

_____ moved to amend as follows:

In line 1 of the title, delete "3501.01, 3505.03, 3505.04" and 1
insert "1901.07, 3513.18" 2

In line 2 of the title, after "3513.257" insert "; to enact section 3
3513.25; and to repeal section 3513.28"; delete "certain" 4

In line 3 of the title, delete "appear on the ballot with" 5

In line 4 of the title, delete "party designation" and insert "be 6
nominated by nonpartisan primary elections" 7

In line 5, delete "3501.01, 3505.03, 3505.04" and insert "1901.07, 8
3513.18" 9

In line 6, after "3513.257" insert "be amended and section 3513.25"; 10
delete "amended" and insert "enacted" 11

After line 6, insert: 12

"Sec. 1901.07. (A) All municipal court judges shall be 13
elected on the nonpartisan ballot for terms of six years. In a 14
municipal court in which only one judge is to be elected in any 15
one year, that judge's term commences on the first day of 16
January after the election. In a municipal court in which two or 17



more judges are to be elected in any one year, their terms 18
commence on successive days beginning the first day of January, 19
following the election, unless otherwise provided by section 20
1901.08 of the Revised Code. 21

(B) All candidates for municipal court judge may be 22
nominated either by nominating petition or by nonpartisan 23
primary election, except that if the jurisdiction of a municipal 24
court extends only to the corporate limits of the municipal 25
corporation in which the court is located and that municipal 26
corporation operates under a charter, all candidates shall be 27
nominated in the same manner provided in the charter for the 28
office of municipal court judge or, if no specific provisions 29
are made in the charter for the office of municipal court judge, 30
in the same manner as the charter prescribes for the nomination 31
and election of the legislative authority of the municipal 32
corporation. 33

If the jurisdiction of a municipal court extends beyond 34
the corporate limits of the municipal corporation in which it is 35
located or if the jurisdiction of the court does not extend 36
beyond the corporate limits of the municipal corporation in 37
which it is located and no charter provisions apply, all 38
candidates for party nomination to the office of municipal court 39
judge shall file a nonpartisan declaration of candidacy and 40
~~petition not later than four p.m. of the ninetieth day before~~ 41
~~the day of the primary election in the form prescribed by under~~ 42
section ~~3513.07~~ 3513.25 of the Revised Code. ~~The petition shall~~ 43
~~conform to the requirements provided for those petitions of~~ 44
~~candidacy contained in section 3513.05 of the Revised Code,~~ 45
~~except that the petition shall be signed by at least fifty~~ 46
~~electors of the territory of the court.~~ If no valid declaration 47
of candidacy is filed for nomination as a candidate ~~of a~~ 48

~~political party~~ for election to the office of municipal court judge, or if the number of persons filing the declarations of candidacy for nominations as candidates ~~of one political party~~ for election to the office does not exceed the number of candidates ~~that that party is entitled to nominate as its~~ candidates for election to the office to be nominated at the primary election, no primary election shall be held for the purpose of nominating candidates ~~of that party~~ for election to the office, and the candidates shall be issued certificates of nomination in the manner set forth in section 3513.02 of the Revised Code.

~~If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, nonpartisan candidates for the office of municipal court judge shall file nominating petitions not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.257 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court.~~

The nominating petition or declaration of candidacy for a municipal court judge shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, the candidacies of the judges nominated shall be submitted to the electors of the territory on a nonpartisan, judicial ballot in the same manner as provided for judges of the court of common pleas, except that, in a municipal

corporation operating under a charter, all candidates for 80
municipal court judge shall be elected in conformity with the 81
charter if provisions are made in the charter for the election 82
of municipal court judges. 83

(C) Notwithstanding divisions (A) and (B) of this section, 84
in the following municipal courts, the judges shall be nominated 85
and elected as follows: 86

(1) In the Cleveland municipal court, the judges shall be 87
nominated only by petition. The petition shall be signed by at 88
least fifty electors of the territory of the court. It shall be 89
in the statutory form and shall be filed in the manner and 90
within the time prescribed by the charter of the city of 91
Cleveland for filing petitions of candidates for municipal 92
offices. Each elector shall have the right to sign petitions for 93
as many candidates as are to be elected, but no more. The judges 94
shall be elected by the electors of the territory of the court 95
in the manner provided by law for the election of judges of the 96
court of common pleas. 97

(2) In the Toledo municipal court, the judges shall be 98
nominated only by petition. The petition shall be signed by at 99
least fifty electors of the territory of the court. It shall be 100
in the statutory form and shall be filed in the manner and 101
within the time prescribed by the charter of the city of Toledo 102
for filing nominating petitions for city council. Each elector 103
shall have the right to sign petitions for as many candidates as 104
are to be elected, but no more. The judges shall be elected by 105
the electors of the territory of the court in the manner 106
provided by law for the election of judges of the court of 107
common pleas. 108

(3) In the Akron municipal court, the judges shall be 109

nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Akron for filing nominating petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(4) In the Hamilton county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least one hundred electors of the judicial district of the county from which the candidate seeks election, which petitions shall be signed and filed not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. Unless otherwise provided in this section, the petition shall conform to the requirements provided for nominating petitions in section 3513.257 of the Revised Code. The judges shall be elected by the electors of the relative judicial district of the county at the regular municipal election and in the manner provided by law for the election of judges of the court of common pleas.

(5) In the Franklin county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. The petition shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Columbus for filing petitions of candidates for municipal offices. The judges shall be elected by the electors of the territory of the court in the manner provided by law for

the election of judges of the court of common pleas. 141

(6) In the Auglaize, Brown, Carroll, Clermont, Crawford, 142
Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, 143
Perry, Putnam, Sandusky, and Wayne county municipal courts, the 144
judges shall be nominated only by petition. The petitions shall 145
be signed by at least fifty electors of the territory of the 146
court and shall conform to the provisions of this section. 147

(D) In the Portage county municipal court, the judges 148
shall be nominated either by nominating petition or by 149
nonpartisan primary election, as provided in division (B) of 150
this section. 151

(E) As used in this section, as to an election for either 152
a full or an unexpired term, "the territory within the 153
jurisdiction of the court" means that territory as it will be on 154
the first day of January after the election." 155

Delete lines 7 through 355 156

After line 355, insert: 157

"Sec. 3513.18. Party primaries shall be held at the same 158
place and time, but there shall be separate pollbooks and tally 159
sheets provided at each polling place for each party 160
participating in the election. 161

~~If a special election on a question or issue is held on~~ 162
~~the day of a primary election, there~~ There shall be provided in 163
the pollbooks pages on which shall be recorded the names of all 164
electors voting in any special election on said a question or 165
issue held on the day of a primary election or in any 166
nonpartisan primary election and not voting in ~~such a party~~ 167
primary election. It shall not be necessary for such electors 168

~~desiring to vote only on the question or issue to declare their~~ 169
~~political affiliation.~~ 170

Sec. 3513.25. Except as otherwise provided in section 171
1901.07 of the Revised Code concerning elections for municipal 172
court judges: 173

(A) Nominations of candidates for judicial offices shall 174
be made only by nonpartisan primary election as provided in this 175
section, and their election shall occur only in nonpartisan 176
elections. 177

(B) Candidates for nomination to judicial offices shall 178
appear on a nonpartisan ballot at the primary election. No name 179
or designation of any political party nor any words, 180
designations, or emblems descriptive of a candidate or the 181
candidate's political affiliation shall be printed on the ballot 182
in association with the candidate's name. The candidates for an 183
office who receive the highest and second highest number of 184
votes shall appear on the nonpartisan ballot at the general 185
election for that office. 186

(C) (1) Each person desiring to become a candidate for 187
nomination to a judicial office shall, not later than four p.m. 188
of the ninetieth day before the day of the primary election, 189
file a nonpartisan declaration of candidacy and petition, on 190
forms prescribed by the secretary of state, and pay the 191
applicable fees required under section 3513.10 of the Revised 192
Code. The declaration of candidacy shall designate the term of 193
the office the person seeks in accordance with section 3513.08 194
of the Revised Code. The declaration of candidacy also shall 195
designate a committee of five electors to represent the 196
candidate. 197

(2) If the candidacy is for the office of chief justice or justice of the supreme court, the petition shall be filed with the secretary of state and shall be signed by at least one thousand qualified electors, provided that the secretary of state shall not accept for filing any such petition appearing on its face to contain signatures of more than two thousand electors. The petition shall not be deemed invalid if, upon verification of signatures contained in the petition, the secretary of state finds that the number of signatures accepted exceeds two thousand. 198
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(3) If the candidacy is for any other judicial office, all of the following apply: 208
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(a) If the candidacy is to be submitted to electors only in one county, the petition shall be filed with the board of elections. If the candidacy is to be submitted to electors in more than one county, the petition shall be filed with the board of elections of the county with the largest portion of the population residing in the territory over which the court has jurisdiction, as determined by the most recent federal decennial census. 210
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(b) The petition shall be signed by at least fifty qualified electors of the territory over which the court has jurisdiction, provided that the board shall not accept for filing any such petition appearing on its face to contain signatures of more than one hundred fifty electors. The petition shall not be deemed invalid if, upon verification of signatures contained in the petition, the board finds that the number of signatures accepted exceeds one hundred fifty. 218
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(4) The declaration of candidacy need be signed by the candidate, or an attorney in fact acting pursuant to section 226
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3501.382 of the Revised Code, on only one of the separate 228
petition papers, but the signed declaration of candidacy shall 229
be copied on each other separate petition paper before the 230
signatures of electors are placed on it. 231

(D) (1) The declaration of candidacy and all separate 232
petition papers shall be filed at the same time as one 233
instrument. The election officials shall not accept for filing a 234
declaration of candidacy and petition of a person seeking to 235
become a candidate if that person, for the same election, has 236
already filed a declaration of candidacy or a declaration of 237
intent to be a write-in candidate, or has become a candidate by 238
the filling of a vacancy under section 3513.30 of the Revised 239
Code, for any federal, state, or county office, if the 240
declaration of candidacy is for a state or county office, or for 241
any municipal or township office, if the declaration of 242
candidacy is for a municipal office. 243

(2) The petition shall consist of separate petition 244
papers, each of which shall contain signatures of electors of 245
only one county. Petitions or separate petition papers 246
containing signatures of electors of more than one county shall 247
not thereby be declared invalid. If petitions or separate 248
petition papers containing signatures of electors of more than 249
one county are filed, the election officials with whom the 250
petitions are filed shall determine the county from which the 251
majority of the signatures came, and only signatures from that 252
county shall be counted. Signatures from any other county shall 253
be invalid. 254

(3) Each separate petition paper shall be circulated by 255
one person only, and each separate petition paper shall be 256
governed by section 3501.38 of the Revised Code. 257

(E) (1) The secretary of state promptly shall transmit the 258
separate petition papers to the appropriate boards of elections. 259
A board of elections that receives separate petition papers that 260
purport to contain signatures of electors of another county 261
promptly shall transmit the petition papers to the board of 262
elections of that county. 263

(2) All petition papers filed with or transmitted to a 264
board shall, under proper regulations, be open to public 265
inspection until four p.m. of the eightieth day before the day 266
of the primary election. Each board shall, not later than the 267
seventy-eighth day before the day of the primary election, 268
examine and determine the validity or invalidity of the 269
signatures on the petition papers and, if applicable, shall 270
return them to the election officials from whom they were 271
received, together with its certification of its determination 272
as to the validity or invalidity of the signatures. All other 273
matters affecting the validity or invalidity of the petition 274
papers shall be determined by the election officials with whom 275
the petition papers are filed. 276

(F) Protests against the candidacy of any person filing a 277
declaration of candidacy and petition under this section may be 278
filed by any qualified elector who is eligible to vote for the 279
candidate to whose declaration of candidacy the elector objects. 280
The protest shall be in writing and shall be filed not later 281
than four p.m. of the seventy-fourth day before the day of the 282
primary election in the office in which the declaration of 283
candidacy and petition are filed. Upon the filing of the 284
protest, the election officials with whom the protest is filed 285
shall promptly fix the time for hearing it, and shall forthwith 286
mail notice of the filing of the protest and the time fixed for 287
hearing to the person whose candidacy is so protested. The 288

election officials shall also forthwith mail notice of the time 289
fixed for such hearing to the person who filed the protest. At 290
the time fixed, the election officials shall hear the protest 291
and determine the validity or invalidity of the declaration of 292
candidacy and petition. If the election officials find that the 293
candidate is not an elector of the state or of the territory in 294
which the candidate seeks nomination, as applicable, or has not 295
fully complied with this chapter, the candidate's declaration of 296
candidacy and petition shall be determined to be invalid and 297
shall be rejected; otherwise, it shall be determined to be 298
valid. That determination shall be final." 299

In line 358, after "a" insert "party" 300

In line 472, delete ", other than a candidate for" 301

Delete line 473 302

In line 474, delete "pleas," 303

In line 504, delete "3501.01, 3505.03," 304

In line 505, delete "3505.04" and insert "1901.07, 3513.18" 305

After line 505, insert: 306

"Section 3. That section 3513.28 of the Revised Code is 307
hereby repealed. 308

Section 4. Section 1901.07 of the Revised Code is 309
presented in this act as a composite of the section as amended 310
by both H.B. 215 and S.B. 25 of the 132nd General Assembly. The 311
General Assembly, applying the principle stated in division (B) 312
of section 1.52 of the Revised Code that amendments are to be 313
harmonized if reasonably capable of simultaneous operation, 314
finds that the composite is the resulting version of the section 315
in effect prior to the effective date of the section as 316

presented in this act." 317

The motion was _____ agreed to.

SYNOPSIS 318

Nonpartisan judicial elections 319

R.C. 1901.07, 3513.18, 3513.25, 3513.257, and 3513.28 320
(repealed) and R.C. 3501.01, 3505.03, and 3505.04, removed from 321
the bill 322

Removes the provisions of the bill that require Supreme 323
Court and court of appeals candidates to have party designations 324
on the general election ballot. 325

Generally requires all judicial candidates to be nominated 326
at nonpartisan top-two primary elections instead of at partisan 327
primary elections. 328

Retains provisions of current law allowing certain 329
municipal court judges to be nominated by petition or according 330
to applicable charter provisions. 331

Retains the existing law requirement that judicial 332
candidates appear on the nonpartisan ballot at the general 333
election. 334