

H. B. No. 298
As Introduced

_____ moved to amend as follows:

- In line 1 of the title, delete "3301.01, 3301.02,"; delete "and" 1
- In line 2 of the title, after "3301.06" insert ", and 3513.259; to 2
enact new sections 3301.01 and 3301.02 and section 3301.013; and to repeal 3
sections 3301.01 and 3301.02" 4
- In line 3 of the title, after "Education" insert ", beginning on 5
January 1, 2025," 6
- In line 4 of the title, after "members" insert "from districts 7
coinciding with the state's congressional districts" 8
- In line 5, delete "3301.01, 3301.02,"; delete "and" 9
- In line 6, after "3301.06" insert ", and 3513.259 be amended and new 10
sections 3301.01 and 3301.02 and section 3301.013"; delete "amended" and 11
insert "enacted" 12
- Delete lines 7 through 48 13
- After line 48, insert: 14
- "Sec. 3301.01. There is hereby established the state board 15

of education, the voting membership of which shall be comprised 16
of one member from each state board district created under this 17
section. For the purpose of election of state board members, the 18
state of Ohio shall be divided into the number of state board 19
districts that coincide with the prescribed number of 20
congressional districts apportioned to the state pursuant to 21
Section 2 of Article I of the Constitution of the United States. 22
The boundaries of the state board districts shall coincide with 23
the boundaries of the congressional districts established under 24
Article XIX of the Ohio Constitution in a year ending in the 25
numeral one, notwithstanding any subsequent changes to those 26
boundaries that occur before the next year ending in the numeral 27
one. The numbers of the state board districts shall be the same 28
as the numbers of the corresponding congressional districts. 29

In addition to the elected members, the chairperson of the 30
committee of the senate that primarily deals with primary and 31
secondary education and the chairperson of the committee of the 32
house of representatives that primarily deals with primary and 33
secondary education shall be nonvoting ex officio board members. 34

Sec. 3301.013. Notwithstanding anything to the contrary in 35
sections 3301.01, 3301.02, 3301.03, and 3301.06 of the Revised 36
Code, as those sections exist on and after the effective date of 37
this section: 38

(A) The appointed voting members of the state board of 39
education as constituted under sections 3301.01, 3301.02, 40
3301.03, and 3301.06 of the Revised Code, as those sections 41
existed prior to the effective date of this section, shall 42
remain in office until the expiration of their current terms. 43
Thereafter, their respective offices shall be abolished and no 44
successor shall be appointed. If such appointed member vacates 45

the office prior to the expiration of the member's term, no 46
person shall be appointed to fill that vacancy, and that office 47
shall be abolished. 48

(B) The elected members of the state board of education as 49
constituted under sections 3301.01, 3301.02, 3301.03, 3301.06, 50
and 3513.259 of the Revised Code, as those sections existed 51
prior to the effective date of this section, shall continue in 52
office until such time as members of the state board are elected 53
from districts prescribed in section 3301.01 of the Revised 54
Code, as that section exists on and after the effective date of 55
this section, at the general election held on November 5, 2024, 56
and are qualified for office or are assigned to represent a 57
district pursuant to this section. 58

Beginning on January 1, 2025, the state board shall be 59
composed of fifteen elected voting members, with each member 60
representing one district, as required under section 3301.01 of 61
the Revised Code. Each elected voting member shall represent one 62
of those districts either by having been elected from that 63
district at the general election held on November 5, 2024, or, 64
if as of January 1, 2025, the member is still serving an 65
unexpired term, by having been assigned by lot to represent one 66
of the remaining districts. 67

Accordingly, ten state board members shall be elected from 68
ten state board districts at the general election held on 69
November 5, 2024. Notwithstanding the residency requirement of 70
section 3301.06 of the Revised Code as it exists on and after 71
the effective date of this section, the five members who had 72
been elected from districts under former section 3301.01 of the 73
Revised Code whose terms do not expire until December 31, 2026, 74
shall be assigned to represent five other state board districts 75

for the remainder of their terms. The secretary of state, at the 76
earliest possible date after the effective date of this section, 77
shall determine by lot which districts the five members shall 78
represent. 79

Except as provided in division (C) of this section, the 80
state board thereafter shall be constituted as prescribed in 81
sections 3301.01, 3301.02, 3301.03, 3301.06, and 3513.259 of the 82
Revised Code as those sections exist on and after the effective 83
date of this section. 84

(C) Eight of the ten elected members of the state board 85
who are elected at the November 5, 2024, general election shall 86
serve for a term of four years and two of the ten elected 87
members shall serve for a term of two years. The secretary of 88
state shall determine by lot, not later than November 5, 2023, 89
which two districts shall have elected members serve for an 90
initial term of two years. The two members shall take an oath of 91
office for a term of two years, rather than four. 92

Thereafter, the elected members from those two districts 93
shall serve terms as prescribed under sections 3301.01 and 94
3301.02 of the Revised Code as those sections exist on and after 95
the effective date of this section." 96

Delete lines 49 through 84 97

After line 84, insert: 98

"Sec. 3301.02. (A) Voting members of the state board of 99
education as of the date of a change of the state board 100
districts under section 3301.01 of the Revised Code shall 101
continue in office until their successors are elected and 102
qualified for office, at which time the board whose successors 103
have been so qualified shall be dissolved. At the first regular 104

state election occurring after a change in the state board 105
districts coinciding with changes to the boundaries of the 106
congressional districts established under Article XIX of the 107
Ohio Constitution in a year ending in the numeral one, 108
notwithstanding any subsequent changes to those boundaries that 109
occur before the next year ending in the numeral one, one board 110
member shall be elected from each state board district for a 111
term of office beginning the first day of January immediately 112
following that election. Elected members of the state board who 113
reside in state board districts designated with an odd number 114
shall serve for a term of four years. Elected members of the 115
state board who reside in state board districts designated with 116
an even number shall serve for a term of two years. 117

(B) After the board has been constituted and the members' 118
terms of office have been determined under division (A) of this 119
section, at each regular state election, the members of the 120
board shall be elected as required by expiration of respective 121
terms, each for a term of four years or until the member's 122
successor is elected and qualified. One member shall be elected 123
for each district respectively in which the term of office of a 124
board member expires on the first day of January following the 125
election except when the boundaries of the state board districts 126
are changed under section 3301.01 of the Revised Code, at which 127
time terms of office shall be determined under division (A) of 128
this section. The term of office of each member shall begin on 129
the first day of January immediately following this election. 130

(C) No person shall hold the office of voting member of 131
the state board for a period of longer than two successive terms 132
of four years. Terms shall be considered successive unless 133
separated by a period of four or more years." 134

In line 102, reinsert "voting" 135

In line 125, reinsert "in"; delete "among the voting members of" 136

In line 132, after "a" insert "two-thirds" 137

In line 133, delete "seven" 138

After line 146, insert: 139

"Sec. 3513.259. Nominations of candidates for the office 140
of member of the state board of education shall be made only by 141
nominating petition. The nominating petition of a candidate for 142
the office of member of the state board of education shall be 143
signed by not less than one hundred qualified electors. 144

No such nominating petition shall be accepted for filing 145
if it appears on its face to contain signatures aggregating in 146
number more than three times the minimum number of signatures 147
required by this section. A board of elections shall not accept 148
for filing a nominating petition of a person if that person, for 149
the same election, has already filed a declaration of candidacy, 150
a declaration of intent to be a write-in candidate, or a 151
nominating petition, or has become a candidate through party 152
nomination at a primary election or by the filling of a vacancy 153
under section 3513.30 or 3513.31 of the Revised Code, to be a 154
candidate for any other state office or any federal or county 155
office. When a petition of a candidate has been accepted for 156
filing by a board of elections, the petition shall not be deemed 157
invalid if, upon verification of signatures contained in the 158
petition, the board of elections finds the number of signatures 159
accepted exceeds three times the minimum number of signatures 160
required. A board of elections may discontinue verifying 161
signatures when the number of verified signatures equals the 162
minimum required number of signatures. Such petition shall be 163
filed with the board of elections of the most populous county in 164

such district not later than four p.m. of the ninetieth day 165
before the day of the general election at which state board of 166
education members are elected. 167

Each nominating petition shall be signed by qualified 168
electors residing in the district in which the candidate 169
designated therein would be a candidate for election to the 170
office of member of the state board of education. Each candidate 171
shall be a qualified elector residing in the district in which 172
the candidate seeks election to such office. 173

As the word "district" is used in this section, it refers 174
to a district created under section 3301.01 of the Revised Code, 175
the boundaries of which districts shall coincide with the 176
boundaries of the congressional districts established under 177
Article XIX of the Ohio Constitution in a year ending in the 178
numeral one, notwithstanding any subsequent changes to those 179
boundaries that occur before the next year ending in the numeral 180
one." 181

In line 147, delete "3301.01, 3301.02," 182

In line 148, delete "and"; after "3301.06" insert ", and 3513.259" 183

After line 148, insert: 184

"**Section 3.** That sections 3301.01 and 3301.02 of the 185
Revised Code are hereby repealed." 186

Delete lines 149 through 159 187

The motion was _____ agreed to.

<u>SYNOPSIS</u>	188
Composition of the State Board of Education	189
R.C. 3301.01 and 3301.02 (repealed and reenacted); R.C. 3301.013, 3301.03, 3301.06, and 3313.259	190 191
Removes from the bill provisions that revise the	192
composition of the State Board of Education from 19 voting	193
members to 11, by eliminating the 8 Governor-appointed positions	194
while maintaining the 11 positions elected from designated State	195
Board electoral districts.	196
Maintains the bill's requirement that the Governor-	197
appointed members retain their positions on the State Board	198
until the expiration of their current terms, at which time the	199
appointed members' offices are abolished.	200
Changes the voting membership of the State Board to	201
consist of members elected from electoral districts that	202
coincide with the state's congressional districts as that	203
electoral map is established in years ending in "1," beginning	204
with the general election held on November 5, 2024. (Following	205
the 2020 decennial census, Ohio will have 15 Congressional	206
districts; therefore, under the bill, there also would be 15	207
State Board electoral districts, beginning January 1, 2025.)	208
Specifies that the State Board district boundaries must	209
coincide with the state's congressional district boundaries	210
adopted in years that end in "1" and prohibits changing the	211
State Board district boundaries until the next congressional	212
district map is adopted in a year that ends in "1" regardless of	213
subsequent changes to the state's congressional district	214
boundaries. (Under Article XIX, Section 1 of the Ohio	215
Constitution, congressional district plans are adopted in years	216

that end in "1" and remain effective until the next year that	217
ends in "1," pending determinations of constitutionality.)	218
Maintains the nonvoting ex officio membership of the State	219
Board as under current law, which consists of the chairpersons	220
of the House and Senate K-12 education committees.	221
Maintains current law's four-year staggered terms served	222
by elected members of the State Board once the bill's changes to	223
the Board's composition have been fully implemented.	224
Maintains current law's two-successive-term limit for	225
elected members.	226
Designation of districts for members with terms expiring	227
December 31, 2026	228
R.C. 3301.013 (B)	229
Requires the Secretary of State, at the earliest possible	230
date after the bill's effective date, to determine by lot which	231
districts the five elected members of the State Board whose	232
terms end on December 31, 2026, will represent for the remainder	233
of the term for which the members were elected.	234
Specifies that the district residency requirements for	235
State Board members do not apply to the five elected members	236
whose terms end on December 31, 2026.	237
State Board election of November 5, 2024	238
R.C. 3301.013 (C)	239
Establishes a process for staggering the terms of the	240
Board members by doing the following:	241
- Specifies that ten State Board members will be elected	242
in the November 5, 2024, general election, and that eight of	243

them will serve terms of four years and two of them will serve 244
terms of two years. 245

- Requires the Secretary of State, by November 5, 2023, to 246
designate by lot which two districts of the ten in the November 247
5, 2024, general election will have State Board members who 248
serve for a term of two years. 249

(Of the 15 total members, ten will be elected at the 250
November 5, 2024, general election, of which eight members will 251
serve four-year terms, ending December 31, 2028. Two members 252
will serve two-year terms, ending December 31, 2026, and then 253
will be eligible for election in the general election held on 254
November 3, 2026, along with the five other members whose terms 255
expire on December 31, 2026.) 256