination or election, provided that the boards 3391
required to determine and declare the results of the elections 3392
for candidates for nomination to the office of representative to 3393
congress from a congressional district shall, in lieu of issuing 3394
a certificate of nomination, certify to the secretary of state 3395
the names of the candidates nominated, and the secretary of 3396
state, upon receipt of that certification, shall issue a 3397
certificate of nomination to each person whose name is so 3398
certified. Certificates of nomination or election issued by 3399
boards to candidates and certifications to the secretary of 3400

state shall not be issued before the expiration of the time 3401
within which applications for recounts of votes may be filed or 3402
before recounts of votes, which have been applied for, are 3403
completed. 3404

Sec. 3513.24. When members of party committees are elected 3405
at a party primary election, the returns shall be made and 3406
canvassed in the same manner as for the election of state, 3407
district, and county offices. The election authorities shall 3408
issue and deliver to each person who is elected a certificate of 3409
~~his~~ election. A list of such party ~~committeemen~~ committeepersons 3410
who are chosen shall be filed and kept in the office of the 3411
secretary of state and the board of elections for a period of 3412
two years. 3413

Sec. 3513.251. ~~Nominations of candidates for election as~~ 3414
~~officers of a municipal corporation having a population of less~~ 3415
~~than two thousand as ascertained by the next preceding federal~~ 3416
~~census shall be made only by nominating petition and their~~ 3417
~~election shall occur only in nonpartisan elections, unless a~~ 3418
~~majority of the electors of such municipal corporation have~~ 3419
~~petitioned for a primary election. Nominations of candidates for~~ 3420
~~election as officers of a municipal corporation having a~~ 3421
~~population of two thousand or more shall be made either by~~ 3422
~~primary election in conjunction with a partisan general election~~ 3423
~~or by nominating petition in conjunction with a nonpartisan~~ 3424
~~general election, as determined under section 3513.01 of the~~ 3425
~~Revised Code.~~ 3426

The nominating petitions of nonpartisan candidates for 3427
election as officers of a municipal corporation having a 3428
population of less than two thousand, as ascertained by the most 3429
recent federal census, shall be signed by not less than ten 3430

qualified electors of the municipal corporation. Any nominating 3431
petition filed under this section shall be filed with the board 3432
of elections not later than four p.m. of the ninetieth day 3433
before the day of the general election, provided that no such 3434
nominating petition shall be accepted for filing if it appears 3435
to contain signatures aggregating in number more than three 3436
times the minimum number of signatures required by this section. 3437
A board of elections shall not accept for filing a nominating 3438
petition of a person if that person, for the same election, has 3439
already filed a declaration of candidacy, ~~a declaration of~~ 3440
~~intent to be a write-in candidate,~~ or a nominating petition, or 3441
has become a candidate through party nomination at a primary 3442
election or by the filling of a vacancy under section 3513.30 or 3443
3513.31 of the Revised Code for any other municipal office, or 3444
for a township office, for member of a city, local, or exempted 3445
village board of education, or for member of a governing board 3446
of an educational service center. When a petition of a candidate 3447
has been accepted for filing by a board of elections, the 3448
petition shall not be deemed invalid if, upon verification of 3449
signatures contained in the petition, the board of elections 3450
finds the number of signatures accepted exceeds three times the 3451
minimum number of signatures required. A board of elections may 3452
discontinue verifying signatures when the number of verified 3453
signatures on a petition equals the minimum required number of 3454
qualified signatures. 3455

~~Nomination of nonpartisan candidates for election as~~ 3456
~~officers of a municipal corporation having a population of two~~ 3457
~~thousand or more, as ascertained by the next preceding federal~~ 3458
~~census, shall be made only by nominating petition.~~ Nominating 3459
petitions of nonpartisan candidates for election as officers of 3460
a municipal corporation having a population of two thousand or 3461

more but less than five thousand, as ascertained by the next 3462
preceding federal census, shall be signed by not less than fifty 3463
qualified electors of the municipal corporation or ward thereof 3464
in the case of the nominating petition of a candidate for 3465
election as councilperson from such ward. Nominating petitions 3466
of nonpartisan candidates for election as officers of a 3467
municipal corporation having a population of five thousand or 3468
more, as ascertained by the next preceding federal census, shall 3469
be signed by not less than fifty qualified electors of the 3470
municipal corporation or ward thereof in the case of the 3471
nominating petition of a candidate for election as councilperson 3472
from such ward. 3473

Sec. 3513.253. ~~Nominations of candidates for election as~~ 3474
~~officers of a township shall be made only by nominating~~ 3475
~~petitions, unless a majority of the electors of such township~~ 3476
~~have petitioned for a primary election.~~ The nominating petitions 3477
of nonpartisan candidates for township trustee and township 3478
fiscal officer shall be signed by not less than twenty-five 3479
qualified electors of the township. Such petition shall be filed 3480
with the board of elections not later than four p.m. of the 3481
ninetieth day before the day of the general election, provided 3482
that no such nominating petition shall be accepted for filing if 3483
it appears to contain signatures aggregating in number more than 3484
three times the minimum number of signatures required by this 3485
section. A board of elections shall not accept for filing a 3486
nominating petition of a person if that person, for the same 3487
election, has already filed a declaration of candidacy, ~~a~~ 3488
~~declaration of intent to be a write-in candidate,~~ or a 3489
nominating petition, or has become a candidate through party 3490
nomination at a primary election or by the filling of a vacancy 3491
under section 3513.30 or 3513.31 of the Revised Code for any 3492

other township office, or for a municipal office, for member of 3493
a city, local, or exempted village board of education, or for 3494
member of a governing board of an educational service center. 3495
When a petition of a candidate has been accepted for filing by a 3496
board of elections, the petition shall not be deemed invalid if, 3497
upon verification of signatures contained in the petition, the 3498
board of elections finds the number of signatures accepted 3499
exceeds three times the minimum number of signatures required. A 3500
board of elections may discontinue verifying signatures when the 3501
number of verified signatures on a petition equals the minimum 3502
required number of qualified signatures. 3503

Sec. 3513.254. (A) ~~The name of each candidate for member~~ 3504
~~of a city, local, or exempted village board of education shall~~ 3505
~~appear on the nonpartisan ballot.~~ Nominating petitions of 3506
candidates for member of a board of education of a local or 3507
exempted village school district shall be signed by twenty-five 3508
qualified electors of the school district. Nominating petitions 3509
for candidates for member of a board of education of a city 3510
school district having a population of less than twenty 3511
thousand, as ascertained by the next preceding federal census, 3512
shall be signed by twenty-five qualified electors of the school 3513
district. Nominating petitions for candidates for member of a 3514
board of education of a city school district having a population 3515
of twenty thousand or more but less than fifty thousand, as 3516
ascertained by the next preceding federal census, shall be 3517
signed by seventy-five qualified electors of the school 3518
district. Nominating petitions for candidates for member of a 3519
board of education of a city school district having a population 3520
of fifty thousand or more but less than one hundred thousand, as 3521
ascertained by the next preceding federal census, shall be 3522
signed by one hundred fifty qualified electors of the school 3523

district. Nominating petitions for candidates for member of a 3524
board of education of a city school district having a population 3525
of one hundred thousand or more, as ascertained by the next 3526
preceding federal census, shall be signed by three hundred 3527
qualified electors of the school district. 3528

(B) Nominating petitions shall be filed with the board of 3529
elections not later than four p.m. of the ninetieth day before 3530
the day of the general election, provided that no such petition 3531
shall be accepted for filing if it appears to contain signatures 3532
aggregating in number more than three times the minimum number 3533
of signatures required by this section. A board of elections 3534
shall not accept for filing a nominating petition of a person if 3535
that person, for the same election, has already filed a 3536
declaration of candidacy, ~~a declaration of intent to be a write-~~ 3537
~~in candidate,~~ or a nominating petition, or has become a 3538
candidate through party nomination at a primary election or by 3539
the filling of a vacancy under section 3513.30 or 3513.31 of the 3540
Revised Code for any other position as a member of a city, 3541
local, or exempted village board of education or position as a 3542
member of a governing board of an educational service center, or 3543
for a municipal or township office. When a petition of a 3544
candidate has been accepted for filing by a board of elections, 3545
the petition shall not be deemed invalid if, upon verification 3546
of signatures contained in the petition, the board of elections 3547
finds the number of signatures accepted exceeds three times the 3548
minimum number of signatures required. A board of elections may 3549
discontinue verifying petitions when the number of verified 3550
signatures equals the minimum required number of qualified 3551
signatures. 3552

~~(C) This section is subject to section 3513.256 of the~~ 3553
~~Revised Code.~~ 3554

Sec. 3513.255. ~~This section is subject to section 3513.256~~ 3555
~~of the Revised Code. The name of each candidate for election as~~ 3556
~~a member of a governing board of an educational service center~~ 3557
~~shall appear on the nonpartisan ballot. Each~~ A nominating 3558
petition for member of the governing board of an educational 3559
service center shall be signed by fifty qualified electors who 3560
reside in one of the following, as applicable: 3561

(A) The school districts over which the educational 3562
service center governing board has jurisdiction, in the case of 3563
any candidate running for a position on any educational service 3564
center governing board other than a governing board established 3565
in accordance with section 3311.054 of the Revised Code; 3566

(B) The subdistrict in which the candidate is running, in 3567
the case of a position on a governing board of an educational 3568
service center established in accordance with section 3311.054 3569
of the Revised Code. 3570

Each nominating petition shall be filed with the board of 3571
elections of the county in which the central administrative 3572
offices of the educational service center governing board are 3573
located not later than four p.m. of the ninetieth day before the 3574
day of the general election, provided that no such petition 3575
shall be accepted for filing if it appears to contain signatures 3576
aggregating in number more than three times the minimum number 3577
of signatures required by this section. A board of elections 3578
shall not accept for filing a nominating petition of a person if 3579
that person, for the same election, has already filed a 3580
declaration of candidacy, ~~a declaration of intent to be a write-~~ 3581
~~in candidate,~~ or a nominating petition, or has become a 3582
candidate through party nomination at a primary election or by 3583
the filling of a vacancy under section 3513.30 or 3513.31 of the 3584

Revised Code for any other position as a member of a governing 3585
board of an educational service center or position as a member 3586
of a city, local, or exempted village board of education, or for 3587
a municipal or township office. When a petition of a candidate 3588
has been accepted for filing by a board of elections, the 3589
petition shall not be deemed invalid if, upon verification of 3590
signatures contained in the petition, the board of elections 3591
finds the number of signatures accepted exceeds three times the 3592
minimum signatures required. A board of elections may 3593
discontinue verifying petitions when the number of verified 3594
signatures equals the minimum required number of qualified 3595
signatures. 3596

Sec. 3513.257. ~~Each person desiring to become an~~ 3597
~~independent candidate for an office for which candidates may be~~ 3598
~~nominated at a primary election, except persons desiring to~~ 3599
~~become independent joint candidates for the offices of governor~~ 3600
~~and lieutenant governor and for the offices of president and~~ 3601
~~vice-president of the United States, shall file no later than~~ 3602
~~four p.m. of the day before the day of the primary election~~ 3603
~~immediately preceding the general election at which such~~ 3604
~~candidacy is to be voted for by the voters, a statement of~~ 3605
~~candidacy and nominating petition as provided in section~~ 3606
~~3513.261 of the Revised Code. Persons desiring to become~~ 3607
~~independent joint candidates for the offices of governor and~~ 3608
~~lieutenant governor shall file, not later than four p.m. of the~~ 3609
~~day before the day of the primary election, one statement of~~ 3610
~~candidacy and one nominating petition for the two of them.~~ (A) 3611
Persons desiring to become independent joint candidates for the 3612
offices of president and vice-president of the United States 3613
shall file in the office of the secretary of state, not later 3614
than four p.m. of the ninetieth day before the day of the 3615

general election at which the president and vice-president are 3616
to be elected, one statement of candidacy and one nominating 3617
petition for the two of them. The prospective independent joint 3618
candidates' statement of candidacy shall be filed with the 3619
nominating petition as one instrument. 3620

The statement of candidacy and separate petition papers of 3621
each ~~candidate or~~ pair of joint candidates shall be filed at the 3622
same time as one instrument. 3623

~~The nominating petition shall contain signatures of~~ 3624
~~qualified electors of the district, political subdivision, or~~ 3625
~~portion of a political subdivision in which the candidacy is to~~ 3626
~~be voted on in an amount to be determined as follows:~~ 3627

~~(A) If the candidacy is to be voted on by electors~~ 3628
~~throughout the entire state, the~~ (B) The nominating petition, 3629
~~including the nominating petition of independent joint~~ 3630
~~candidates for the offices of governor and lieutenant governor,~~ 3631
shall be signed by no less than five thousand qualified 3632
electors, provided that no petition shall be accepted for filing 3633
if it purports to contain more than fifteen thousand signatures. 3634

~~(B) If the candidacy is to be voted on by electors in any~~ 3635
~~district, political subdivision, or part thereof in which less~~ 3636
~~than five thousand electors voted for the office of governor at~~ 3637
~~the most recent election for that office, the nominating~~ 3638
~~petition shall contain signatures of not less than twenty-five~~ 3639
~~qualified electors of the district, political subdivision, or~~ 3640
~~part thereof, or a number of qualified signatures equal to at~~ 3641
~~least five per cent of that vote, if this number is less than~~ 3642
~~twenty-five.~~ 3643

~~(C) If the candidacy is to be voted on by electors in any~~ 3644

~~district, political subdivision, or part thereof in which five-~~ 3645
~~thousand or more electors voted for the office of governor at-~~ 3646
~~the most recent election for that office, the nominating-~~ 3647
~~petition shall contain a number of signatures equal to at least-~~ 3648
~~one per cent of those electors.~~ 3649

~~All nominating petitions of candidates for offices to be-~~ 3650
~~voted on by electors throughout the entire state shall be filed-~~ 3651
~~in the office of the secretary of state.~~ (C) No nominating 3652
petition for the offices of president and vice-president of the 3653
United States shall be accepted for filing unless there is 3654
submitted to the secretary of state, at the time of filing the 3655
petition, a slate of presidential electors sufficient in number 3656
to satisfy the requirement of the United States Constitution. 3657
~~The secretary of state shall not accept for filing the statement~~ 3658
~~of candidacy of a person who desires to be an independent-~~ 3659
~~candidate for the office of governor unless it also shows the-~~ 3660
~~joint candidacy of a person who desires to be an independent-~~ 3661
~~candidate for the office of lieutenant governor, shall not-~~ 3662
~~accept for filing the statement of candidacy of a person who-~~ 3663
~~desires to be an independent candidate for the office of-~~ 3664
~~lieutenant governor unless it also shows the joint candidacy of-~~ 3665
~~a person who desires to be an independent candidate for the-~~ 3666
~~office of governor, and shall not accept for filing the-~~ 3667
~~statement of candidacy of a person who desires to be an-~~ 3668
~~independent candidate to the office of governor or lieutenant-~~ 3669
~~governor who, for the same election, has already filed a-~~ 3670
~~declaration of candidacy, a declaration of intent to be a write-~~ 3671
~~in candidate, or a statement of candidacy, or has become a-~~ 3672
~~candidate by the filling of a vacancy under section 3513.30 of-~~ 3673
~~the Revised Code for any other state office or any federal or-~~ 3674
~~county office.~~ 3675

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

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

~~No petition other than the petition of a candidate whose candidacy is to be considered by electors throughout the entire state shall be accepted for filing if it appears on its face to contain more than three times the minimum required number of signatures. A board of elections shall not accept for filing a nominating petition of a person seeking to become a candidate if that person, for the same election, has already filed a declaration of candidacy, a declaration of intent to be a write-in candidate, or a nominating petition, or has become a candidate by the filling of a vacancy under section 3513.30 of the Revised Code for any federal, state, or county office, if the nominating petition is for a state or county office, or for any municipal or township office, for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center, if the nominating petition is for a municipal or township office, or for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center. When a petition of a candidate has been accepted~~

~~for filing by a board of elections, the petition shall not be~~ 3707
~~deemed invalid if, upon verification of signatures contained in~~ 3708
~~the petition, the board of elections finds the number of~~ 3709
~~signatures accepted exceeds three times the minimum number of~~ 3710
~~signatures required. A board of elections may discontinue~~ 3711
~~verifying signatures when the number of verified signatures on a~~ 3712
~~petition equals the minimum required number of qualified~~ 3713
~~signatures.~~ 3714

~~Any candidate, other than a candidate for judge of a~~ 3715
~~municipal court, county court, or court of common pleas, who~~ 3716
~~files a nominating petition~~ (D) The candidates may request, at 3717
the time of filing, that the ~~candidate~~ candidates be designated 3718
on the ballot as ~~a nonparty candidate~~ candidates or as ~~an other-~~ 3719
~~party candidate~~ candidates, or may request that ~~the candidate's~~ 3720
~~name~~ their names be placed on the ballot without any 3721
designation. ~~Any such candidate~~ Candidates who ~~fails~~ fail to 3722
request a designation either as ~~a nonparty candidate~~ candidates 3723
or as ~~an other-party candidate~~ candidates shall have ~~the~~ 3724
~~candidate's name~~ their names placed on the ballot without any 3725
designation. 3726

~~The purpose of establishing a filing deadline for~~ 3727
~~independent candidates prior to the primary election immediately~~ 3728
~~preceding the general election at which the candidacy is to be~~ 3729
~~voted on by the voters is to recognize that the state has a~~ 3730
~~substantial and compelling interest in protecting its electoral~~ 3731
~~process by encouraging political stability, ensuring that the~~ 3732
~~winner of the election will represent a majority of the~~ 3733
~~community, providing the electorate with an understandable~~ 3734
~~ballot, and enhancing voter education, thus fostering informed~~ 3735
~~and educated expressions of the popular will in a general~~ 3736
~~election. The filing deadline for independent candidates~~ 3737

~~required in this section prevents splintered parties and~~ 3738
~~unrestrained factionalism, avoids political fragmentation, and~~ 3739
~~maintains the integrity of the ballot. The deadline, one day~~ 3740
~~prior to the primary election, is the least drastic or~~ 3741
~~restrictive means of protecting these state interests. The~~ 3742
~~general assembly finds that the filing deadline for independent~~ 3743
~~candidates in primary elections required in this section is~~ 3744
~~reasonably related to the state's purpose of ensuring fair and~~ 3745
~~honest elections while leaving unimpaired the political, voting,~~ 3746
~~and associational rights secured by the first and fourteenth~~ 3747
~~amendments to the United States Constitution.~~ 3748

Sec. 3513.261. A nominating petition may consist of one or 3749
more separate petition papers, each of which shall be 3750
substantially in the form prescribed in this section. If the 3751
petition consists of more than one separate petition paper, the 3752
statement of candidacy of the candidate or joint candidates 3753
named need be signed by the candidate or joint candidates on 3754
only one of such separate petition papers, but the statement of 3755
candidacy so signed shall be copied on each other separate 3756
petition paper before the signatures of electors are placed on 3757
it. Each nominating petition containing signatures of electors 3758
of more than one county shall consist of separate petition 3759
papers each of which shall contain signatures of electors of 3760
only one county; provided that petitions containing signatures 3761
of electors of more than one county shall not thereby be 3762
declared invalid. In case petitions containing signatures of 3763
electors of more than one county are filed, the board of 3764
elections shall determine the county from which the majority of 3765
the signatures came, and only signatures from this county shall 3766
be counted. Signatures from any other county shall be invalid. 3767

All signatures on nominating petitions shall be written in 3768

ink or indelible pencil.

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

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

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

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

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"STATEMENT OF CANDIDACY

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I, _____ (Name of

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candidate), the undersigned, hereby declare under penalty of 3798
election falsification that my voting residence is in 3799
_____ Precinct of the 3800
_____ (Township) or (Ward and City, or 3801
Village) in the county of _____ Ohio; that my post- 3802
office address is _____ (Street and 3803
Number, if any, or Rural Route and Number) of the 3804
_____ (City, Village, or post office) 3805
of _____, Ohio; and that I am a qualified elector 3806
in the precinct in which my voting residence is located. I 3807
hereby declare that I desire to be a candidate for election to 3808
the office of _____ in the _____ 3809
(State, District, County, City, Village, Township, or School 3810
District) for the _____ (Full 3811
term or unexpired term ending _____) at the General 3812
Election to be held on the _____ day of _____, ____ 3813

I further declare that I am an elector qualified to vote 3814
for the office I seek. Dated this _____ day of _____, 3815
_____ 3816

_____ 3817
(Signature of candidate) 3818

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 3819
FELONY OF THE FIFTH DEGREE. 3820

I, _____, hereby constitute 3821
the persons named below a committee to represent me: 3822

Name	Residence
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 3823

_____	_____
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 3824

_____	_____
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 3825

NOMINATING PETITION

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

	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
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_____, declares under penalty of election 3846

falsification that such person is a qualified elector of the 3847

state of Ohio and resides at the address appearing below such 3848

person's signature hereto; that such person is the circulator of 3849

the foregoing petition paper containing _____ 3850

signatures; that such person witnessed the affixing of every 3851

signature; that all signers were to the best of such person's 3852

knowledge and belief qualified to sign; and that every signature 3853

is to the best of such person's knowledge and belief the 3854

signature of the person whose signature it purports to be or of 3855

an attorney in fact acting pursuant to section 3501.382 of the 3856

Revised Code. 3857

3858

(Signature of circulator) 3859

3860

(Address of circulator's 3861

permanent residence	3862
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in this state) 3863

3864

(If petition is for a statewide 3865

candidate, the name and address 3866
of person employing circulator 3867
to circulate petition, if any) 3868

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 3869
FELONY OF THE FIFTH DEGREE." 3870

The secretary of state shall prescribe a form of 3871
nominating petition for a group of candidates for the office of 3872
member of a board of education, township office, and offices of 3873
municipal corporations of under two thousand population. 3874

~~The secretary of state shall prescribe a form of statement 3875
of candidacy and nominating petition, which shall be 3876
substantially similar to the form of statement of candidacy and 3877
nominating petition set forth in this section, that will be 3878
suitable for joint candidates for the offices of governor and 3879
lieutenant governor. 3880~~

~~If such petition nominates a candidate whose election is 3881
to be determined by the electors of a county or a district or 3882
subdivision within the county, it shall be filed with the board 3883
of such county. If the petition nominates a candidate whose 3884
election is to be determined by the voters of a subdivision 3885
located in more than one county, it shall be filed with the 3886
board of the county in which the major portion of the population 3887
of such subdivision is located. 3888~~

~~If the petition nominates a candidate whose election is to 3889
be determined by the electors of a district comprised of more 3890
than one county but less than all of the counties of the state, 3891
it shall be filed with the board of elections of the most 3892
populous county in such district. If the petition nominates a 3893
candidate whose election is to be determined by the electors of 3894~~

~~the state at large, it shall be filed with the secretary of~~ 3895
~~state.~~ 3896

~~The secretary of state or a board of elections shall not~~ 3897
~~accept for filing a nominating petition of a person seeking to~~ 3898
~~become a candidate if that person, for the same election, has~~ 3899
~~already filed a declaration of candidacy, a declaration of~~ 3900
~~intent to be a write-in candidate, or a nominating petition, or~~ 3901
~~has become a candidate through party nomination at a primary~~ 3902
~~election or by the filling of a vacancy under section 3513.30 or~~ 3903
~~3513.31 of the Revised Code for any federal, state, or county~~ 3904
~~office, if the nominating petition is for a state or county~~ 3905
~~office, or for any municipal or township office, for member of a~~ 3906
~~city, local, or exempted village board of education, or for~~ 3907
~~member of a governing board of an educational service center, if~~ 3908
~~the nominating petition is for a municipal or township office,~~ 3909
~~or for member of a city, local, or exempted village board of~~ 3910
~~education, or for member of a governing board of an educational~~ 3911
~~service center.~~ 3912

Sec. 3513.263. ~~The nominating petitions of all candidates~~ 3913
~~required to be filed before four p.m. of the ninetieth day~~ 3914
~~before the day of the general election, shall be processed as~~ 3915
~~follows:~~ 3916

~~If such petition is filed with the secretary of state, the~~ 3917
~~secretary of state shall promptly transmit to each board such~~ 3918
~~separate petition papers as purports to contain signatures of~~ 3919
~~electors of the county of such board.~~ 3920

~~If such petition is filed with the board of a county in~~ 3921
~~which the major portion of the population of a subdivision is~~ 3922
~~located, such board shall promptly transmit to the board of each~~ 3923
~~county in which other portions of such subdivision are located~~ 3924

such separate petition papers of the petition as purport to 3925
contain signatures of electors of such county. 3926

All petition papers so transmitted to a board of 3927
elections, and all nominating petitions filed with a board of 3928
elections shall, under proper regulation, be open to public 3929
inspection until four p.m. of the eightieth day before the day 3930
of such general election. Each board shall, not later than the 3931
seventy-eighth day before the day of such general election 3932
examine and determine the sufficiency of the signatures on the 3933
petition papers transmitted to or filed with it and the validity 3934
or invalidity of petitions filed with it, and shall return to 3935
each other board all petition papers transmitted to it by such 3936
other board, together with its certification of its 3937
determination as to the validity or invalidity of signatures 3938
thereon. A signature on a nominating petition is not valid if it 3939
is dated more than one year before the date the nominating 3940
petition was filed. All other matters affecting the validity or 3941
invalidity of such petition papers shall be determined by the 3942
board with whom such petition papers were filed. 3943

Written protests against such nominating petitions may be 3944
filed by any qualified elector eligible to vote for the 3945
candidate whose nominating petition the elector objects to, not 3946
later than the seventy-fourth day before the general election. 3947
Such protests shall be filed with the election officials with 3948
whom the nominating petition was filed. Upon the filing of such 3949
protests, the election officials with whom it is filed shall 3950
promptly fix the time and place for hearing it, and shall 3951
forthwith mail notice of the filing of such protest and the time 3952
and place for hearing it to the person whose nomination is 3953
protested. They shall also forthwith mail notice of the time and 3954
place fixed for the hearing to the person who filed the protest. 3955

At the time and place fixed, such election officials shall hear 3956
the protest and determine the validity or invalidity of the 3957
petition. Such determination shall be final. 3958

Sec. 3513.30. ~~(A) (1) If only one valid declaration of~~ 3959
~~candidacy is filed for nomination as a candidate of a political~~ 3960
~~party for an office and that candidate dies prior to the tenth~~ 3961
~~day before the primary election, both of the following may~~ 3962
~~occur:—~~ 3963

~~(a) The political party whose candidate died may fill the~~ 3964
~~vacancy so created as provided in division (A) (2) of this~~ 3965
~~section.~~ 3966

~~(b) Any major political party other than the one whose~~ 3967
~~candidate died may select a candidate as provided in division~~ 3968
~~(A) (2) of this section under either of the following~~ 3969
~~circumstances:~~ 3970

~~(i) No person has filed a valid declaration of candidacy~~ 3971
~~for nomination as that party's candidate at the primary~~ 3972
~~election.~~ 3973

~~(ii) Only one person has filed a valid declaration of~~ 3974
~~candidacy for nomination as that party's candidate at the~~ 3975
~~primary election, that person has withdrawn, died, or been~~ 3976
~~disqualified under section 3513.052 of the Revised Code, and the~~ 3977
~~vacancy so created has not been filled.~~ 3978

~~(2) A vacancy may be filled under division (A) (1) (a) and a~~ 3979
~~selection may be made under division (A) (1) (b) of this section~~ 3980
~~by the appropriate committee of the political party in the same~~ 3981
~~manner as provided in divisions (A) to (E) of section 3513.31 of~~ 3982
~~the Revised Code for the filling of similar vacancies created by~~ 3983
~~withdrawals or disqualifications under section 3513.052 of the~~ 3984

~~Revised Code after the primary election, except that the~~ 3985
~~certification required under that section may not be filed with~~ 3986
~~the secretary of state, or with a board of the most populous~~ 3987
~~county of a district, or with the board of a county in which the~~ 3988
~~major portion of the population of a subdivision is located,~~ 3989
~~later than four p.m. of the tenth day before the day of such~~ 3990
~~primary election, or with any other board later than four p.m.~~ 3991
~~of the fifth day before the day of such primary election.~~ 3992

~~(3)~~ (A) If only one valid declaration of candidacy is 3993
filed for nomination as a candidate ~~of a political party~~ for an 3994
office and that candidate dies on or ~~after the tenth day~~ before 3995
the day of the primary election, that candidate is considered to 3996
have received the nomination ~~of that candidate's political party~~ 3997
at that primary election, and, for purposes of filling the 3998
vacancy so created, that candidate's death shall be treated as 3999
if that candidate died on the day after the day of the primary 4000
election. 4001

(B) Any person filing a declaration of candidacy may 4002
withdraw as such candidate at any time prior to the primary 4003
election. The withdrawal shall be effected and the statement of 4004
withdrawal shall be filed in accordance with the procedures 4005
prescribed in division (D) of this section for the withdrawal of 4006
persons nominated in a primary election or by nominating 4007
petition. 4008

(C) A person who is the first choice for president of the 4009
United States by a candidate for delegate or alternate to a 4010
national convention of a political party may withdraw consent 4011
for the selection of the person as such first choice no later 4012
than four p.m. of the fortieth day before the day of the 4013
presidential primary election. Withdrawal of consent shall be 4014

for the entire slate of candidates for delegates and alternates 4015
who named such person as their presidential first choice and 4016
shall constitute withdrawal from the primary election by such 4017
delegates and alternates. The withdrawal shall be made in 4018
writing and delivered to the secretary of state. If the 4019
withdrawal is delivered to the secretary of state on or before 4020
the seventieth day before the day of the primary election, the 4021
boards of elections shall remove both the name of the withdrawn 4022
first choice and the names of such withdrawn candidates from the 4023
ballots according to the directions of the secretary of state. 4024
If the withdrawal is delivered to the secretary of state after 4025
the seventieth day before the day of the primary election, the 4026
board of elections shall not remove the name of the withdrawn 4027
first choice and the names of the withdrawn candidates from the 4028
ballots. The board of elections shall post a notice at each 4029
polling location on the day of the primary election, and shall 4030
enclose with each absent voter's ballot given or mailed after 4031
the candidate withdraws, a notice that votes for the withdrawn 4032
first choice or the withdrawn candidates will be void and will 4033
not be counted. If such names are not removed from all ballots 4034
before the day of the election, the votes for the withdrawn 4035
first choice or the withdrawn candidates are void and shall not 4036
be counted. 4037

(D) Any person nominated in a primary election or by 4038
nominating petition as a candidate for election at the next 4039
general election may withdraw as such candidate at any time 4040
prior to the general election. Such withdrawal may be effected 4041
by the filing of a written statement by such candidate 4042
announcing the candidate's withdrawal and requesting that the 4043
candidate's name not be printed on the ballots. If such 4044
candidate's declaration of candidacy ~~or nominating petition was~~ 4045

filed with the secretary of state, the candidate's statement of
withdrawal shall be addressed to and filed with the secretary of
state. If such candidate's declaration of candidacy or
nominating petition was filed with a board of elections, the
candidate's statement of withdrawal shall be addressed to and
filed with such board.

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

Sec. 3513.31. (A) ~~If a person nominated in a primary
election as a candidate for election at the next general
election, whose candidacy is to be submitted to the electors of
the entire state, withdraws as that candidate or is disqualified
as that candidate under section 3513.052 of the Revised Code,
the vacancy in the party nomination so created may be filled by
the state central committee of the major political party that
made the nomination at the primary election, if the committee's
chairperson and secretary certify the name of the person~~

~~selected to fill the vacancy by the time specified in this~~ 4077
~~division, at a meeting called for that purpose. The meeting~~ 4078
~~shall be called by the chairperson of that committee, who shall~~ 4079
~~give each member of the committee at least two days' notice of~~ 4080
~~the time, place, and purpose of the meeting. If a majority of~~ 4081
~~the members of the committee are present at the meeting, a~~ 4082
~~majority of those present may select a person to fill the~~ 4083
~~vacancy. The chairperson and secretary of the meeting shall~~ 4084
~~certify in writing and under oath to the secretary of state, not~~ 4085
~~later than the eighty-sixth day before the day of the general~~ 4086
~~election, the name of the person selected to fill the vacancy.~~ 4087
~~The certification must be accompanied by the written acceptance~~ 4088
~~of the nomination by the person whose name is certified. A~~ 4089
~~vacancy in a party nomination that may be filled by a minor~~ 4090
~~political party shall be filled in accordance with the party's~~ 4091
~~rules by authorized officials of the party. Certification must~~ 4092
~~be made as in the manner provided for a major political party.~~ 4093

~~(B) If a person nominated in a primary election as a party~~ 4094
~~candidate for election at the next general election, whose~~ 4095
~~candidacy is to be submitted to the electors of a district~~ 4096
~~comprised of more than one county but less than all of the~~ 4097
~~counties of the state, withdraws as that candidate or is~~ 4098
~~disqualified as that candidate under section 3513.052 of the~~ 4099
~~Revised Code, the vacancy in the party nomination so created may~~ 4100
~~be filled by a district committee of the major political party~~ 4101
~~that made the nomination at the primary election, if the~~ 4102
~~committee's chairperson and secretary certify the name of the~~ 4103
~~person selected to fill the vacancy by the time specified in~~ 4104
~~this division, at a meeting called for that purpose. The~~ 4105
~~district committee shall consist of the chairperson and~~ 4106
~~secretary of the county central committee of such political~~ 4107

~~party in each county in the district. The district committee~~ 4108
~~shall be called by the chairperson of the county central~~ 4109
~~committee of such political party of the most populous county in~~ 4110
~~the district, who shall give each member of the district~~ 4111
~~committee at least two days' notice of the time, place, and~~ 4112
~~purpose of the meeting. If a majority of the members of the~~ 4113
~~district committee are present at the district committee~~ 4114
~~meeting, a majority of those present may select a person to fill~~ 4115
~~the vacancy. The chairperson and secretary of the meeting shall~~ 4116
~~certify in writing and under oath to the board of elections of~~ 4117
~~the most populous county in the district, not later than four~~ 4118
~~p.m. of the eighty-sixth day before the day of the general~~ 4119
~~election, the name of the person selected to fill the vacancy.~~ 4120
~~The certification must be accompanied by the written acceptance~~ 4121
~~of the nomination by the person whose name is certified. A~~ 4122
~~vacancy in a party nomination that may be filled by a minor~~ 4123
~~political party shall be filled in accordance with the party's~~ 4124
~~rules by authorized officials of the party. Certification must~~ 4125
~~be made as in the manner provided for a major political party.~~ 4126

~~(C) If a person nominated in a primary election as a party~~ 4127
~~candidate for election at the next general election, whose~~ 4128
~~candidacy is to be submitted to the electors of a county,~~ 4129
~~withdraws as that candidate or is disqualified as that candidate~~ 4130
~~under section 3513.052 of the Revised Code, the vacancy in the~~ 4131
~~party nomination so created may be filled by the county central~~ 4132
~~committee of the major political party that made the nomination~~ 4133
~~at the primary election, or by the county executive committee if~~ 4134
~~so authorized, if the committee's chairperson and secretary~~ 4135
~~certify the name of the person selected to fill the vacancy by~~ 4136
~~the time specified in this division, at a meeting called for~~ 4137
~~that purpose. The meeting shall be called by the chairperson of~~ 4138

~~that committee, who shall give each member of the committee at- 4139~~
~~least two days' notice of the time, place, and purpose of the 4140~~
~~meeting. If a majority of the members of the committee are- 4141~~
~~present at the meeting, a majority of those present may select a 4142~~
~~person to fill the vacancy. The chairperson and secretary of the 4143~~
~~meeting shall certify in writing and under oath to the board of- 4144~~
~~that county, not later than four p.m. of the eighty-sixth day- 4145~~
~~before the day of the general election, the name of the person- 4146~~
~~selected to fill the vacancy. The certification must be- 4147~~
~~accompanied by the written acceptance of the nomination by the- 4148~~
~~person whose name is certified. A vacancy in a party nomination- 4149~~
~~that may be filled by a minor political party shall be filled in 4150~~
~~accordance with the party's rules by authorized officials of the 4151~~
~~party. Certification must be made as in the manner provided for- 4152~~
~~a major political party. 4153~~

~~(D) If a person nominated in a primary election as a party 4154~~
~~candidate for election at the next general election, whose 4155~~
~~candidacy is to be submitted to the electors of a district- 4156~~
~~within a county, withdraws as that candidate or is disqualified- 4157~~
~~as that candidate under section 3513.052 of the Revised Code, 4158~~
~~the vacancy in the party nomination so created may be filled by- 4159~~
~~a district committee consisting of those members of the county- 4160~~
~~central committee or, if so authorized, those members of the 4161~~
~~county executive committee in that county of the major political 4162~~
~~party that made the nomination at the primary election who 4163~~
~~represent the precincts or the wards and townships within the 4164~~
~~district, if the committee's chairperson and secretary certify- 4165~~
~~the name of the person selected to fill the vacancy by the time 4166~~
~~specified in this division, at a meeting called for that- 4167~~
~~purpose. The district committee meeting shall be called by the 4168~~
~~chairperson of the county central committee or executive- 4169~~

~~committee, as appropriate, who shall give each member of the~~ 4170
~~district committee at least two days' notice of the time, place,~~ 4171
~~and purpose of the meeting. If a majority of the members of the~~ 4172
~~district committee are present at the district committee~~ 4173
~~meeting, a majority of those present may select a person to fill~~ 4174
~~the vacancy. The chairperson and secretary of the district~~ 4175
~~committee meeting shall certify in writing and under oath to the~~ 4176
~~board of the county, not later than four p.m. of the eighty-~~ 4177
~~sixth day before the day of the general election, the name of~~ 4178
~~the person selected to fill the vacancy. The certification must~~ 4179
~~be accompanied by the written acceptance of the nomination by~~ 4180
~~the person whose name is certified. A vacancy in a party~~ 4181
~~nomination that may be filled by a minor political party shall~~ 4182
~~be filled in accordance with the party's rules by authorized~~ 4183
~~officials of the party. Certification must be made as in the~~ 4184
~~manner provided for a major political party.~~ 4185

~~(E) If a person nominated in a primary election as a party~~ 4186
~~candidate for election at the next general election, whose~~ 4187
~~candidacy is to be submitted to the electors of a subdivision~~ 4188
~~within a county, withdraws as that candidate or is disqualified~~ 4189
~~as that candidate under section 3513.052 of the Revised Code,~~ 4190
~~the vacancy in the party nomination so created may be filled by~~ 4191
~~a subdivision committee consisting of those members of the~~ 4192
~~county central committee or, if so authorized, those members of~~ 4193
~~the county executive committee in that county of the major~~ 4194
~~political party that made the nomination at that primary~~ 4195
~~election who represent the precincts or the wards and townships~~ 4196
~~within that subdivision, if the committee's chairperson and~~ 4197
~~secretary certify the name of the person selected to fill the~~ 4198
~~vacancy by the time specified in this division, at a meeting~~ 4199
~~called for that purpose.~~ 4200

~~The subdivision committee meeting shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the subdivision committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the subdivision committee are present at the subdivision committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the subdivision committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy in a party nomination that may be filled by a minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made in the manner provided for a major political party.~~

~~(F) If a person nominated by petition as an independent or nonpartisan candidate for election to a voter-nominated or nonpartisan office at the next general election withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy so created may be filled by a majority of the committee of five, as designated on the candidate's nominating petition or declaration of candidacy, if a member of that committee certifies in writing and under oath to the election officials with whom the candidate filed the candidate's nominating petition or declaration of candidacy, not later than the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification shall be accompanied by the~~

written acceptance of the nomination by the person whose name is 4232
~~certified and shall be made in the manner provided for a major~~ 4233
~~political party.~~ 4234

~~(G)~~ (B) If a person nominated in a primary election or 4235
~~nominated by petition under section 3517.012 of the Revised Code~~ 4236
~~as a party candidate for election to a voter-nominated or~~ 4237
~~nonpartisan office at the next general election dies, the~~ 4238
vacancy so created may be filled by the same committee in the 4239
same manner as provided in this section for the filling of 4240
similar vacancies created by withdrawals or disqualifications 4241
under section 3513.052 of the Revised Code, except that the 4242
certification, when filling a vacancy created by death, may not 4243
be filed with the secretary of state, or with a board of the 4244
most populous county of a district, or with the board of a 4245
county in which the major portion of the population of a 4246
subdivision is located, later than four p.m. of the tenth day 4247
before the day of such general election, or with any other board 4248
later than four p.m. of the fifth day before the day of such 4249
general election. 4250

~~(H) If a person nominated by petition as an independent or~~ 4251
~~nonpartisan candidate for election at the next general election~~ 4252
~~dies prior to the tenth day before the day of that general~~ 4253
~~election, the vacancy so created may be filled by a majority of~~ 4254
~~the committee of five designated in the nominating petition to~~ 4255
~~represent the candidate named in it. To fill the vacancy a~~ 4256
~~member of the committee shall, not later than four p.m. of the~~ 4257
~~fifth day before the day of the general election, file with the~~ 4258
~~election officials with whom the petition nominating the person~~ 4259
~~was filed, a certificate signed and sworn to under oath by a~~ 4260
~~majority of the members, designating the person they select to~~ 4261
~~fill the vacancy. The certification must be accompanied by the~~ 4262

~~written acceptance of the nomination by the person whose name is~~ 4263
~~so certified.~~ 4264

~~(I)-(C) If a person holding an elective voter-nominated or 4265
nonpartisan office dies or resigns subsequent to the one hundred 4266
fifteenth day before the day of a primary election and prior to 4267
the eighty-sixth day before the day of the next general 4268
election, and if, under the laws of this state, a person may be 4269
elected at that general election to fill the unexpired term of 4270
the person who has died or resigned, ~~the appropriate committee~~ 4271
~~of each political party, acting as in the case of a vacancy in a~~ 4272
~~party nomination, as provided in divisions (A) to (D) of this~~ 4273
~~section, may select a person as the party candidate for election~~ 4274
~~for such unexpired term at that general election, and certify~~ 4275
~~the person's name to the appropriate election official not later~~ 4276
~~than four p.m. on the eighty-sixth day before the day of that~~ 4277
~~general election, or on the tenth day following the day on which~~ 4278
~~the vacancy occurs, whichever is later. When the vacancy occurs~~ 4279
~~on or subsequent to the eighty-sixth day and six or more days~~ 4280
~~prior to the fortieth day before the general election, the~~ 4281
~~appropriate committee may select a person as the party candidate~~ 4282
~~and certify the person's name, as provided in the preceding~~ 4283
~~sentence, not later than four p.m. on the tenth day following~~ 4284
~~the day on which the vacancy occurs. When the vacancy occurs~~ 4285
~~fewer than six days before the fortieth day before the general~~ 4286
~~election, the deadline for filing shall be four p.m. on the~~ 4287
~~thirty-sixth day before the general election. Thereupon the name~~ 4288
~~shall be printed as the party candidate under proper titles and~~ 4289
~~in the proper place on the proper ballots for use at the~~ 4290
~~election. If a person has been nominated in a primary election~~ 4291
~~or nominated by petition under section 3517.012 of the Revised~~ 4292
~~Code, the authorized committee of that political party shall not~~ 4293~~

~~select and certify a person as the party candidate.~~

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~~(J) Each~~ each person desiring to become ~~an independent a~~
candidate to fill the unexpired term shall file a statement of
candidacy and nominating petition, as provided in section
3513.261 of the Revised Code, with the appropriate election
official not later than four p.m. on the tenth day following the
day on which the vacancy occurs, provided that when the vacancy
occurs fewer than six days before the fifty-sixth day before the
general election, the deadline for filing shall be four p.m. on
the fiftieth day before the general election. The nominating
petition shall contain ~~at least seven hundred fifty signatures~~
~~and no more than one thousand five hundred~~ signatures of
qualified electors of the district, political subdivision, or
portion of a political subdivision in which the office is to be
voted upon, ~~or~~ equal to the applicable amount provided for in
section ~~3513.257~~ 3513.05 of the Revised Code, ~~whichever is less.~~

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~~(K) (D)~~ When a person nominated as a candidate ~~by a~~
~~political party for a voter-nominated office~~ in a primary
election ~~or by nominating petition for an elective office for~~
~~which candidates are nominated at a party primary election~~
withdraws, dies, or is disqualified under section 3513.052 of
the Revised Code prior to the general election, ~~the appropriate~~
~~committee of any other major political party or a~~ committee of
five ~~that has not nominated a candidate for that office, or~~
whose nominee as a candidate for that office has withdrawn,
died, or been disqualified without the vacancy so created having
been filled, may, acting as in the case of a vacancy in a ~~party~~
~~nomination or nomination by petition as provided in divisions~~
division (A) ~~to (F) or (B)~~ of this section, whichever is
appropriate, select a person as a candidate ~~of that party or of~~
that committee of five for election to the office.

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Sec. 3513.311. (A) If a candidate for lieutenant governor 4325
dies, withdraws, or is disqualified as a candidate prior to the 4326
seventieth day before the day of a primary election, the vacancy 4327
on the ballot shall be filled by appointment by the joint 4328
candidate for the office of governor. Such candidate for 4329
governor shall certify in writing and under oath to the 4330
secretary of state not later than the sixty-fifth day before the 4331
day of such election the name and residence address of the 4332
person selected to fill such vacancy. 4333

(B) If a candidate for governor dies, withdraws, or is 4334
disqualified as a candidate prior to the seventieth day before 4335
the day of a primary election, the vacancy on the ballot shall 4336
be filled by appointment by the joint candidate for the office 4337
of lieutenant governor. Such candidate for lieutenant governor 4338
shall certify in writing and under oath to the secretary of 4339
state not later than the sixty-fifth day before the day of such 4340
election the name and residence address of the person selected 4341
to fill such vacancy. 4342

(C) If a candidate for the office of lieutenant governor 4343
dies on or after the seventieth day, but prior to the tenth day, 4344
before a primary election, the vacancy so created shall be 4345
filled by appointment by the joint candidate for the office of 4346
governor. Such candidate for governor shall certify in writing 4347
and under oath to the secretary of state not later than the 4348
fifth day before the day of such election the name and residence 4349
address of the person selected to fill such vacancy. 4350

(D) If a candidate for the office of governor dies on or 4351
after the seventieth day, but prior to the tenth day, before a 4352
primary election, the vacancy so created shall be filled by 4353
appointment by the joint candidate for the office of lieutenant 4354

governor. Such candidate for lieutenant governor shall certify 4355
in writing and under oath to the secretary of state not later 4356
than the fifth day before the day of such election the name and 4357
residence address of the person selected to fill such vacancy. 4358

(E) If a person nominated in a primary election ~~or~~ 4359
~~nominated by petition under section 3517.012 of the Revised Code~~ 4360
as a candidate for election to the office of governor or 4361
lieutenant governor at the next general election withdraws as 4362
such candidate prior to the ninetieth day before the day of the 4363
general election or dies prior to the tenth day before the day 4364
of such general election, the vacancy so created shall be filled 4365
in the manner provided for by section 3513.31 of the Revised 4366
Code. 4367

~~(F) If a person nominated by petition as an independent 4368~~
~~candidate for election to the office of governor or lieutenant 4369~~
~~governor withdraws as such candidate prior to the ninetieth day 4370~~
~~before the day of the general election or dies prior to the 4371~~
~~tenth day before the day of such general election, the vacancy 4372~~
~~so created shall be filled by the candidates' committee in the 4373~~
~~manner provided for, as in the case of death, by section 3513.31 4374~~
~~of the Revised Code, except that, in the case of withdrawal of 4375~~
~~candidacy, the name and residence address of the replacement 4376~~
~~candidate shall be certified in writing and under oath to the 4377~~
~~secretary of state not later than the eighty-sixth day before 4378~~
~~the day of the general election. 4379~~

~~(G)~~ If the vacancy in a joint candidacy for governor and 4380
lieutenant governor can be filled in accordance with this 4381
section and is not so filled, the joint candidacy which has not 4382
been vacated shall be invalidated and shall not be presented for 4383
election. 4384

~~(H)~~ (G) Any replacement candidate appointed or selected 4385
pursuant to this section shall be one who has the qualifications 4386
of an elector. 4387

Sec. 3513.32. When a special election is found necessary 4388
to fill a vacancy, the date of the primary election shall be 4389
fixed at the same time and in the same manner as that of the 4390
election, by the authority calling such special election. The 4391
primary election shall be held at least fifteen days prior to 4392
the time fixed for such special election. Declaration of 4393
candidacy and certificates for such primary shall be filed and 4394
fees shall be paid at least ten days before the date for holding 4395
such primary election. 4396

A primary election preceding a special election to fill a 4397
vacancy in an office shall be eliminated ~~if no valid declaration~~ 4398
~~of candidacy is filed for such office, or~~ if the number of 4399
persons filing ~~such valid~~ declarations of candidacy ~~as~~ 4400
~~candidates of one political party~~ does not exceed three times 4401
the number of candidates ~~which such political party is entitled~~ 4402
~~to nominate to be nominated~~ for election to such office. 4403

Sec. 3513.33. At the time a person files a declaration of 4404
candidacy, ~~or~~ nominating petition, ~~or declaration of intent to~~ 4405
~~be otherwise becomes a write-in~~ candidate, the secretary of 4406
state or the board of elections shall furnish that person with a 4407
copy of section 3517.21 of the Revised Code. Each person who 4408
receives the copy shall acknowledge its receipt in writing. 4409

Sec. 3517.01. (A) (1) A political party within the meaning 4410
of Title XXXV of the Revised Code is any group of voters that 4411
meets either of the following requirements: 4412

(a) Except as otherwise provided in this division, at the 4413

most recent regular state election, the group polled for its 4414
~~candidate for governor in the state or~~ nominees for presidential 4415
electors at least three per cent of the entire vote cast for 4416
that office in this state. A group that meets the requirements 4417
of this division remains a political party for a period of four 4418
years after meeting those requirements. 4419

(b) The group filed with the secretary of state, 4420
subsequent to its failure to meet the requirements of division 4421
(A) (1) (a) of this section, a party formation petition that meets 4422
all of the following requirements: 4423

(i) The petition is signed by qualified electors equal in 4424
number to at least one per cent of the total vote for governor 4425
or nominees for presidential electors at the most recent 4426
election for such office. 4427

(ii) The petition is signed by not fewer than five hundred 4428
qualified electors from each of at least a minimum of one-half 4429
of the congressional districts in this state. If an odd number 4430
of congressional districts exists in this state, the number of 4431
districts that results from dividing the number of congressional 4432
districts by two shall be rounded up to the next whole number. 4433

(iii) The petition declares the petitioners' intention of 4434
organizing a political party, the name of which shall be stated 4435
in the declaration, and of participating in the succeeding 4436
general election, held in even-numbered years, that occurs more 4437
than one hundred twenty-five days after the date of filing. 4438

(iv) The petition designates a committee of not less than 4439
three nor more than five individuals of the petitioners, who 4440
shall represent the petitioners in all matters relating to the 4441
petition. Notice of all matters or proceedings pertaining to the 4442

petition may be served on the committee, or any of them, either 4443
personally or by registered mail, or by leaving such notice at 4444
the usual place of residence of each of them. 4445

(2) No such group of electors shall assume a name or 4446
designation that is similar, in the opinion of the secretary of 4447
state, to that of an existing political party as to confuse or 4448
mislead the voters at an election. 4449

(B) A campaign committee shall be legally liable for any 4450
debts, contracts, or expenditures incurred or executed in its 4451
name. 4452

(C) Notwithstanding the definitions found in section 4453
3501.01 of the Revised Code, as used in this section and 4454
sections 3517.08 to 3517.991 of the Revised Code: 4455

(1) "Campaign committee" means a candidate or a 4456
combination of two or more persons authorized by a candidate 4457
under section 3517.081 of the Revised Code to receive 4458
contributions and make expenditures. 4459

(2) "Campaign treasurer" means an individual appointed by 4460
a candidate under section 3517.081 of the Revised Code. 4461

(3) "Candidate" has the same meaning as in division (H) of 4462
section 3501.01 of the Revised Code and also includes any person 4463
who, at any time before or after an election, receives 4464
contributions or makes expenditures or other use of 4465
contributions, has given consent for another to receive 4466
contributions or make expenditures or other use of 4467
contributions, or appoints a campaign treasurer, for the purpose 4468
of bringing about the person's nomination or election to public 4469
office. When two persons jointly seek the offices of governor 4470
and lieutenant governor, "candidate" means the pair of 4471

candidates jointly. "Candidate" does not include candidates for
election to the offices of member of a county or state central
committee, presidential elector, and delegate to a national
convention or conference of a political party.

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

(5) "Contribution" means a loan, gift, deposit,
forgiveness of indebtedness, donation, advance, payment, or
transfer of funds or anything of value, including a transfer of
funds from an inter vivos or testamentary trust or decedent's
estate, and the payment by any person other than the person to
whom the services are rendered for the personal services of
another person, which contribution is made, received, or used
for the purpose of influencing the results of an election. Any
loan, gift, deposit, forgiveness of indebtedness, donation,
advance, payment, or transfer of funds or of anything of value,
including a transfer of funds from an inter vivos or
testamentary trust or decedent's estate, and the payment by any
campaign committee, political action committee, legislative
campaign fund, political party, political contributing entity,
or person other than the person to whom the services are
rendered for the personal services of another person, that is

made, received, or used by a state or county political party, 4503
other than the moneys an entity may receive under sections 4504
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 4505
considered to be a "contribution" for the purpose of section 4506
3517.10 of the Revised Code and shall be included on a statement 4507
of contributions filed under that section. 4508

"Contribution" does not include any of the following: 4509

(a) Services provided without compensation by individuals 4510
volunteering a portion or all of their time on behalf of a 4511
person; 4512

(b) Ordinary home hospitality; 4513

(c) The personal expenses of a volunteer paid for by that 4514
volunteer campaign worker; 4515

(d) Any gift given to an entity pursuant to section 4516
3517.101 of the Revised Code; 4517

(e) Any contribution as defined in section 3517.1011 of 4518
the Revised Code that is made, received, or used to pay the 4519
direct costs of producing or airing an electioneering 4520
communication; 4521

(f) Any gift given to a state or county political party 4522
for the party's restricted fund under division (A) (2) of section 4523
3517.1012 of the Revised Code; 4524

(g) Any gift given to a state political party for deposit 4525
in a Levin account pursuant to section 3517.1013 of the Revised 4526
Code. As used in this division, "Levin account" has the same 4527
meaning as in that section. 4528

(h) Any donation given to a transition fund under section 4529
3517.1014 of the Revised Code. 4530

(6) "Expenditure" means the disbursement or use of a 4531
contribution for the purpose of influencing the results of an 4532
election or of making a charitable donation under division (G) 4533
of section 3517.08 of the Revised Code. Any disbursement or use 4534
of a contribution by a state or county political party is an 4535
expenditure and shall be considered either to be made for the 4536
purpose of influencing the results of an election or to be made 4537
as a charitable donation under division (G) of section 3517.08 4538
of the Revised Code and shall be reported on a statement of 4539
expenditures filed under section 3517.10 of the Revised Code. 4540
During the thirty days preceding a primary or general election, 4541
any disbursement to pay the direct costs of producing or airing 4542
a broadcast, cable, or satellite communication that refers to a 4543
clearly identified candidate shall be considered to be made for 4544
the purpose of influencing the results of that election and 4545
shall be reported as an expenditure or as an independent 4546
expenditure under section 3517.10 or 3517.105 of the Revised 4547
Code, as applicable, except that the information required to be 4548
reported regarding contributors for those expenditures or 4549
independent expenditures shall be the same as the information 4550
required to be reported under divisions (D) (1) and (2) of 4551
section 3517.1011 of the Revised Code. 4552

As used in this division, "broadcast, cable, or satellite 4553
communication" and "refers to a clearly identified candidate" 4554
have the same meanings as in section 3517.1011 of the Revised 4555
Code. 4556

(7) "Personal expenses" includes, but is not limited to, 4557
ordinary expenses for accommodations, clothing, food, personal 4558
motor vehicle or airplane, and home telephone. 4559

(8) "Political action committee" means a combination of 4560

two or more persons, the primary or major purpose of which is to 4561
support or oppose any candidate, political party, or issue, or 4562
to influence the result of any election through express 4563
advocacy, and that is not a political party, a campaign 4564
committee, a political contributing entity, or a legislative 4565
campaign fund. "Political action committee" does not include 4566
either of the following: 4567

(a) A continuing association that makes disbursements for 4568
the direct costs of producing or airing electioneering 4569
communications and that does not engage in express advocacy; 4570

(b) A political club that is formed primarily for social 4571
purposes and that consists of one hundred members or less, has 4572
officers and periodic meetings, has less than two thousand five 4573
hundred dollars in its treasury at all times, and makes an 4574
aggregate total contribution of one thousand dollars or less per 4575
calendar year. 4576

(9) "Public office" means any state, county, municipal, 4577
township, or district office, except an office of a political 4578
party, that is filled by an election and the offices of United 4579
States senator and representative. 4580

(10) "Anything of value" has the same meaning as in 4581
section 1.03 of the Revised Code. 4582

(11) "Beneficiary of a campaign fund" means a candidate, a 4583
public official or employee for whose benefit a campaign fund 4584
exists, and any other person who has ever been a candidate or 4585
public official or employee and for whose benefit a campaign 4586
fund exists. 4587

(12) "Campaign fund" means money or other property, 4588
including contributions. 4589

(13) "Public official or employee" has the same meaning as 4590
in section 102.01 of the Revised Code. 4591

(14) "Caucus" means all of the members of the house of 4592
representatives or all of the members of the senate of the 4593
general assembly who are members of the same political party. 4594

(15) "Legislative campaign fund" means a fund that is 4595
established as an auxiliary of a state political party and 4596
associated with one of the houses of the general assembly. 4597

(16) "In-kind contribution" means anything of value other 4598
than money that is used to influence the results of an election 4599
or is transferred to or used in support of or in opposition to a 4600
candidate, campaign committee, legislative campaign fund, 4601
political party, political action committee, or political 4602
contributing entity and that is made with the consent of, in 4603
coordination, cooperation, or consultation with, or at the 4604
request or suggestion of the benefited candidate, committee, 4605
fund, party, or entity. The financing of the dissemination, 4606
distribution, or republication, in whole or part, of any 4607
broadcast or of any written, graphic, or other form of campaign 4608
materials prepared by the candidate, the candidate's campaign 4609
committee, or their authorized agents is an in-kind contribution 4610
to the candidate and an expenditure by the candidate. 4611

(17) "Independent expenditure" means an expenditure by a 4612
person advocating the election or defeat of an identified 4613
candidate or candidates, that is not made with the consent of, 4614
in coordination, cooperation, or consultation with, or at the 4615
request or suggestion of any candidate or candidates or of the 4616
campaign committee or agent of the candidate or candidates. As 4617
used in division (C)(17) of this section: 4618

(a) "Person" means an individual, partnership, 4619
unincorporated business organization or association, political 4620
action committee, political contributing entity, separate 4621
segregated fund, association, or other organization or group of 4622
persons, but not a labor organization or a corporation unless 4623
the labor organization or corporation is a political 4624
contributing entity. 4625

(b) "Advocating" means any communication containing a 4626
message advocating election or defeat. 4627

(c) "Identified candidate" means that the name of the 4628
candidate appears, a photograph or drawing of the candidate 4629
appears, or the identity of the candidate is otherwise apparent 4630
by unambiguous reference. 4631

(d) "Made in coordination, cooperation, or consultation 4632
with, or at the request or suggestion of, any candidate or the 4633
campaign committee or agent of the candidate" means made 4634
pursuant to any arrangement, coordination, or direction by the 4635
candidate, the candidate's campaign committee, or the 4636
candidate's agent prior to the publication, distribution, 4637
display, or broadcast of the communication. An expenditure is 4638
presumed to be so made when it is any of the following: 4639

(i) Based on information about the candidate's plans, 4640
projects, or needs provided to the person making the expenditure 4641
by the candidate, or by the candidate's campaign committee or 4642
agent, with a view toward having an expenditure made; 4643

(ii) Made by or through any person who is, or has been, 4644
authorized to raise or expend funds, who is, or has been, an 4645
officer of the candidate's campaign committee, or who is, or has 4646
been, receiving any form of compensation or reimbursement from 4647

the candidate or the candidate's campaign committee or agent; 4648

(iii) Except as otherwise provided in division (D) of 4649
section 3517.105 of the Revised Code, made by a political party 4650
in support of a candidate, unless the expenditure is made by a 4651
political party to conduct voter registration or voter education 4652
efforts. 4653

(e) "Agent" means any person who has actual oral or 4654
written authority, either express or implied, to make or to 4655
authorize the making of expenditures on behalf of a candidate, 4656
or means any person who has been placed in a position with the 4657
candidate's campaign committee or organization such that it 4658
would reasonably appear that in the ordinary course of campaign- 4659
related activities the person may authorize expenditures. 4660

(18) "Labor organization" means a labor union; an employee 4661
organization; a federation of labor unions, groups, locals, or 4662
other employee organizations; an auxiliary of a labor union, 4663
employee organization, or federation of labor unions, groups, 4664
locals, or other employee organizations; or any other bona fide 4665
organization in which employees participate and that exists for 4666
the purpose, in whole or in part, of dealing with employers 4667
concerning grievances, labor disputes, wages, hours, and other 4668
terms and conditions of employment. 4669

(19) "Separate segregated fund" means a separate 4670
segregated fund established pursuant to the Federal Election 4671
Campaign Act. 4672

(20) "Federal Election Campaign Act" means the "Federal 4673
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 4674
seq., as amended. 4675

(21) "Restricted fund" means the fund a state or county 4676

political party must establish under division (A) (1) of section 4677
3517.1012 of the Revised Code. 4678

(22) "Electioneering communication" has the same meaning 4679
as in section 3517.1011 of the Revised Code. 4680

(23) "Express advocacy" means a communication that 4681
contains express words advocating the nomination, election, or 4682
defeat of a candidate or that contains express words advocating 4683
the adoption or defeat of a question or issue, as determined by 4684
a final judgment of a court of competent jurisdiction. 4685

(24) "Political committee" has the same meaning as in 4686
section 3517.1011 of the Revised Code. 4687

(25) "Political contributing entity" means any entity, 4688
including a corporation or labor organization, that may lawfully 4689
make contributions and expenditures and that is not an 4690
individual or a political action committee, continuing 4691
association, campaign committee, political party, legislative 4692
campaign fund, designated state campaign committee, or state 4693
candidate fund. For purposes of this division, "lawfully" means 4694
not prohibited by any section of the Revised Code, or authorized 4695
by a final judgment of a court of competent jurisdiction. 4696

(26) "Internet identifier of record" has the same meaning 4697
as in section 9.312 of the Revised Code. 4698

Sec. 3517.012. (A) (1) When a party formation petition 4699
meeting the requirements of section 3517.01 of the Revised Code 4700
declaring the intention to organize a political party is filed 4701
with the secretary of state, the new party comes into legal 4702
existence on the date of filing and is entitled to nominate 4703
candidates for president and vice-president of the United States 4704
to appear on the ballot at the general election held in even- 4705

numbered years that occurs more than one hundred twenty-five 4706
days after the date of filing. 4707

(2) (a) Upon receiving a party formation petition filed 4708
under division (A) (1) of this section, the secretary of state 4709
shall promptly transmit to each board of elections the separate 4710
petition papers that purport to contain signatures of electors 4711
of that board's county. 4712

(b) Not later than the one hundred eighteenth day before 4713
the day of the general election, each board shall examine and 4714
determine the sufficiency of the signatures on the petition 4715
papers and shall return them to the secretary of state, together 4716
with the board's certification of its determination as to the 4717
validity or invalidity of the signatures on the petition. 4718

(c) Any qualified elector may file a written protest 4719
against the petition with the secretary of state not later than 4720
the one hundred fourteenth day before the day of the general 4721
election. Any such protest shall be resolved in the manner 4722
specified under section 3501.39 of the Revised Code. 4723

(d) Not later than the ninety-fifth day before the day of 4724
the general election, the secretary of state shall determine 4725
whether the party formation petition is sufficient and shall 4726
notify the committee designated in the petition of that 4727
determination. 4728

(B) (1) Not later than one hundred ten days before the day 4729
of that general election and not earlier than the day the 4730
applicable party formation petition is filed, each ~~candidate or~~ 4731
pair of joint candidates wishing to appear on the ballot at the 4732
general election as the ~~nominee or~~ nominees of the party that 4733
filed the party formation petition for president and vice- 4734

president of the United States shall file a nominating petition,
on a form prescribed by the secretary of state, that includes
the name of the political party that submitted the party
formation petition. Except as otherwise provided in this section
and ~~sections 3505.03, 3505.08, 3506.11, 3513.31, 3513.311, and~~
~~3513.312~~ section 3503.10 of the Revised Code, the provisions of
the Revised Code concerning independent candidates for president
and vice-president of the United States 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~~ (2) 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 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 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 4765
the manner specified under section 3513.263 of the Revised Code 4766
not later than the one hundredth day before the general election 4767
and shall be resolved as specified in that section. 4768

(c) Not later than the ninety-fifth day before the day of 4769
the general election, the secretary of state or the board of 4770
elections, as applicable, shall determine whether the nominating 4771
petition is sufficient and shall notify the ~~candidate~~ candidates 4772
and the committee designated in the party formation petition of 4773
that determination. 4774

(C) (1) After being notified that the political party has 4775
submitted a sufficient party formation petition under division 4776
(A) of this section, the committee designated in a party 4777
formation petition shall, not later than the seventy-fifth day 4778
before the day of the general election, certify to the secretary 4779
of state ~~a slate of candidates consisting of candidates or joint~~ 4780
~~candidates who~~ the names of the party's nominees for president 4781
and vice-president of the United States, who shall have 4782
submitted a sufficient nominating ~~petitions~~ petition under 4783
division (B) of this section, along with a slate of presidential 4784
electors. The slate certifying the candidates certification 4785
shall be on a form prescribed by the secretary of state ~~and,~~ 4786
signed by all of the individuals of the committee designated in 4787
the party formation petition, and made in accordance with 4788
section 3505.10 of the Revised Code. ~~In no event shall the slate~~ 4789
~~of candidates include more than one candidate for any public~~ 4790
~~office or more than one set of joint candidates for the offices~~ 4791
~~of governor and lieutenant governor. The names of the candidates~~ 4792
~~or joint candidates so certified shall appear on the ballot at~~ 4793
~~the general election as that party's nominees for those offices.~~ 4794
~~For purposes of this division, "joint candidates" means the~~ 4795

~~joint candidates for the offices of governor and lieutenant~~ 4796
~~governor.~~ 4797

(2) If a candidate's nominating petition is insufficient 4798
or if the committee does not certify the candidate's name under 4799
division (C)(1) of this section, the candidate shall not appear 4800
on the ballot in the general election. 4801

(3) If a party formation petition is insufficient, no 4802
candidate for president or vice-president of the United States 4803
shall appear on the ballot in the general election as that 4804
political party's nominee, regardless of whether any candidate's 4805
nominating petition is sufficient. 4806

Sec. 3517.016. At the first party primary election held by 4807
a newly formed political party meeting the requirements of 4808
sections 3517.011 and 3517.012 of the Revised Code, any 4809
qualified elector who desires to vote the new party-party's 4810
primary ballot is not subject to section 3513.19 of the Revised 4811
Code and shall be allowed to vote the new party-party's primary 4812
ballot regardless of prior political party affiliation. 4813

Sec. 3517.02. All members of controlling committees of a 4814
major political party shall be elected by direct vote of the 4815
members of the party, except as otherwise provided in section 4816
3517.05 of the Revised Code. Their names shall be placed upon 4817
the official party primary ballot, and, ~~notwithstanding division~~ 4818
~~(B) of section 3513.23 of the Revised Code,~~ the persons 4819
receiving the highest number of votes for committeepersons shall 4820
be the members of those controlling committees. Each member of a 4821
controlling committee shall be a resident and qualified elector 4822
of the district, ward, or precinct that the member is elected to 4823
represent. All members of controlling committees of a minor 4824
political party shall be determined in accordance with party 4825

rules. 4826

Each political party shall file with the office of the 4827
secretary of state a copy of its constitution and bylaws, if 4828
any, within thirty days of adoption or amendment. Each party 4829
shall also file with the office of the secretary of state a list 4830
of members of its controlling committees and other party 4831
officials within thirty days of their election or appointment. 4832

Sec. 3517.03. The controlling committees of each major 4833
political party or organization shall be a state central 4834
committee consisting of two members, one a man and one a woman, 4835
representing either each congressional district in the state or 4836
each senatorial district in the state, as the outgoing committee 4837
determines; a county central committee consisting of one member 4838
from each election precinct in the county, or of one member from 4839
each ward in each city and from each township in the county, as 4840
the outgoing committee determines; and such district, city, 4841
township, or other committees as the rules of the party provide. 4842

All the members of such committees shall be members of the 4843
party and shall be elected for terms of either two or four 4844
years, as determined by party rules, by direct vote at the 4845
primary held in an even-numbered year. Except as otherwise 4846
provided in section 3517.02 of the Revised Code, candidates for 4847
election as state central committee members shall be elected at 4848
primaries in the same manner as provided in sections 3513.01 to 4849
3513.32 of the Revised Code for the nomination of candidates for 4850
partisan office ~~in a county~~. Candidates for election as members 4851
of the county central committee shall be elected at primaries in 4852
the same manner as provided in those sections for the nomination 4853
of candidates for ~~county~~ partisan offices, except as otherwise 4854
provided in sections 3513.051 and 3517.02 of the Revised Code. 4855

Each major party controlling committee shall elect an 4856
executive committee that shall have the powers granted to it by 4857
the party controlling committee, and provided to it by law. When 4858
a judicial, senatorial, or congressional district is comprised 4859
of more than one county, the chairperson and secretary of the 4860
county central committee from each county in that district shall 4861
constitute the judicial, senatorial, or congressional committee 4862
of the district. When a judicial, senatorial, or congressional 4863
district is included within a county, the county central 4864
committee shall constitute the judicial, senatorial, or 4865
congressional committee of the district. 4866

A minor political party may elect controlling committees 4867
at a primary election in the even-numbered year by filing a plan 4868
for party organization with the secretary of state on or before 4869
the ninetieth day before the day of the primary election. The 4870
plan shall specify which offices are to be elected and provide 4871
the procedure for qualification of candidates for those offices. 4872
Candidates to be elected pursuant to the plan shall be 4873
designated and qualified on or before the ninetieth day before 4874
the day of the election. Such parties may, in lieu of electing a 4875
controlling committee or other officials, choose such committee 4876
or other officials in accordance with party rules. Each such 4877
party shall file the names and addresses of members of its 4878
controlling committee and party officers with the secretary of 4879
state. 4880

Section 2. That existing sections 111.27, 3501.01, 4881
3501.06, 3501.22, 3501.23, 3505.03, 3505.04, 3505.08, 3505.10, 4882
3505.23, 3505.27, 3505.33, 3505.34, 3505.35, 3505.36, 3505.37, 4883
3506.11, 3509.03, 3509.04, 3511.02, 3511.05, 3513.01, 3513.02, 4884
3513.04, 3513.041, 3513.05, 3513.052, 3513.07, 3513.08, 3513.10, 4885
3513.12, 3513.121, 3513.13, 3513.14, 3513.15, 3513.18, 3513.19, 4886

3513.20, 3513.22, 3513.24, 3513.251, 3513.253, 3513.254, 4887
3513.255, 3513.257, 3513.261, 3513.263, 3513.30, 3513.31, 4888
3513.311, 3513.32, 3513.33, 3517.01, 3517.012, 3517.016, 4889
3517.02, and 3517.03 of the Revised Code are hereby repealed. 4890

Section 3. That sections 3513.16, 3513.191, 3513.192, 4891
3513.23, 3513.256, 3513.262, 3513.28, 3513.301, 3513.312, 4892
3517.013, and 3517.014 of the Revised Code are hereby repealed. 4893

Section 4. Section 3505.08 of the Revised Code is 4894
presented in this act as a composite of the section as amended 4895
by both S.B. 109 and S.B. 193 of the 130th General Assembly. The 4896
General Assembly, applying the principle stated in division (B) 4897
of section 1.52 of the Revised Code that amendments are to be 4898
harmonized if reasonably capable of simultaneous operation, 4899
finds that the composite is the resulting version of the section 4900
in effect prior to the effective date of the section as 4901
presented in this act. 4902