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Sub. S. B. No. 63

Senators Gavarone, DeMora

**Cosponsors: Senators Huffman, Brenner, Cirino, Cutrona, Johnson, Koehler,
Lang, O'Brien, Patton, Reynolds, Timken, Wilkin**

**Representatives Bird, Abrams, Barhorst, Creech, Demetriou, Dovilla, Fischer,
Fowler Arthur, Gross, Hall, T., Hiner, Holmes, Hoops, John, King, Klopfenstein,
Lear, Lorenz, Mathews, A., Mathews, T., McClain, Miller, K., Miller, M., Newman,
Plummer, Ray, Richardson, Ritter, Robb Blasdel, Salvo, Schmidt, Stewart,
Swearingen, Thomas, D., Williams**

To amend sections 3501.01, 3513.05, 3513.262,	1
3513.263, and 5747.502 and to enact sections	2
3505.011, 3513.141, 5747.504, and 5747.505 of	3
the Revised Code to generally prohibit the use	4
of ranked choice voting, to withhold Local	5
Government Fund distributions from a	6
municipality or chartered county that uses	7
ranked choice voting, and to make changes to	8
election petition records.	9

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

Section 1. That sections 3501.01, 3513.05, 3513.262,	10
3513.263, and 5747.502 be amended and sections 3505.011,	11
3513.141, 5747.504, and 5747.505 of the Revised Code be enacted	12
to read as follows:	13

Sec. 3501.01. As used in the sections of the Revised Code	14
relating to elections and political communications:	15

(A) "General election" means the election held on the 16
first Tuesday after the first Monday in each November. 17

(B) "Regular municipal election" means the election held 18
on the first Tuesday after the first Monday in November in each 19
odd-numbered year. 20

(C) "Regular state election" means the election held on 21
the first Tuesday after the first Monday in November in each 22
even-numbered year. 23

(D) "Special election" means any election other than those 24
elections defined in other divisions of this section. A special 25
election may be held only on the first Tuesday after the first 26
Monday in May or November, on the first Tuesday after the first 27
Monday in August in accordance with section 3501.022 of the 28
Revised Code, or on the day authorized by a particular municipal 29
or county charter for the holding of a primary election, except 30
that in any year in which a presidential primary election is 31
held, no special election shall be held in May, except as 32
authorized by a municipal or county charter, but may be held on 33
the third Tuesday after the first Monday in March. 34

(E) (1) "Primary" or "primary election" means an election 35
held for the purpose of nominating persons as candidates of 36
political parties for election to offices, and for the purpose 37
of electing persons as members of the controlling committees of 38
political parties and as delegates and alternates to the 39
conventions of political parties. Primary elections shall be 40
held on the first Tuesday after the first Monday in May of each 41
year except in years in which a presidential primary election is 42
held. 43

(2) "Presidential primary election" means a primary 44

election as defined by division (E) (1) of this section at which 45
an election is held for the purpose of choosing delegates and 46
alternates to the national conventions of the major political 47
parties pursuant to section 3513.12 of the Revised Code. Unless 48
otherwise specified, presidential primary elections are included 49
in references to primary elections. In years in which a 50
presidential primary election is held, all primary elections 51
shall be held on the third Tuesday after the first Monday in 52
March except as otherwise authorized by a municipal or county 53
charter. 54

(F) "Political party" means any group of voters meeting 55
the requirements set forth in section 3517.01 of the Revised 56
Code for the formation and existence of a political party. 57

(1) "Major political party" means any political party 58
organized under the laws of this state whose candidate for 59
governor or nominees for presidential electors received not less 60
than twenty per cent of the total vote cast for such office at 61
the most recent regular state election. 62

(2) "Minor political party" means any political party 63
organized under the laws of this state that meets either of the 64
following requirements: 65

(a) Except as otherwise provided in this division, the 66
political party's candidate for governor or nominees for 67
presidential electors received less than twenty per cent but not 68
less than three per cent of the total vote cast for such office 69
at the most recent regular state election. A political party 70
that meets the requirements of this division remains a political 71
party for a period of four years after meeting those 72
requirements. 73

(b) The political party has filed with the secretary of 74
state, subsequent to its failure to meet the requirements of 75
division (F) (2) (a) of this section, a petition that meets the 76
requirements of section 3517.01 of the Revised Code. 77

A newly formed political party shall be known as a minor 78
political party until the time of the first election for 79
governor or president which occurs not less than twelve months 80
subsequent to the formation of such party, after which election 81
the status of such party shall be determined by the vote for the 82
office of governor or president. 83

(G) "Dominant party in a precinct" or "dominant political 84
party in a precinct" means that political party whose candidate 85
for election to the office of governor at the most recent 86
regular state election at which a governor was elected received 87
more votes than any other person received for election to that 88
office in such precinct at such election. 89

(H) "Candidate" means any qualified person certified in 90
accordance with the provisions of the Revised Code for placement 91
on the official ballot of a primary, general, or special 92
election to be held in this state, or any qualified person who 93
claims to be a write-in candidate, or who knowingly assents to 94
being represented as a write-in candidate by another at either a 95
primary, general, or special election to be held in this state. 96

(I) "Independent candidate" means any candidate who claims 97
not to be affiliated with a political party, and whose name has 98
been certified on the office-type ballot at a general or special 99
election through the filing of a statement of candidacy and 100
nominating petition, as prescribed in section 3513.257 of the 101
Revised Code. 102

(J) "Nonpartisan candidate" means any candidate whose name 103
is required, pursuant to section 3505.04 of the Revised Code, to 104
be listed on the nonpartisan ballot, including all candidates 105
for judge of a municipal court, county court, or court of common 106
pleas, for member of any board of education, for municipal or 107
township offices in which primary elections are not held for 108
nominating candidates by political parties, and for offices of 109
municipal corporations having charters that provide for separate 110
ballots for elections for these offices. 111

(K) "Party candidate" means any candidate who claims to be 112
a member of a political party and who has been certified to 113
appear on the office-type ballot at a general or special 114
election as the nominee of a political party because the 115
candidate has won the primary election of the candidate's party 116
for the public office the candidate seeks, has been nominated 117
under section 3517.012, or is selected by party committee in 118
accordance with section 3513.31 of the Revised Code. 119

(L) "Officer of a political party" includes, but is not 120
limited to, any member, elected or appointed, of a controlling 121
committee, whether representing the territory of the state, a 122
district therein, a county, township, a city, a ward, a 123
precinct, or other territory, of a major or minor political 124
party. 125

(M) "Question or issue" means any question or issue 126
certified in accordance with the Revised Code for placement on 127
an official ballot at a general or special election to be held 128
in this state. 129

(N) "Elector" or "qualified elector" means a person having 130
the qualifications provided by law to be entitled to vote. 131

(O) "Voter" means an elector who votes at an election.	132
(P) "Voting residence" means that place of residence of an	133
elector which shall determine the precinct in which the elector	134
may vote.	135
(Q) "Precinct" means a district within a county	136
established by the board of elections of such county within	137
which all qualified electors having a voting residence therein	138
may vote at the same polling place.	139
(R) "Polling place" means that place provided for each	140
precinct at which the electors having a voting residence in such	141
precinct may vote.	142
(S) "Board" or "board of elections" means the board of	143
elections appointed in a county pursuant to section 3501.06 of	144
the Revised Code.	145
(T) "Political subdivision" means a county, township,	146
city, village, or school district.	147
(U) "Election officer" or "election official" means any of	148
the following:	149
(1) Secretary of state;	150
(2) Employees of the secretary of state serving the	151
division of elections in the capacity of attorney,	152
administrative officer, administrative assistant, elections	153
administrator, office manager, or clerical supervisor;	154
(3) Director of a board of elections;	155
(4) Deputy director of a board of elections;	156
(5) Member of a board of elections;	157
(6) Employees of a board of elections;	158

(7) Precinct election officials;	159
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	160 161
(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.	162 163 164 165 166 167 168
(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.	169 170 171 172
(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	173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188

libraries, or the office of a county treasurer. 189

(Y) "National Voter Registration Act of 1993" means the 190
"National Voter Registration Act of 1993," 107 Stat. 77, 42 191
U.S.C.A. 1973gg. 192

(Z) "Voting Rights Act of 1965" means the "Voting Rights 193
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 194

(AA) (1) "Photo identification" means one of the following 195
documents that includes the individual's name and photograph and 196
is not expired: 197

(a) An Ohio driver's license, state identification card, 198
or interim identification form issued by the registrar of motor 199
vehicles or a deputy registrar under Chapter 4506. or 4507. of 200
the Revised Code; 201

(b) A United States passport or passport card; 202

(c) A United States military identification card, Ohio 203
national guard identification card, or United States department 204
of veterans affairs identification card. 205

(2) A "copy" of an individual's photo identification means 206
images of both the front and back of a document described in 207
division (AA) (1) of this section, except that if the document is 208
a United States passport, a copy of the photo identification 209
means an image of the passport's identification page that 210
includes the individual's name, photograph, and other 211
identifying information and the passport's expiration date. 212

(BB) "Driver's license" means a license or permit issued 213
by the registrar or a deputy registrar under Chapter 4506. or 214
4507. of the Revised Code that authorizes an individual to 215
drive. "Driver's license" includes a driver's license, 216

commercial driver's license, probationary license, restricted 217
license, motorcycle operator's license, or temporary instruction 218
permit identification card. "Driver's license" does not include 219
a limited term license issued under section 4507.09 of the 220
Revised Code. 221

(CC) "State identification card" means a card issued by 222
the registrar or a deputy registrar under sections 4507.50 to 223
4507.52 of the Revised Code. 224

(DD) "Interim identification form" means the document 225
issued by the registrar or a deputy registrar to an applicant 226
for a driver's license or state identification card that 227
contains all of the information otherwise found on the license 228
or card and that an applicant may use as a form of 229
identification until the physical license or card arrives in the 230
mail. 231

(EE) "Ranked choice voting" and "instant runoff voting" 232
mean a method of nominating or electing one or more candidates 233
to an office as follows: 234

(1) Voters rank candidates on the ballot in order of 235
preference. 236

(2) Tabulation proceeds in rounds such that in each round, 237
one or more candidates are nominated or elected or a last-place 238
candidate is defeated. 239

(3) Votes are transferred from nominated, elected, or 240
defeated candidates to the voter's next-ranked candidate or 241
candidates in order of preference. 242

(4) Tabulation ends when a candidate receives the majority 243
of the votes cast or when the number of candidates nominated or 244
elected equals the number of offices to be filled, as 245

applicable. 246

Sec. 3505.011. (A) Except as otherwise permitted under 247
Article X or Article XVIII, Ohio Constitution, no election shall 248
be conducted in this state using ranked choice voting or instant 249
runoff voting. 250

(B) If the secretary of state determines that a county or 251
municipal corporation has, by resolution or ordinance, approved 252
the use of ranked choice voting or instant runoff voting in an 253
election, then the county or municipal corporation is ineligible 254
to receive any local government fund distributions from the 255
state during the period beginning with the month following the 256
adoption of the resolution or ordinance and ending with the 257
month following the last day it is in effect. Upon making that 258
determination, the secretary of state promptly shall notify the 259
tax commissioner of the county or municipal corporation's 260
ineligibility. 261

(C) Upon determining that a county or municipal 262
corporation has, by resolution or ordinance, rescinded previous 263
approval for the use of ranked choice voting that resulted in 264
notice to the tax commissioner under division (B) of this 265
section, the secretary of state shall promptly notify the tax 266
commissioner of the rescission. 267

Sec. 3513.05. Each person desiring to become a candidate 268
for a party nomination at a primary election or for election to 269
an office or position to be voted for at a primary election, 270
except persons desiring to become joint candidates for the 271
offices of governor and lieutenant governor and except as 272
otherwise provided in section 3513.051 of the Revised Code, 273
shall, not later than four p.m. of the ninetieth day before the 274
day of the primary election, file a declaration of candidacy and 275

petition and pay the fees required under divisions (A) and (B) 276
of section 3513.10 of the Revised Code. The declaration of 277
candidacy and all separate petition papers shall be filed at the 278
same time as one instrument. When the offices are to be voted 279
for at a primary election, persons desiring to become joint 280
candidates for the offices of governor and lieutenant governor 281
shall, not later than four p.m. of the ninetieth day before the 282
day of the primary election, comply with section 3513.04 of the 283
Revised Code. The prospective joint candidates' declaration of 284
candidacy and all separate petition papers of candidacies shall 285
be filed at the same time as one instrument. The secretary of 286
state or a board of elections shall not accept for filing a 287
declaration of candidacy and petition of a person seeking to 288
become a candidate if that person, for the same election, has 289
already filed a declaration of candidacy or a declaration of 290
intent to be a write-in candidate, or has become a candidate by 291
the filling of a vacancy under section 3513.30 of the Revised 292
Code for any federal, state, or county office, if the 293
declaration of candidacy is for a state or county office, or for 294
any municipal or township office, if the declaration of 295
candidacy is for a municipal or township office. 296

If the declaration of candidacy declares a candidacy which 297
is to be submitted to electors throughout the entire state, the 298
petition, including a petition for joint candidates for the 299
offices of governor and lieutenant governor, shall be signed by 300
at least one thousand qualified electors who are members of the 301
same political party as the candidate or joint candidates, and 302
the declaration of candidacy and petition shall be filed with 303
the secretary of state; provided that the secretary of state 304
shall not accept or file any such petition appearing on its face 305
to contain signatures of more than three thousand electors. 306

Except as otherwise provided in this paragraph, if the 307
declaration of candidacy is of one that is to be submitted only 308
to electors within a district, political subdivision, or portion 309
thereof, the petition shall be signed by not less than fifty 310
qualified electors who are members of the same political party 311
as the political party of which the candidate is a member. If 312
the declaration of candidacy is for party nomination as a 313
candidate for member of the legislative authority of a municipal 314
corporation elected by ward, the petition shall be signed by not 315
less than twenty-five qualified electors who are members of the 316
political party of which the candidate is a member. 317

No such petition, except the petition for a candidacy that 318
is to be submitted to electors throughout the entire state, 319
shall be accepted for filing if it appears to contain on its 320
face signatures of more than three times the minimum number of 321
signatures. When a petition of a candidate has been accepted for 322
filing by a board of elections, the petition shall not be deemed 323
invalid if, upon verification of signatures contained in the 324
petition, the board of elections finds the number of signatures 325
accepted exceeds three times the minimum number of signatures 326
required. A board of elections may discontinue verifying 327
signatures on petitions when the number of verified signatures 328
equals the minimum required number of qualified signatures. 329

If the declaration of candidacy declares a candidacy for 330
party nomination or for election as a candidate of a minor 331
party, the minimum number of signatures on such petition is one- 332
half the minimum number provided in this section, except that, 333
when the candidacy is one for election as a member of the state 334
central committee or the county central committee of a political 335
party, the minimum number shall be the same for a minor party as 336
for a major party. 337

If a declaration of candidacy is one for election as a 338
member of the state central committee or the county central 339
committee of a political party, the petition shall be signed by 340
five qualified electors of the district, county, ward, township, 341
or precinct within which electors may vote for such candidate. 342
The electors signing such petition shall be members of the same 343
political party as the political party of which the candidate is 344
a member. 345

For purposes of signing or circulating a petition of 346
candidacy for party nomination or election, an elector is 347
considered to be a member of a political party if the elector 348
voted in that party's primary election within the preceding two 349
calendar years, or if the elector did not vote in any other 350
party's primary election within the preceding two calendar 351
years. 352

If the declaration of candidacy is of one that is to be 353
submitted only to electors within a county, or within a district 354
or subdivision or part thereof smaller than a county, the 355
petition shall be filed with the board of elections of the 356
county. If the declaration of candidacy is of one that is to be 357
submitted only to electors of a district or subdivision or part 358
thereof that is situated in more than one county, the petition 359
shall be filed with the board of elections of the county within 360
which the major portion of the population thereof, as 361
ascertained by the next preceding federal census, is located. 362

A petition shall consist of separate petition papers, each 363
of which shall contain signatures of electors of only one 364
county. Petitions or separate petition papers containing 365
signatures of electors of more than one county shall not thereby 366
be declared invalid. In case petitions or separate petition 367

papers containing signatures of electors of more than one county 368
are filed, the board shall determine the county from which the 369
majority of signatures came, and only signatures from such 370
county shall be counted. Signatures from any other county shall 371
be invalid. 372

Each separate petition paper shall be circulated by one 373
person only, who shall be the candidate or a joint candidate or 374
a member of the same political party as the candidate or joint 375
candidates, and each separate petition paper shall be governed 376
by the rules set forth in section 3501.38 of the Revised Code. 377

The secretary of state shall promptly transmit to each 378
board such separate petition papers of each petition 379
accompanying a declaration of candidacy filed with the secretary 380
of state as purport to contain signatures of electors of the 381
county of such board. The board of the most populous county of a 382
district shall promptly transmit to each board within such 383
district such separate petition papers of each petition 384
accompanying a declaration of candidacy filed with it as purport 385
to contain signatures of electors of the county of each such 386
board. The board of a county within which the major portion of 387
the population of a subdivision, situated in more than one 388
county, is located, shall promptly transmit to the board of each 389
other county within which a portion of such subdivision is 390
located such separate petition papers of each petition 391
accompanying a declaration of candidacy filed with it as purport 392
to contain signatures of electors of the portion of such 393
subdivision in the county of each such board. 394

All petition papers so transmitted to a board and all 395
petitions accompanying declarations of candidacy filed with a 396
~~board shall, under proper regulations, be open to public~~ 397

~~inspection until four p.m. of the eightieth day before the day~~ 398
~~of the next primary election~~ are public records subject to 399
disclosure under section 149.43 of the Revised Code. Upon 400
receiving a public records request for petition papers and 401
petitions accompanying declarations of candidacy, the board 402
shall, as soon as practicable, make available for public 403
inspection, or provide copies of, the petition papers and 404
petitions, in electronic or paper form as specified by the 405
requester, whether or not the petitions have been modified or 406
marked upon or the petition's signatures have been certified as 407
valid by the board. Each board shall, not later than the 408
seventy-eighth day before the day of that primary election, 409
examine and determine the validity or invalidity of the 410
signatures on the petition papers so transmitted to or filed 411
with it and shall return to the secretary of state all petition 412
papers transmitted to it by the secretary of state, together 413
with its certification of its determination as to the validity 414
or invalidity of signatures thereon, and shall return to each 415
other board all petition papers transmitted to it by such board, 416
together with its certification of its determination as to the 417
validity or invalidity of the signatures thereon. All other 418
matters affecting the validity or invalidity of such petition 419
papers shall be determined by the secretary of state or the 420
board with whom such petition papers were filed. 421

Protests against the candidacy of any person filing a 422
declaration of candidacy for party nomination or for election to 423
an office or position, as provided in this section, may be filed 424
by any qualified elector who is a member of the same political 425
party as the candidate and who is eligible to vote at the 426
primary election for the candidate whose declaration of 427
candidacy the elector objects to, or by the controlling 428

committee of that political party. The protest shall be in 429
writing, and shall be filed not later than four p.m. of the 430
seventy-fourth day before the day of the primary election. The 431
protest shall be filed with the election officials with whom the 432
declaration of candidacy and petition was filed. Upon the filing 433
of the protest, the election officials with whom it is filed 434
shall promptly fix the time for hearing it, and shall forthwith 435
mail notice of the filing of the protest and the time fixed for 436
hearing to the person whose candidacy is so protested. They 437
shall also forthwith mail notice of the time fixed for such 438
hearing to the person who filed the protest. At the time fixed, 439
such election officials shall hear the protest and determine the 440
validity or invalidity of the declaration of candidacy and 441
petition. If they find that such candidate is not an elector of 442
the state, district, county, or political subdivision in which 443
the candidate seeks a party nomination or election to an office 444
or position, or has not fully complied with this chapter, the 445
candidate's declaration of candidacy and petition shall be 446
determined to be invalid and shall be rejected; otherwise, it 447
shall be determined to be valid. That determination shall be 448
final. 449

A protest against the candidacy of any persons filing a 450
declaration of candidacy for joint party nomination to the 451
offices of governor and lieutenant governor shall be filed, 452
heard, and determined in the same manner as a protest against 453
the candidacy of any person filing a declaration of candidacy 454
singly. 455

The secretary of state shall, on the seventieth day before 456
the day of a primary election, certify to each board in the 457
state the forms of the official ballots to be used at the 458
primary election, together with the names of the candidates to 459

be printed on the ballots whose nomination or election is to be 460
determined by electors throughout the entire state and who filed 461
valid declarations of candidacy and petitions. 462

The board of the most populous county in a district 463
comprised of more than one county but less than all of the 464
counties of the state shall, on the seventieth day before the 465
day of a primary election, certify to the board of each county 466
in the district the names of the candidates to be printed on the 467
official ballots to be used at the primary election, whose 468
nomination or election is to be determined only by electors 469
within the district and who filed valid declarations of 470
candidacy and petitions. 471

The board of a county within which the major portion of 472
the population of a subdivision smaller than the county and 473
situated in more than one county is located shall, on the 474
seventieth day before the day of a primary election, certify to 475
the board of each county in which a portion of that subdivision 476
is located the names of the candidates to be printed on the 477
official ballots to be used at the primary election, whose 478
nomination or election is to be determined only by electors 479
within that subdivision and who filed valid declarations of 480
candidacy and petitions. 481

Sec. 3513.141. (A) Except as otherwise permitted under 482
Article X or Article XVIII, Ohio Constitution, no primary 483
election shall be conducted in this state using ranked choice 484
voting or instant runoff voting. 485

(B) If the secretary of state determines that a county or 486
municipal corporation has, by resolution or ordinance, approved 487
the use of ranked choice voting or instant runoff voting in a 488
primary election, then the county or municipal corporation is 489

ineligible to receive any local government fund distributions 490
from the state during the period beginning with the month 491
following the adoption of the resolution or ordinance and ending 492
with the month following the last day it is in effect. Upon 493
making that determination, the secretary of state promptly shall 494
notify the tax commissioner of the county or municipal 495
corporation's ineligibility. 496

(C) Upon determining that a county or municipal 497
corporation has, by resolution or ordinance, rescinded previous 498
approval for the use of ranked choice voting that resulted in 499
notice to the tax commissioner under division (B) of this 500
section, the secretary of state shall promptly notify the tax 501
commissioner of the rescission. 502

Sec. 3513.262. The nominating petitions of all candidates 503
required to be filed before four p.m. of the day before the day 504
of the primary election immediately preceding the general 505
election shall be processed as follows: 506

If such petition is filed with the secretary of state, the 507
secretary of state shall, not later than the fifteenth day of 508
June following the filing of such petition, or if the primary 509
election was a presidential primary election, not later than the 510
end of the sixth week after the day of that election, transmit 511
to each board such separate petition papers as purport to 512
contain signatures of electors of the county of such board. If 513
such petition is filed with the board of the most populous 514
county of a district or of a county in which the major portion 515
of the population of a subdivision is located, such board shall, 516
not later than the fifteenth day of June, or if the primary 517
election was a presidential primary election, not later than the 518
end of the sixth week after the day of that election, transmit 519

to each board within such district such separate petition papers 520
of the petition as purport to contain signatures of electors of 521
the county of such board. 522

All petition papers so transmitted to a board and all 523
nominating petitions filed with a board ~~shall, under proper~~ 524
~~regulations, be open to public inspection from the fifteenth day~~ 525
~~of June until four p.m. of the thirtieth day of that month, or~~ 526
~~if the primary election was a presidential primary election,~~ 527
~~from the end of the sixth week after the election until four~~ 528
~~p.m. of the end of the seventh week after the election~~are public 529
records subject to disclosure under section 149.43 of the 530
Revised Code. Upon receiving a public records request for 531
petition papers and petitions accompanying nominating petitions 532
as described in this section, the board shall, as soon as 533
practicable, make available for public inspection, or provide 534
copies of, the petition papers and nominating petitions, in 535
electronic or paper form as specified by the requester, whether 536
or not the petitions have been modified or marked upon or the 537
petition's signatures have been certified as valid by the board. 538
Each board shall, not later than the next fifteenth day of July, 539
or if the primary election was a presidential primary election, 540
not later than the end of the tenth week after the day of that 541
election, examine and determine the sufficiency of the 542
signatures on the petition papers transmitted to or filed with 543
it, and the validity of the petitions filed with it, and shall 544
return to the secretary of state all petition papers transmitted 545
to it by the secretary of state, together with its certification 546
of its determination as to the validity or invalidity of 547
signatures thereon, and shall return to each other board all 548
petition papers transmitted to it by such other board, as 549
provided in this section, together with its certification of its 550

determination as to the validity or invalidity of signatures 551
thereon. A signature on a nominating petition is not valid if it 552
is dated more than one year before the date the nominating 553
petition was filed. All other matters affecting the validity or 554
invalidity of such petition papers shall be determined by the 555
secretary of state or the board with whom such petition papers 556
were filed. 557

Written protests against nominating petitions may be filed 558
by any qualified elector eligible to vote for the candidate 559
whose nominating petition the elector objects to, not later than 560
four p.m. of the thirtieth day of July, or if the primary 561
election was a presidential primary election, not later than the 562
end of the twelfth week after the day of that election. Such 563
protests shall be filed with the election officials with whom 564
the nominating petition was filed. Upon the filing of such 565
protest, the election officials with whom it is filed shall 566
promptly fix the time and place for hearing it, and shall 567
forthwith mail notice of the filing of such protest and the time 568
and place for hearing it to the person whose nomination is 569
protested. They shall also forthwith mail notice of the time and 570
place fixed for the hearing to the person who filed the protest. 571
At the time fixed, such election officials shall hear the 572
protest and determine the validity or invalidity of the 573
petition. Such determination shall be final. 574

A protest against the nominating petition filed by joint 575
candidates for the offices of governor and lieutenant governor 576
shall be filed, heard, and determined in the same manner as a 577
protest against the nominating petition of a candidate who files 578
individually. 579

Sec. 3513.263. The nominating petitions of all candidates 580

required to be filed before four p.m. of the ninetieth day 581
before the day of the general election, shall be processed as 582
follows: 583

If such petition is filed with the secretary of state, the 584
secretary of state shall promptly transmit to each board such 585
separate petition papers as purports to contain signatures of 586
electors of the county of such board. 587

If such petition is filed with the board of a county in 588
which the major portion of the population of a subdivision is 589
located, such board shall promptly transmit to the board of each 590
county in which other portions of such subdivision are located 591
such separate petition papers of the petition as purport to 592
contain signatures of electors of such county. 593

All petition papers so transmitted to a board of 594
elections, and all nominating petitions filed with a board of 595
elections ~~shall, under proper regulation, be open to public-~~ 596
~~inspection until four p.m. of the eightieth day before the day-~~ 597
~~of such general election~~ are public records subject to disclosure 598
under section 149.43 of the Revised Code. Upon receiving a 599
public records request for petition papers and petitions 600
accompanying declarations of candidacy, the board shall, as soon 601
as practicable, make available for public inspection, or provide 602
copies of, the petition papers and petitions, in electronic or 603
paper form as specified by the requester, whether or not the 604
petitions have been modified or marked upon or the petition's 605
signatures have been certified as valid by the board. Each board 606
shall, not later than the seventy-eighth day before the day of 607
such general election examine and determine the sufficiency of 608
the signatures on the petition papers transmitted to or filed 609
with it and the validity or invalidity of petitions filed with 610

it, and shall return to each other board all petition papers 611
transmitted to it by such other board, together with its 612
certification of its determination as to the validity or 613
invalidity of signatures thereon. A signature on a nominating 614
petition is not valid if it is dated more than one year before 615
the date the nominating petition was filed. All other matters 616
affecting the validity or invalidity of such petition papers 617
shall be determined by the board with whom such petition papers 618
were filed. 619

Written protests against such nominating petitions may be 620
filed by any qualified elector eligible to vote for the 621
candidate whose nominating petition the elector objects to, not 622
later than the seventy-fourth day before the general election. 623
Such protests shall be filed with the election officials with 624
whom the nominating petition was filed. Upon the filing of such 625
protests, the election officials with whom it is filed shall 626
promptly fix the time and place for hearing it, and shall 627
forthwith mail notice of the filing of such protest and the time 628
and place for hearing it to the person whose nomination is 629
protested. They shall also forthwith mail notice of the time and 630
place fixed for the hearing to the person who filed the protest. 631
At the time and place fixed, such election officials shall hear 632
the protest and determine the validity or invalidity of the 633
petition. Such determination shall be final. 634

Sec. 5747.502. (A) As used in this section: 635

(1) "Local authority" and "traffic law photo-monitoring 636
device" have the same meanings as in section 4511.092 of the 637
Revised Code. 638

(2) "School zone" has the same meaning as in section 639
4511.21 of the Revised Code. 640

(3) "Transportation district" means a territorial district 641
established by the director of transportation under section 642
5501.14 of the Revised Code. 643

(4) "District deputy director" means the person appointed 644
and assigned by the director of transportation under section 645
5501.14 of the Revised Code to administer the activities of a 646
transportation district. 647

(5) "Gross amount" means the entire amount of traffic 648
camera fines and fees paid by a driver. 649

(6) "Local government fund adjustment" or "LGF adjustment" 650
means the sum of: 651

(a) The gross amount of all traffic camera fines collected 652
by a local authority during the preceding fiscal year, as 653
reported under division (B)(1) of this section, if such a report 654
is required; plus 655

(b) The residual adjustment computed for the local 656
authority under division (B)(4) of this section, if such an 657
adjustment applies. 658

(7) "Local government fund payments" or "LGF payments" 659
means the payments a local authority would receive under 660
sections ~~5747.502~~ 5747.503, 5747.51, and 5747.53, and division 661
(C) of section 5747.50 of the Revised Code, as applicable, if 662
not for the reductions required by divisions (C) and (D) of this 663
section. 664

(8) "Residual adjustment" means the most recent LGF 665
adjustment computed for a local authority under division (B)(2) 666
or (3) of this section minus the sum of the reductions applied 667
after that computation under division (C) of this section to the 668
local authority's LGF payments. 669

(9) "Traffic camera fines" means civil fines for any 670
violation of any local ordinance or resolution that are based 671
upon evidence recorded by a traffic law photo-monitoring device. 672

(10) "Qualifying village" has the same meaning as in 673
section 5747.503 of the Revised Code. 674

(B) (1) Annually, on or before the thirty-first day of 675
July, any local authority that directly or indirectly collected 676
traffic camera fines during the preceding fiscal year shall file 677
a report with the tax commissioner that includes a detailed 678
statement of the gross amount of all traffic camera fines the 679
local authority collected during that period and the gross 680
amount of such fines that the local authority collected for 681
violations that occurred within a school zone. 682

(2) Annually, on or before the tenth day of August, the 683
commissioner shall compute a local government fund adjustment 684
for each local authority that files a report under division (B) 685
(1) of this section or with respect to which a residual 686
adjustment applies. Subject to division (B) (3) of this section_ 687
and section 5747.505 of the Revised Code, the LGF adjustment 688
shall be used by the commissioner to determine the amount of the 689
reductions required under division (C) of this section for each 690
of the next twelve months, starting with the month in which the 691
LGF adjustment is computed. After those twelve months, the LGF 692
adjustment ceases to apply and, if an LGF adjustment continues 693
to be required, the amount of the reductions required under 694
division (C) of this section shall be determined based on an 695
updated LGF adjustment computed under this division. 696

(3) Upon receipt of a report described by division (B) (1) 697
of this section that is not timely filed, the commissioner shall 698
do both of the following: 699

(a) If one or more payments to the local authority has 700
been withheld under division (D) of this section because of the 701
local authority's failure to file the report, notify the county 702
auditor and county treasurer of the appropriate county that the 703
report has been received and that, subject to division (C) of 704
this section, payments to the local authority from the undivided 705
local government fund are to resume. 706

(b) Compute the local authority's LGF adjustment using the 707
information in the report. An LGF adjustment computed under this 708
division shall be used by the commissioner to determine the 709
amount of the reductions required under division (C) of this 710
section starting with the next required reduction. The LGF 711
adjustment ceases to apply on the thirty-first day of the 712
ensuing July, following which, if an LGF adjustment continues to 713
be required, the amount of the reductions required under 714
division (C) of this section shall be determined based on an 715
updated LGF adjustment computed under division (B) (2) of this 716
section. 717

(4) Annually, on or before the tenth day of August, the 718
commissioner shall compute a residual adjustment for each local 719
authority whose LGF adjustment for the preceding year exceeds 720
the amount by which the local authority's LGF payments were 721
reduced during that year under division (C) of this section. The 722
residual adjustment shall be used to compute the LGF adjustment 723
for the ensuing year under division (B) (2) of this section. 724

(C) The Subject to section 5747.505 of the Revised Code, 725
the commissioner shall do the following, as applicable, 726
respecting any local authority to which an LGF adjustment 727
computed under division (B) of this section applies: 728

(1) If the local authority is a municipal corporation with 729

a population of one thousand or more, reduce payments to the 730
municipal corporation under division (C) of section 5747.50 of 731
the Revised Code by one-twelfth of the LGF adjustment. If one- 732
twelfth of the LGF adjustment exceeds the amount of money the 733
municipal corporation would otherwise receive under division (C) 734
of section 5747.50 of the Revised Code, the commissioner also 735
shall reduce payments to the appropriate county undivided local 736
government fund under division (B) of section 5747.50 of the 737
Revised Code by an amount equal to the lesser of (a) one-twelfth 738
of the excess, or (b) the amount of the payment the municipal 739
corporation would otherwise receive from the fund under section 740
5747.51 or 5747.53 of the Revised Code. 741

(2) If the local authority is a township or qualifying 742
village, reduce the supplemental payments to the appropriate 743
county undivided local government fund under section 5747.503 of 744
the Revised Code by the lesser of one-twelfth of the LGF 745
adjustment, or the amount of money the township or qualifying 746
village would otherwise receive under that section. If one- 747
twelfth of the LGF adjustment exceeds the amount of money the 748
township or qualifying village would otherwise receive under 749
section 5747.503 of the Revised Code, the commissioner also 750
shall reduce payments to the appropriate county undivided local 751
government fund under division (B) of section 5747.50 of the 752
Revised Code by an amount equal to the lesser of (a) one-twelfth 753
of the excess, or (b) the amount of the payment the township or 754
qualifying village would otherwise receive from the fund under 755
section 5747.51 or 5747.53 of the Revised Code. 756

(3) If the local authority is a county, reduce payments to 757
the appropriate county undivided local government fund under 758
division (B) of section 5747.50 of the Revised Code by an amount 759
equal to the lesser of (a) one-twelfth of the LGF adjustment, or 760

(b) the amount of the payment the county would otherwise receive 761
from the fund under section 5747.51 or 5747.53 of the Revised 762
Code. 763

(4) For any local authority, on or before the tenth day of 764
each month a reduction is made under division (C)(1), (2), or 765
(3) of this section, make a payment to the local authority in an 766
amount equal to the lesser of (a) one-twelfth of the gross 767
amount of traffic camera fines the local authority collected in 768
the preceding fiscal year for violations that occurred within a 769
school zone, as indicated on the report filed by the local 770
authority pursuant to division (B)(1) of this section, or (b) 771
the amount by which the local authority's LGF payments were 772
reduced that month pursuant to division (C)(1), (2), or (3) of 773
this section. Payments received by a local authority under this 774
division shall be used by the local authority for school safety 775
purposes. 776

(D) ~~Upon~~ Subject to section 5747.505 of the Revised Code, 777
upon discovery, based on information in the commissioner's 778
possession, that a local authority required to file a report 779
under division (B)(1) of this section has failed to do so, the 780
commissioner shall do the following, as applicable: 781

(1) If the local authority is a municipal corporation with 782
a population of one thousand or more, cease providing for 783
payments to the municipal corporation under section 5747.50 of 784
the Revised Code beginning with the next required payment and 785
until such time as the report is received by the commissioner; 786

(2) If the local authority is a township or qualifying 787
village, reduce the supplemental payments to the appropriate 788
county undivided local government fund under section 5747.503 of 789
the Revised Code by an amount equal to the amount of such 790

payments the local authority would otherwise receive under that 791
section, beginning with the next required payment and until such 792
time as the report is received by the commissioner; 793

(3) For any local authority, reduce payments to the 794
appropriate county undivided local government fund under 795
division (B) of section 5747.50 of the Revised Code by an amount 796
equal to the amount of such payments the local authority would 797
otherwise receive under section 5747.51 or 5747.53 of the 798
Revised Code, beginning with the next required payment and until 799
such time as the report is received by the commissioner; 800

(4) For any local authority, notify the county auditor and 801
county treasurer that such payments are to cease until the 802
commissioner notifies the auditor and treasurer under division 803
(E) of this section that the payments are to resume. 804

(E) The commissioner shall notify the county auditor and 805
county treasurer on or before the day the commissioner first 806
reduces a county undivided local government fund payment to that 807
county under division (C) of this section. The notice shall 808
include the full amount of the reduction, a list of the local 809
authorities to which the reduction applies, and the amount of 810
reduction attributed to each such local authority. The 811
commissioner shall send an updated notice to the county auditor 812
and county treasurer any time the amount the reduction 813
attributed to any local authority changes. 814

A county treasurer that receives a notice from the 815
commissioner under this division or division (B) (3) (a) or (D) (4) 816
of this section shall reduce, cease, or resume payments from the 817
undivided local government fund to the local authority that is 818
the subject of the notice as specified by the commissioner in 819
the notice. Unless otherwise specified in the notice, the 820

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 880
county under division (B) (3) of this section. The notice shall 881
include the full amount of the reduction, a list of the counties 882
and municipal corporations to which the reduction applies, and 883
the amount of reduction attributed to each such county or 884
municipal corporation. 885

(2) The commissioner shall also notify the county auditor 886
and county treasurer on or before the day that the commissioner 887
first resumes payments to the county undivided local government 888
fund under division (C) of this section. The notification shall 889
include a list of the counties or municipal corporations that 890
are again eligible to receive local government fund payments. 891

(3) Subject to section 5747.505 of the Revised Code, a 892
county treasurer that receives a notice from the commissioner 893
under division (D) (1) or (2) of this section shall cease or 894
resume payments from the undivided local government fund to the 895
county or municipal corporation that is the subject of the 896
notice as specified by the commissioner in the notice. 897

(E) On or before the tenth day of each month, the 898
commissioner shall transfer from the local government fund to 899
the general revenue fund the sum of the payments withheld that 900
month under division (B) of this section. 901

Sec. 5747.505. If a municipal corporation or county is 902
subject to more than one reduction required by sections 5747.502 903
and 5747.504 of the Revised Code for the same month, the tax 904
commissioner shall apply the reduction required by section 905
5747.504 of the Revised Code first and deposit the amount of 906
payments withheld to the general revenue fund under division (E) 907
of that section. 908

Section 2. That existing sections 3501.01, 3513.05,	909
3513.262, 3513.263, and 5747.502 of the Revised Code are hereby	910
repealed.	911