



Senator Nathan Manning
Ohio's 13th District
Sponsor Testimony: Senate Bill 53

Chair Wilkin, Vice Chair Swearingen, Ranking Member Brown, and members of the Ohio House Government Oversight Committee, thank you for allowing me the opportunity to provide sponsor testimony on Senate Bill 53. This bill would modify an aspect of existing code, and will serve to prevent unintended consequences of that law. Known as the “sore loser law,” ORC 3513.04 states that a candidate who appeared on the primary ballot for any position is ineligible to fill a ballot vacancy even for a different position on the November ballot.

The need for this legislation became apparent in 2019 in my district when a sitting Mayor running for re-election resigned his position and effective candidacy days after winning the primary election unopposed. Due to the way that the law is currently written, five of the six candidates to fill the vacancy were disqualified because they had each appeared on the primary ballot for other positions. In light of the controversy that arose from this, the sole candidate left standing rescinded his candidacy. Following many conversations with those who were affected, it became clear that the current language is in need of modification to avoid this situation from repeating itself in other communities.

The bill eliminates restrictions with respect to ballot vacancies for local offices, meaning that the party or committee could choose the former candidate’s primary opponent, another unsuccessful primary candidate, or even a person who won the nomination for a different office but is willing to withdraw from that race in order to fill the ballot vacancy.

Qualified individuals should not be precluded from consideration for arbitrary reasons. This section of code creates unnecessary confusion and could eliminate the most experienced candidates from filling a ballot vacancy. This legislation passed out of the Ohio Senate Local Government and Elections Committee and the Chamber with unanimous votes.

Chair Wilkin, Vice Chair Swearingen, Ranking Member Brown, thank you again for allowing me to deliver testimony on Senate Bill 53. I’d be glad to answer questions at this time.