As Introduced

136th General Assembly
Regular Session **S. B. No. 63**
2025-2026

Senators Gavarone, DeMora

A BILL

To amend sections 3501.01 and 5747.502 and to enact sections 3505.011, 3513.141, 5747.504, and 5747.505 of the Revised Code to generally prohibit the use of ranked choice voting and to withhold Local Government Fund distributions from a municipality or chartered county that uses ranked choice voting.

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

Section 1. That sections 3501.01 and 5747.502 be amended and sections 3505.011, 3513.141, 5747.504, and 5747.505 of the Revised Code be enacted to read as follows:

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

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

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

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

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

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

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

(2) "Presidential primary election" means a primary election as defined by division (E)(1) of this section at which an election is held for the purpose of choosing delegates and alternates to the national conventions of the major political parties pursuant to section 3513.12 of the Revised Code. Unless otherwise specified, presidential primary elections are included in references to primary elections. In years in which a presidential primary election is held, all primary elections

shall be held on the third Tuesday after the first Monday in March except as otherwise authorized by a municipal or county charter.

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

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

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

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

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

A newly formed political party shall be known as a minor political party until the time of the first election for governor or president which occurs not less than twelve months

subsequent to the formation of such party, after which election the status of such party shall be determined by the vote for the office of governor or president.

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

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

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

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

ballots for elections for these offices.

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

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

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

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

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

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

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

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

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

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

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

(1) Secretary of state;

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

(3) Director of a board of elections;

(4) Deputy director of a board of elections;

(5) Member of a board of elections;

(6) Employees of a board of elections;

(7) Precinct election officials;

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

(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or

update the application, if any; and if the application is complete, the precinct in which the applicant is to vote.

(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current address.

(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health and addiction services, the department of developmental disabilities, the opportunities for Ohioans with disabilities agency, and any other agency the secretary of state designates. "Designated agency" does not include public high schools and vocational schools, public libraries, or the office of a county treasurer.

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

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

(AA)(1) "Photo identification" means one of the following

documents that includes the individual's name and photograph and is not expired:

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

(b) A United States passport or passport card;

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

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

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

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

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

(EE) "Ranked choice voting" and "instant runoff voting" mean a method of nominating or electing one or more candidates to an office as follows:

(1) Voters rank candidates on the ballot in order of preference.

(2) Tabulation proceeds in rounds such that in each round, one or more candidates are nominated or elected or a last-place candidate is defeated.

(3) Votes are transferred from nominated, elected, or defeated candidates to the voter's next-ranked candidate or candidates in order of preference.

(4) Tabulation ends when a candidate receives the majority of the votes cast or when the number of candidates nominated or elected equals the number of offices to be filled, as applicable.

Sec. 3505.011. (A) Except as otherwise permitted under Article X or Article XVIII, Ohio Constitution, no election shall be conducted in this state using ranked choice voting or instant runoff voting.

(B) If the secretary of state determines that a county or municipal corporation has, by resolution or ordinance, approved the use of ranked choice voting or instant runoff voting in an

election, then the county or municipal corporation is ineligible to receive any local government fund distributions from the state during the period beginning with the month following the adoption of the resolution or ordinance and ending with the month following the last day it is in effect. Upon making that determination, the secretary of state promptly shall notify the tax commissioner of the county or municipal corporation's ineligibility.

(C) Upon determining that a county or municipal corporation has, by resolution or ordinance, rescinded previous approval for the use of ranked choice voting that resulted in notice to the tax commissioner under division (B) of this section, the secretary of state shall promptly notify the tax commissioner of the rescission.

Sec. 3513.141. (A) Except as otherwise permitted under Article X or Article XVIII, Ohio Constitution, no primary election shall be conducted in this state using ranked choice voting or instant runoff voting.

(B) If the secretary of state determines that a county or municipal corporation has, by resolution or ordinance, approved the use of ranked choice voting or instant runoff voting in a primary election, then the county or municipal corporation is ineligible to receive any local government fund distributions from the state during the period beginning with the month following the adoption of the resolution or ordinance and ending with the month following the last day it is in effect. Upon making that determination, the secretary of state promptly shall notify the tax commissioner of the county or municipal corporation's ineligibility.

(C) Upon determining that a county or municipal

corporation has, by resolution or ordinance, rescinded previous approval for the use of ranked choice voting that resulted in notice to the tax commissioner under division (B) of this section, the secretary of state shall promptly notify the tax commissioner of the rescission.

Sec. 5747.502. (A) As used in this section:

(1) "Local authority" and "traffic law photo-monitoring device" have the same meanings as in section 4511.092 of the Revised Code.

(2) "School zone" has the same meaning as in section 4511.21 of the Revised Code.

(3) "Transportation district" means a territorial district established by the director of transportation under section 5501.14 of the Revised Code.

(4) "District deputy director" means the person appointed and assigned by the director of transportation under section 5501.14 of the Revised Code to administer the activities of a transportation district.

(5) "Gross amount" means the entire amount of traffic camera fines and fees paid by a driver.

(6) "Local government fund adjustment" or "LGF adjustment" means the sum of:

(a) The gross amount of all traffic camera fines collected by a local authority during the preceding fiscal year, as reported under division (B)(1) of this section, if such a report is required; plus

(b) The residual adjustment computed for the local authority under division (B)(4) of this section, if such an

adjustment applies.

(7) "Local government fund payments" or "LGF payments" means the payments a local authority would receive under sections ~~5747.502~~ 5747.503, 5747.51, and 5747.53, and division (C) of section 5747.50 of the Revised Code, as applicable, if not for the reductions required by divisions (C) and (D) of this section.

(8) "Residual adjustment" means the most recent LGF adjustment computed for a local authority under division (B)(2) or (3) of this section minus the sum of the reductions applied after that computation under division (C) of this section to the local authority's LGF payments.

(9) "Traffic camera fines" means civil fines for any violation of any local ordinance or resolution that are based upon evidence recorded by a traffic law photo-monitoring device.

(10) "Qualifying village" has the same meaning as in section 5747.503 of the Revised Code.

(B)(1) Annually, on or before the thirty-first day of July, any local authority that directly or indirectly collected traffic camera fines during the preceding fiscal year shall file a report with the tax commissioner that includes a detailed statement of the gross amount of all traffic camera fines the local authority collected during that period and the gross amount of such fines that the local authority collected for violations that occurred within a school zone.

(2) Annually, on or before the tenth day of August, the commissioner shall compute a local government fund adjustment for each local authority that files a report under division (B)(1) of this section or with respect to which a residual

adjustment applies. Subject to division (B)(3) of this section and section 5747.505 of the Revised Code, the LGF adjustment shall be used by the commissioner to determine the amount of the reductions required under division (C) of this section for each of the next twelve months, starting with the month in which the LGF adjustment is computed. After those twelve months, the LGF adjustment ceases to apply and, if an LGF adjustment continues to be required, the amount of the reductions required under division (C) of this section shall be determined based on an updated LGF adjustment computed under this division.

(3) Upon receipt of a report described by division (B)(1) of this section that is not timely filed, the commissioner shall do both of the following:

(a) If one or more payments to the local authority has been withheld under division (D) of this section because of the local authority's failure to file the report, notify the county auditor and county treasurer of the appropriate county that the report has been received and that, subject to division (C) of this section, payments to the local authority from the undivided local government fund are to resume.

(b) Compute the local authority's LGF adjustment using the information in the report. An LGF adjustment computed under this division shall be used by the commissioner to determine the amount of the reductions required under division (C) of this section starting with the next required reduction. The LGF adjustment ceases to apply on the thirty-first day of the ensuing July, following which, if an LGF adjustment continues to be required, the amount of the reductions required under division (C) of this section shall be determined based on an updated LGF adjustment computed under division (B)(2) of this

section.

(4) Annually, on or before the tenth day of August, the commissioner shall compute a residual adjustment for each local authority whose LGF adjustment for the preceding year exceeds the amount by which the local authority's LGF payments were reduced during that year under division (C) of this section. The residual adjustment shall be used to compute the LGF adjustment for the ensuing year under division (B)(2) of this section.

(C) ~~The~~ Subject to section 5747.505 of the Revised Code, the commissioner shall do the following, as applicable, respecting any local authority to which an LGF adjustment computed under division (B) of this section applies:

(1) If the local authority is a municipal corporation with a population of one thousand or more, reduce payments to the municipal corporation under division (C) of section 5747.50 of the Revised Code by one-twelfth of the LGF adjustment. If one-twelfth of the LGF adjustment exceeds the amount of money the municipal corporation would otherwise receive under division (C) of section 5747.50 of the Revised Code, the commissioner also shall reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the lesser of (a) one-twelfth of the excess, or (b) the amount of the payment the municipal corporation would otherwise receive from the fund under section 5747.51 or 5747.53 of the Revised Code.

(2) If the local authority is a township or qualifying village, reduce the supplemental payments to the appropriate county undivided local government fund under section 5747.503 of the Revised Code by the lesser of one-twelfth of the LGF adjustment, or the amount of money the township or qualifying

village would otherwise receive under that section. If one-twelfth of the LGF adjustment exceeds the amount of money the township or qualifying village would otherwise receive under section 5747.503 of the Revised Code, the commissioner also shall reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the lesser of (a) one-twelfth of the excess, or (b) the amount of the payment the township or qualifying village would otherwise receive from the fund under section 5747.51 or 5747.53 of the Revised Code.

(3) If the local authority is a county, reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the lesser of (a) one-twelfth of the LGF adjustment, or (b) the amount of the payment the county would otherwise receive from the fund under section 5747.51 or 5747.53 of the Revised Code.

(4) For any local authority, on or before the tenth day of each month a reduction is made under division (C)(1), (2), or (3) of this section, make a payment to the local authority in an amount equal to the lesser of (a) one-twelfth of the gross amount of traffic camera fines the local authority collected in the preceding fiscal year for violations that occurred within a school zone, as indicated on the report filed by the local authority pursuant to division (B)(1) of this section, or (b) the amount by which the local authority's LGF payments were reduced that month pursuant to division (C)(1), (2), or (3) of this section. Payments received by a local authority under this division shall be used by the local authority for school safety purposes.

(D) ~~Upon~~ Subject to section 5747.505 of the Revised Code, upon discovery, based on information in the commissioner's possession, that a local authority required to file a report under division (B)(1) of this section has failed to do so, the commissioner shall do the following, as applicable:

(1) If the local authority is a municipal corporation with a population of one thousand or more, cease providing for payments to the municipal corporation under section 5747.50 of the Revised Code beginning with the next required payment and until such time as the report is received by the commissioner;

(2) If the local authority is a township or qualifying village, reduce the supplemental payments to the appropriate county undivided local government fund under section 5747.503 of the Revised Code by an amount equal to the amount of such payments the local authority would otherwise receive under that section, beginning with the next required payment and until such time as the report is received by the commissioner;

(3) For any local authority, reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the amount of such payments the local authority would otherwise receive under section 5747.51 or 5747.53 of the Revised Code, beginning with the next required payment and until such time as the report is received by the commissioner;

(4) For any local authority, notify the county auditor and county treasurer that such payments are to cease until the commissioner notifies the auditor and treasurer under division (E) of this section that the payments are to resume.

(E) The commissioner shall notify the county auditor and

county treasurer on or before the day the commissioner first reduces a county undivided local government fund payment to that county under division (C) of this section. The notice shall include the full amount of the reduction, a list of the local authorities to which the reduction applies, and the amount of reduction attributed to each such local authority. The commissioner shall send an updated notice to the county auditor and county treasurer any time the amount the reduction attributed to any local authority changes.

A county treasurer that receives a notice from the commissioner under this division or division (B)(3)(a) or (D)(4) of this section shall reduce, cease, or resume payments from the undivided local government fund to the local authority that is the subject of the notice as specified by the commissioner in the notice. Unless otherwise specified in the notice, the payments shall be reduced, ceased, or resumed beginning with the next required payment.

(F) There is hereby created in the state treasury the Ohio highway and transportation safety fund. On or before the tenth day of each month, the commissioner shall deposit in the fund an amount equal to the total amount by which payments to local authorities were reduced or ceased under division (C) or (D) of this section minus the total amount of payments made under division (C)(4) of this section. The amount deposited with respect to a local authority shall be credited to an account to be created in the fund for the transportation district in which that local authority is located. If the local authority is located within more than one transportation district, the amount credited to the account of each such transportation district shall be prorated on the basis of the number of centerline miles of public roads and highways in both the local authority and the

respective districts. Amounts credited to a transportation district's account shall be used by the department of transportation and the district deputy director exclusively to enhance public safety on public roads and highways within that transportation district.

Sec. 5747.504. (A) As used in this section, "local government fund payments" means the payments a municipal corporation or county would receive under sections 5747.503, 5747.51, and 5747.53, and division (C) of section 5747.50 of the Revised Code, as applicable, if not for the reductions required by this section or section 5747.502 of the Revised Code.

(B) Beginning with the month following receipt of a notice from the secretary of state pursuant to division (B) of section 3505.011 or 3513.141 of the Revised Code, the tax commissioner shall do the following, as applicable:

(1) If the notice concerns a municipal corporation with a population of one thousand or more, cease providing for payments to the municipal corporation under section 5747.50 of the Revised Code beginning with the next required payment;

(2) If the notice concerns a qualifying village, as defined in section 5747.503 of the Revised Code, reduce the supplemental payments to the appropriate county undivided local government fund under section 5747.503 of the Revised Code by an amount equal to the amount of such payments the qualifying village would otherwise receive under that section, beginning with the next required payment;

(3) For any county or municipal corporation identified in the notice, reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of

the Revised Code by an amount equal to the amount of such payments the county or municipal corporation would otherwise receive under section 5747.51 or 5747.53 of the Revised Code, beginning with the next required payment.

(C) Subject to section 5747.505 of the Revised Code, upon receiving notice from the secretary of state, under division (C) of section 3505.11 or 3513.141 of the Revised Code, that a county or municipal corporation has, by resolution or ordinance, rescinded previous approval for the use of ranked choice voting, the commissioner shall resume all local government fund payments ceased or reduced under division (B) of this section due to that county's or municipal corporation's use of ranked choice voting.

(D)(1) The commissioner shall notify the county auditor and county treasurer on or before the day the commissioner first reduces a county undivided local government fund payment to that county under division (B)(3) of this section. The notice shall include the full amount of the reduction, a list of the counties and municipal corporations to which the reduction applies, and the amount of reduction attributed to each such county or municipal corporation.

(2) The commissioner shall also notify the county auditor and county treasurer on or before the day that the commissioner first resumes payments to the county undivided local government fund under division (C) of this section. The notification shall include a list of the counties or municipal corporations that are again eligible to receive local government fund payments.

(3) Subject to section 5747.505 of the Revised Code, a county treasurer that receives a notice from the commissioner under division (D)(1) or (2) of this section shall cease or resume payments from the undivided local government fund to the

county or municipal corporation that is the subject of the notice as specified by the commissioner in the notice.

(E) On or before the tenth day of each month, the commissioner shall transfer from the local government fund to the general revenue fund the sum of the payments withheld that month under division (B) of this section.

Sec. 5747.505. If a municipal corporation or county is subject to more than one reduction required by sections 5747.502 and 5747.504 of the Revised Code for the same month, the tax commissioner shall apply the reduction required by section 5747.504 of the Revised Code first and deposit the amount of payments withheld to the general revenue fund under division (E) of that section.

Section 2. That existing sections 3501.01 and 5747.502 of the Revised Code are hereby repealed.