

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 101

Representative Cera

**Cosponsors: Representatives Leland, Miller, J., Ingram, Sweeney, Crawley,
O'Brien, Smith, K.**

A BILL

To amend sections 511.27, 1545.21, 3501.01, 1
3503.16, 3513.01, 3513.12, and 3513.262 of the 2
Revised Code to require presidential primary 3
elections to be held on the first Tuesday after 4
the first Monday in May. 5

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

Section 1. That sections 511.27, 1545.21, 3501.01, 6
3503.16, 3513.01, 3513.12, and 3513.262 of the Revised Code be 7
amended to read as follows: 8

Sec. 511.27. (A) To defray the expenses of the township 9
park district and for purchasing, appropriating, operating, 10
maintaining, and improving lands for parks or recreational 11
purposes, the board of park commissioners may levy a sufficient 12
tax within the ten-mill limitation, not to exceed one mill on 13
each dollar of valuation on all real and personal property 14
within the township, and on all real and personal property 15
within any municipal corporation that is within the township, 16
that was within the township at the time that the park district 17
was established, or the boundaries of which are coterminous with 18

or include the township. The levy shall be over and above all 19
other taxes and limitations on such property authorized by law. 20

(B) Except as otherwise provided in division (C) of this 21
section, the board of park commissioners, not less than ninety 22
days before the day of the election, may declare by resolution 23
that the amount of taxes that may be raised within the ten-mill 24
limitation will be insufficient to provide an adequate amount 25
for the necessary requirements of the district and that it is 26
necessary to levy a tax in excess of that limitation for the use 27
of the district. The resolution shall specify the purpose for 28
which the taxes shall be used, the annual rate proposed, and the 29
number of consecutive years the levy will be in effect. Upon the 30
adoption of the resolution, the question of levying the taxes 31
shall be submitted to the electors of the township and the 32
electors of any municipal corporation that is within the 33
township, that was within the township at the time that the park 34
district was established, or the boundaries of which are 35
coterminous with or include the township, at the next general 36
election or at a special election ~~to be held on whichever of the~~ 37
~~following occurs first:~~ 38

~~(1) The the day of the next ~~ensuing general primary~~~~ 39
~~election.~~ 40

~~(2) The first Tuesday after the first Monday in May of any~~ 41
~~calendar year, except that, if a presidential primary election~~ 42
~~is held in that calendar year, then the day of that election,~~ 43
whichever occurs first. 44

The rate submitted to the electors at any one election 45
shall not exceed two mills annually upon each dollar of 46
valuation. If a majority of the electors voting upon the 47
question of the levy vote in favor of the levy, the tax shall be 48

levied on all real and personal property within the township and 49
on all real and personal property within any municipal 50
corporation that is within the township, that was within the 51
township at the time that the park district was established, or 52
the boundaries of which are coterminous with or include the 53
township, and the levy shall be over and above all other taxes 54
and limitations on such property authorized by law. 55

(C) In any township park district that contains only 56
unincorporated territory, if the township board of park 57
commissioners is appointed by the board of township trustees, 58
before a tax can be levied and certified to the county auditor 59
pursuant to section 5705.34 of the Revised Code or before a 60
resolution for a tax levy can be certified to the board of 61
elections pursuant to section 511.28 of the Revised Code, the 62
board of park commissioners shall receive approval for its levy 63
request from the board of township trustees. The board of park 64
commissioners shall adopt a resolution requesting the board of 65
township trustees to approve the levy request, stating the 66
annual rate of the proposed levy and the reason for the levy 67
request. On receiving this request, the board of township 68
trustees shall vote on whether to approve the request and, if a 69
majority votes to approve it, shall issue a resolution approving 70
the levy at the requested rate. 71

Sec. 1545.21. (A) The board of park commissioners, by 72
resolution, may submit to the electors of the park district the 73
question of levying taxes for the use of the district. The 74
resolution shall declare the necessity of levying such taxes, 75
shall specify the purpose for which such taxes shall be used, 76
the annual rate proposed, and the number of consecutive years 77
the rate shall be levied. Such resolution shall be forthwith 78
certified to the board of elections in each county in which any 79

part of such district is located, not later than the ninetieth 80
day before the day of the election, and the question of the levy 81
of taxes as provided in such resolution shall be submitted to 82
the electors of the district at the next general election or at 83
a special election to be held on ~~whichever of the following~~ 84
~~occurs first:~~ 85

~~(A) The the day of the next ~~general~~ primary election,~~ 86

~~(B) The first Tuesday after the first Monday in May in any 87
calendar year, except that if a presidential primary election is 88
held in that calendar year, then the day of that election, 89
whichever occurs first. ~~The~~ 90~~

(B) The ballot shall set forth the purpose for which the 91
taxes shall be levied, the annual rate of levy, and the number 92
of years of such levy. If the tax is to be placed on the current 93
tax list, the form of the ballot shall state that the tax will 94
be levied in the current tax year and shall indicate the first 95
calendar year the tax will be due. If the resolution of the 96
board of park commissioners provides that an existing levy will 97
be canceled upon the passage of the new levy, the ballot may 98
include a statement that: "an existing levy of ... mills 99
(stating the original levy millage), having ... years remaining, 100
will be canceled and replaced upon the passage of this levy." In 101
such case, the ballot may refer to the new levy as a 102
"replacement levy" if the new millage does not exceed the 103
original millage of the levy being canceled or as a "replacement 104
and additional levy" if the new millage exceeds the original 105
millage of the levy being canceled. ~~If~~ 106

(C) If a majority of the electors voting upon the question 107
of such levy vote in favor thereof, such taxes shall be levied 108
and shall be in addition to the taxes authorized by section 109

1545.20 of the Revised Code, and all other taxes authorized by 110
law. ~~The~~ 111

(D) The rate submitted to the electors at any one time 112
shall not exceed two mills annually upon each dollar of 113
valuation unless the purpose of the levy includes providing 114
operating revenues for one of Ohio's major metropolitan zoos, as 115
defined in section 4503.74 of the Revised Code, in which case 116
the rate shall not exceed three mills annually upon each dollar 117
of valuation. ~~When~~ 118

(E) When a tax levy has been authorized as provided in 119
this section or in section 1545.041 of the Revised Code, the 120
board of park commissioners may issue bonds pursuant to section 121
133.24 of the Revised Code in anticipation of the collection of 122
such levy, provided that such bonds shall be issued only for the 123
purpose of acquiring and improving lands. Such levy, when 124
collected, shall be applied in payment of the bonds so issued 125
and the interest thereon. The amount of bonds so issued and 126
outstanding at any time shall not exceed one per cent of the 127
total tax valuation in such district. Such bonds shall bear 128
interest at a rate not to exceed the rate determined as provided 129
in section 9.95 of the Revised Code. 130

Sec. 3501.01. As used in the sections of the Revised Code 131
relating to elections and political communications: 132

(A) "General election" means the election held on the 133
first Tuesday after the first Monday in each November. 134

(B) "Regular municipal election" means the election held 135
on the first Tuesday after the first Monday in November in each 136
odd-numbered year. 137

(C) "Regular state election" means the election held on 138

the first Tuesday after the first Monday in November in each 139
even-numbered year. 140

(D) "Special election" means any election other than those 141
elections defined in other divisions of this section. A special 142
election may be held only on the first Tuesday after the first 143
Monday in May, August, or November, or on the day authorized by 144
a particular municipal or county charter for the holding of a 145
primary election, ~~except that in any year in which a~~ 146
~~presidential primary election is held, no special election shall~~ 147
~~be held in May, except as authorized by a municipal or county~~ 148
~~charter, but may be held on the second Tuesday after the first~~ 149
~~Monday in March.~~ 150

(E) (1) "Primary" or "primary election" means an election 151
held for the purpose of nominating persons as candidates of 152
political parties for election to offices, and for the purpose 153
of electing persons as members of the controlling committees of 154
political parties and as delegates and alternates to the 155
conventions of political parties. Primary elections shall be 156
held on the first Tuesday after the first Monday in May of each 157
year ~~except in years in which a presidential primary election is~~ 158
~~held.~~ 159

(2) "Presidential primary election" means a primary 160
election as defined by division (E) (1) of this section at which 161
an election is held for the purpose of choosing delegates and 162
alternates to the national conventions of the major political 163
parties pursuant to section 3513.12 of the Revised Code. Unless 164
otherwise specified, presidential primary elections are included 165
in references to primary elections. ~~In years in which a~~ 166
~~presidential primary election is held, all primary elections~~ 167
~~shall be held on the second Tuesday after the first Monday in~~ 168

March except as otherwise authorized by a municipal or county	169
charter.	170
(F) "Political party" means any group of voters meeting	171
the requirements set forth in section 3517.01 of the Revised	172
Code for the formation and existence of a political party.	173
(1) "Major political party" means any political party	174
organized under the laws of this state whose candidate for	175
governor or nominees for presidential electors received not less	176
than twenty per cent of the total vote cast for such office at	177
the most recent regular state election.	178
(2) "Minor political party" means any political party	179
organized under the laws of this state that meets either of the	180
following requirements:	181
(a) Except as otherwise provided in this division, the	182
political party's candidate for governor or nominees for	183
presidential electors received less than twenty per cent but not	184
less than three per cent of the total vote cast for such office	185
at the most recent regular state election. A political party	186
that meets the requirements of this division remains a political	187
party for a period of four years after meeting those	188
requirements.	189
(b) The political party has filed with the secretary of	190
state, subsequent to its failure to meet the requirements of	191
division (F) (2) (a) of this section, a petition that meets the	192
requirements of section 3517.01 of the Revised Code.	193
A newly formed political party shall be known as a minor	194
political party until the time of the first election for	195
governor or president which occurs not less than twelve months	196
subsequent to the formation of such party, after which election	197

the status of such party shall be determined by the vote for the 198
office of governor or president. 199

(G) "Dominant party in a precinct" or "dominant political 200
party in a precinct" means that political party whose candidate 201
for election to the office of governor at the most recent 202
regular state election at which a governor was elected received 203
more votes than any other person received for election to that 204
office in such precinct at such election. 205

(H) "Candidate" means any qualified person certified in 206
accordance with the provisions of the Revised Code for placement 207
on the official ballot of a primary, general, or special 208
election to be held in this state, or any qualified person who 209
claims to be a write-in candidate, or who knowingly assents to 210
being represented as a write-in candidate by another at either a 211
primary, general, or special election to be held in this state. 212

(I) "Independent candidate" means any candidate who claims 213
not to be affiliated with a political party, and whose name has 214
been certified on the office-type ballot at a general or special 215
election through the filing of a statement of candidacy and 216
nominating petition, as prescribed in section 3513.257 of the 217
Revised Code. 218

(J) "Nonpartisan candidate" means any candidate whose name 219
is required, pursuant to section 3505.04 of the Revised Code, to 220
be listed on the nonpartisan ballot, including all candidates 221
for judicial office, for member of any board of education, for 222
municipal or township offices in which primary elections are not 223
held for nominating candidates by political parties, and for 224
offices of municipal corporations having charters that provide 225
for separate ballots for elections for these offices. 226

(K) "Party candidate" means any candidate who claims to be 227
a member of a political party and who has been certified to 228
appear on the office-type ballot at a general or special 229
election as the nominee of a political party because the 230
candidate has won the primary election of the candidate's party 231
for the public office the candidate seeks, has been nominated 232
under section 3517.012, or is selected by party committee in 233
accordance with section 3513.31 of the Revised Code. 234

(L) "Officer of a political party" includes, but is not 235
limited to, any member, elected or appointed, of a controlling 236
committee, whether representing the territory of the state, a 237
district therein, a county, township, a city, a ward, a 238
precinct, or other territory, of a major or minor political 239
party. 240

(M) "Question or issue" means any question or issue 241
certified in accordance with the Revised Code for placement on 242
an official ballot at a general or special election to be held 243
in this state. 244

(N) "Elector" or "qualified elector" means a person having 245
the qualifications provided by law to be entitled to vote. 246

(O) "Voter" means an elector who votes at an election. 247

(P) "Voting residence" means that place of residence of an 248
elector which shall determine the precinct in which the elector 249
may vote. 250

(Q) "Precinct" means a district within a county 251
established by the board of elections of such county within 252
which all qualified electors having a voting residence therein 253
may vote at the same polling place. 254

(R) "Polling place" means that place provided for each 255

precinct at which the electors having a voting residence in such	256
precinct may vote.	257
(S) "Board" or "board of elections" means the board of	258
elections appointed in a county pursuant to section 3501.06 of	259
the Revised Code.	260
(T) "Political subdivision" means a county, township,	261
city, village, or school district.	262
(U) "Election officer" or "election official" means any of	263
the following:	264
(1) Secretary of state;	265
(2) Employees of the secretary of state serving the	266
division of elections in the capacity of attorney,	267
administrative officer, administrative assistant, elections	268
administrator, office manager, or clerical supervisor;	269
(3) Director of a board of elections;	270
(4) Deputy director of a board of elections;	271
(5) Member of a board of elections;	272
(6) Employees of a board of elections;	273
(7) Precinct election officials;	274
(8) Employees appointed by the boards of elections on a	275
temporary or part-time basis.	276
(V) "Acknowledgment notice" means a notice sent by a board	277
of elections, on a form prescribed by the secretary of state,	278
informing a voter registration applicant or an applicant who	279
wishes to change the applicant's residence or name of the status	280
of the application; the information necessary to complete or	281
update the application, if any; and if the application is	282

complete, the precinct in which the applicant is to vote.	283
(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.	284 285 286 287
(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health and addiction services, the department of developmental disabilities, the opportunities for Ohioans with disabilities agency, and any other agency the secretary of state designates. "Designated agency" does not include public high schools and vocational schools, public libraries, or the office of a county treasurer.	288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304
(Y) "National Voter Registration Act of 1993" means the "National Voter Registration Act of 1993," 107 Stat. 77, 42 U.S.C.A. 1973gg.	305 306 307
(Z) "Voting Rights Act of 1965" means the "Voting Rights Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended.	308 309
(AA) "Photo identification" means a document that meets each of the following requirements:	310 311

(1) It shows the name of the individual to whom it was 312
issued, which shall conform to the name in the poll list or 313
signature pollbook. 314

(2) It shows the current address of the individual to whom 315
it was issued, which shall conform to the address in the poll 316
list or signature pollbook, except for a driver's license or a 317
state identification card issued under section 4507.50 of the 318
Revised Code, which may show either the current or former 319
address of the individual to whom it was issued, regardless of 320
whether that address conforms to the address in the poll list or 321
signature pollbook. 322

(3) It shows a photograph of the individual to whom it was 323
issued. 324

(4) It includes an expiration date that has not passed. 325

(5) It was issued by the government of the United States 326
or this state. 327

Sec. 3503.16. (A) Except as otherwise provided in division 328
(E) of section 111.44 of the Revised Code, whenever a registered 329
elector changes the place of residence of that registered 330
elector from one precinct to another within a county or from one 331
county to another, or has a change of name, that registered 332
elector shall report the change by delivering a change of 333
residence or change of name form, whichever is appropriate, as 334
prescribed by the secretary of state under section 3503.14 of 335
the Revised Code to the state or local office of a designated 336
agency, a public high school or vocational school, a public 337
library, the office of the county treasurer, the office of the 338
secretary of state, any office of the registrar or deputy 339
registrar of motor vehicles, or any office of a board of 340

elections in person or by a third person. Any voter 341
registration, change of address, or change of name application, 342
returned by mail, may be sent only to the secretary of state or 343
the board of elections. 344

A registered elector also may update the registration of 345
that registered elector by filing a change of residence or 346
change of name form on the day of a special, primary, or general 347
election at the polling place in the precinct in which that 348
registered elector resides or at the board of elections or at 349
another site designated by the board. 350

(B) (1) (a) Any registered elector who moves within a 351
precinct on or prior to the day of a general, primary, or 352
special election and has not filed a notice of change of 353
residence with the board of elections may vote in that election 354
by going to that registered elector's assigned polling place, 355
completing and signing a notice of change of residence, showing 356
identification in the form of a current and valid photo 357
identification, a military identification, or a copy of a 358
current utility bill, bank statement, government check, 359
paycheck, or other government document, other than a notice of 360
voter registration mailed by a board of elections under section 361
3503.19 of the Revised Code, that shows the name and current 362
address of the elector, and casting a ballot. 363

(b) Any registered elector who changes the name of that 364
registered elector and remains within a precinct on or prior to 365
the day of a general, primary, or special election and has not 366
filed a notice of change of name with the board of elections may 367
vote in that election by going to that registered elector's 368
assigned polling place, completing and signing a notice of a 369
change of name, and casting a provisional ballot under section 370

3505.181 of the Revised Code. If the registered elector provides 371
to the precinct election officials proof of a legal name change, 372
such as a marriage license or court order that includes the 373
elector's current and prior names, the elector may complete and 374
sign a notice of change of name and cast a regular ballot. 375

(2) Any registered elector who moves from one precinct to 376
another within a county or moves from one precinct to another 377
and changes the name of that registered elector on or prior to 378
the day of a general, primary, or special election and has not 379
filed a notice of change of residence or change of name, 380
whichever is appropriate, with the board of elections may vote 381
in that election if that registered elector complies with 382
division (G) of this section or does all of the following: 383

(a) Appears at anytime during regular business hours on or 384
after the twenty-eighth day prior to the election in which that 385
registered elector wishes to vote ~~or, if the election is held on~~ 386
~~the day of a presidential primary election, the twenty fifth day~~ 387
~~prior to the election,~~ through noon of the Saturday prior to the 388
election at the office of the board of elections, appears at any 389
time during regular business hours on the Monday prior to the 390
election at the office of the board of elections, or appears on 391
the day of the election at either of the following locations: 392

(i) The polling place for the precinct in which that 393
registered elector resides; 394

(ii) The office of the board of elections or, if pursuant 395
to division (C) of section 3501.10 of the Revised Code the board 396
has designated another location in the county at which 397
registered electors may vote, at that other location instead of 398
the office of the board of elections. 399

(b) Completes and signs, under penalty of election 400
falsification, the written affirmation on the provisional ballot 401
envelope, which shall serve as a notice of change of residence 402
or change of name, whichever is appropriate; 403

(c) Votes a provisional ballot under section 3505.181 of 404
the Revised Code at the polling place, at the office of the 405
board of elections, or, if pursuant to division (C) of section 406
3501.10 of the Revised Code the board has designated another 407
location in the county at which registered electors may vote, at 408
that other location instead of the office of the board of 409
elections, whichever is appropriate, using the address to which 410
that registered elector has moved or the name of that registered 411
elector as changed, whichever is appropriate; 412

(d) Completes and signs, under penalty of election 413
falsification, a statement attesting that that registered 414
elector moved or had a change of name, whichever is appropriate, 415
on or prior to the day of the election, has voted a provisional 416
ballot at the polling place for the precinct in which that 417
registered elector resides, at the office of the board of 418
elections, or, if pursuant to division (C) of section 3501.10 of 419
the Revised Code the board has designated another location in 420
the county at which registered electors may vote, at that other 421
location instead of the office of the board of elections, 422
whichever is appropriate, and will not vote or attempt to vote 423
at any other location for that particular election. 424

(C) Any registered elector who moves from one county to 425
another county within the state on or prior to the day of a 426
general, primary, or special election and has not registered to 427
vote in the county to which that registered elector moved may 428
vote in that election if that registered elector complies with 429

division (G) of this section or does all of the following: 430

(1) Appears at any time during regular business hours on 431
or after the twenty-eighth day prior to the election in which 432
that registered elector wishes to vote ~~or, if the election is~~ 433
~~held on the day of a presidential primary election, the twenty-~~ 434
~~fifth day prior to the election,~~ through noon of the Saturday 435
prior to the election at the office of the board of elections 436
or, if pursuant to division (C) of section 3501.10 of the 437
Revised Code the board has designated another location in the 438
county at which registered electors may vote, at that other 439
location instead of the office of the board of elections, 440
appears during regular business hours on the Monday prior to the 441
election at the office of the board of elections or, if pursuant 442
to division (C) of section 3501.10 of the Revised Code the board 443
has designated another location in the county at which 444
registered electors may vote, at that other location instead of 445
the office of the board of elections, or appears on the day of 446
the election at the office of the board of elections or, if 447
pursuant to division (C) of section 3501.10 of the Revised Code 448
the board has designated another location in the county at which 449
registered electors may vote, at that other location instead of 450
the office of the board of elections; 451

(2) Completes and signs, under penalty of election 452
falsification, the written affirmation on the provisional ballot 453
envelope, which shall serve as a notice of change of residence; 454

(3) Votes a provisional ballot under section 3505.181 of 455
the Revised Code at the office of the board of elections or, if 456
pursuant to division (C) of section 3501.10 of the Revised Code 457
the board has designated another location in the county at which 458
registered electors may vote, at that other location instead of 459

the office of the board of elections, using the address to which 460
that registered elector has moved; 461

(4) Completes and signs, under penalty of election 462
falsification, a statement attesting that that registered 463
elector has moved from one county to another county within the 464
state on or prior to the day of the election, has voted at the 465
office of the board of elections or, if pursuant to division (C) 466
of section 3501.10 of the Revised Code the board has designated 467
another location in the county at which registered electors may 468
vote, at that other location instead of the office of the board 469
of elections, and will not vote or attempt to vote at any other 470
location for that particular election. 471

(D) A person who votes by absent voter's ballots pursuant 472
to division (G) of this section shall not make written 473
application for the ballots pursuant to Chapter 3509. of the 474
Revised Code. Ballots cast pursuant to division (G) of this 475
section shall be set aside in a special envelope and counted 476
during the official canvass of votes in the manner provided for 477
in sections 3505.32 and 3509.06 of the Revised Code insofar as 478
that manner is applicable. The board shall examine the pollbooks 479
to verify that no ballot was cast at the polls or by absent 480
voter's ballots under Chapter 3509. or 3511. of the Revised Code 481
by an elector who has voted by absent voter's ballots pursuant 482
to division (G) of this section. Any ballot determined to be 483
insufficient for any of the reasons stated above or stated in 484
section 3509.07 of the Revised Code shall not be counted. 485

Subject to division (C) of section 3501.10 of the Revised 486
Code, a board of elections may lease or otherwise acquire a site 487
different from the office of the board at which registered 488
electors may vote pursuant to division (B) or (C) of this 489

section. 490

(E) Upon receiving a notice of change of residence or 491
change of name, the board of elections shall immediately send 492
the registrant an acknowledgment notice. If the change of 493
residence or change of name notice is valid, the board shall 494
update the voter's registration as appropriate. If that form is 495
incomplete, the board shall inform the registrant in the 496
acknowledgment notice specified in this division of the 497
information necessary to complete or update that registrant's 498
registration. 499

(F) Change of residence and change of name forms shall be 500
available at each polling place, and when these forms are 501
completed, noting changes of residence or name, as appropriate, 502
they shall be filed with election officials at the polling 503
place. Election officials shall return completed forms, together 504
with the pollbooks and tally sheets, to the board of elections. 505

The board of elections shall provide change of residence 506
and change of name forms to the probate court and court of 507
common pleas. The court shall provide the forms to any person 508
eighteen years of age or older who has a change of name by order 509
of the court or who applies for a marriage license. The court 510
shall forward all completed forms to the board of elections 511
within five days after receiving them. 512

(G) A registered elector who otherwise would qualify to 513
vote under division (B) or (C) of this section but is unable to 514
appear at the office of the board of elections or, if pursuant 515
to division (C) of section 3501.10 of the Revised Code the board 516
has designated another location in the county at which 517
registered electors may vote, at that other location, on account 518
of personal illness, physical disability, or infirmity, may vote 519

on the day of the election if that registered elector does all 520
of the following: 521

(1) Makes a written application that includes all of the 522
information required under section 3509.03 of the Revised Code 523
to the appropriate board for an absent voter's ballot on or 524
after the twenty-seventh day prior to the election in which the 525
registered elector wishes to vote through noon of the Saturday 526
prior to that election and requests that the absent voter's 527
ballot be sent to the address to which the registered elector 528
has moved if the registered elector has moved, or to the address 529
of that registered elector who has not moved but has had a 530
change of name; 531

(2) Declares that the registered elector has moved or had 532
a change of name, whichever is appropriate, and otherwise is 533
qualified to vote under the circumstances described in division 534
(B) or (C) of this section, whichever is appropriate, but that 535
the registered elector is unable to appear at the board of 536
elections because of personal illness, physical disability, or 537
infirmity; 538

(3) Completes and returns along with the completed absent 539
voter's ballot a notice of change of residence indicating the 540
address to which the registered elector has moved, or a notice 541
of change of name, whichever is appropriate; 542

(4) Completes and signs, under penalty of election 543
falsification, a statement attesting that the registered elector 544
has moved or had a change of name on or prior to the day before 545
the election, has voted by absent voter's ballot because of 546
personal illness, physical disability, or infirmity that 547
prevented the registered elector from appearing at the board of 548
elections, and will not vote or attempt to vote at any other 549

location or by absent voter's ballot mailed to any other 550
location or address for that particular election. 551

Sec. 3513.01. (A) Except as otherwise provided in this 552
section and section 3517.012 of the Revised Code, ~~on the second~~ 553
~~Tuesday after the first Monday in March of 2016 and every fourth~~ 554
~~year thereafter, and on the first Tuesday after the first Monday~~ 555
in May of every ~~other~~ year, primary elections shall be held for 556
the purpose of nominating persons as candidates of political 557
parties for election to offices to be voted for at the 558
succeeding general election. 559

(B) The manner of nominating persons as candidates for 560
election as officers of a municipal corporation having a 561
population of two thousand or more, as ascertained by the most 562
recent federal census, shall be the same as the manner in which 563
candidates were nominated for election as officers in the 564
municipal corporation in 1989 unless the manner of nominating 565
such candidates is changed under division (C), (D), or (E) of 566
this section. 567

(C) Primary elections shall not be held for the nomination 568
of candidates for election as officers of any township, or any 569
municipal corporation having a population of less than two 570
thousand, unless a majority of the electors of any such township 571
or municipal corporation, as determined by the total number of 572
votes cast in such township or municipal corporation for the 573
office of governor at the most recent regular state election, 574
files with the board of elections of the county within which 575
such township or municipal corporation is located, or within 576
which the major portion of the population thereof is located, if 577
the municipal corporation is situated in more than one county, 578
not later than one hundred twenty days before the day of a 579

primary election, a petition signed by such electors asking that 580
candidates for election as officers of such township or 581
municipal corporation be nominated as candidates of political 582
parties, in which event primary elections shall be held in such 583
township or municipal corporation for the purpose of nominating 584
persons as candidates of political parties for election as 585
officers of such township or municipal corporation to be voted 586
for at the succeeding regular municipal election. In a township 587
or municipal corporation where a majority of the electors have 588
filed a petition asking that candidates for election as officers 589
of the township or municipal corporation be nominated as 590
candidates of political parties, the nomination of candidates 591
for a nonpartisan election may be reestablished in the manner 592
prescribed in division (E) of this section. 593

(D) (1) The electors in a municipal corporation having a 594
population of two thousand or more, in which municipal officers 595
were nominated in the most recent election by nominating 596
petition and elected by nonpartisan election, may place on the 597
ballot in the manner prescribed in division (D) (2) of this 598
section the question of changing to the primary-election method 599
of nominating persons as candidates for election as officers of 600
the municipal corporation. 601

(2) The board of elections of the county within which the 602
municipal corporation is located, or, if the municipal 603
corporation is located in more than one county, of the county 604
within which the major portion of the population of the 605
municipal corporation is located, shall, upon receipt of a 606
petition signed by electors of the municipal corporation equal 607
in number to at least ten per cent of the vote cast at the most 608
recent regular municipal election, submit to the electors of the 609
municipal corporation the question of changing to the primary- 610

election method of nominating persons as candidates for election 611
as officers of the municipal corporation. The ballot language 612
shall be substantially as follows: 613

"Shall candidates for election as officers of 614
(name of municipal corporation) in the county of 615
(name of county) be nominated as candidates of political 616
parties? 617
..... yes 618
..... no" 619

The question shall be placed on the ballot at the next 620
general election in an even-numbered year occurring at least 621
ninety days after the petition is filed with the board. If a 622
majority of the electors voting on the question vote in the 623
affirmative, candidates for election as officers of the 624
municipal corporation shall thereafter be nominated as 625
candidates of political parties in primary elections, under 626
division (A) of this section, unless a change in the manner of 627
nominating persons as candidates for election as officers of the 628
municipal corporation is made under division (E) of this 629
section. 630

(E) (1) The electors in a township or municipal corporation 631
in which the township or municipal officers are nominated as 632
candidates of political parties in a primary election may place 633
on the ballot, in the manner prescribed in division (E) (2) of 634
this section, the question of changing to the nonpartisan method 635
of nominating persons as candidates for election as officers of 636
the township or municipal corporation. 637

(2) The board of elections of the county within which the 638
township or municipal corporation is located, or, if the 639

municipal corporation is located in more than one county, of the 640
county within which the major portion of the population of the 641
municipal corporation is located, shall, upon receipt of a 642
petition signed by electors of the township or municipal 643
corporation equal in number to at least ten per cent of the vote 644
cast at the most recent regular township or municipal election, 645
as appropriate, submit to the electors of the township or 646
municipal corporation, as appropriate, the question of changing 647
to the nonpartisan method of nominating persons as candidates 648
for election as officers of the township or municipal 649
corporation. The ballot language shall be substantially as 650
follows: 651

"Shall candidates for election as officers of 652
(name of the township or municipal corporation) in the county of 653
..... (name of county) be nominated as candidates by 654
nominating petition and be elected only in a nonpartisan 655
election? 656

..... yes 657

..... no" 658

The question shall appear on the ballot at the next 659
general election in an even-numbered year occurring at least 660
ninety days after the petition is filed with the board. If a 661
majority of electors voting on the question vote in the 662
affirmative, candidates for officer of the township or municipal 663
corporation shall thereafter be nominated by nominating petition 664
and be elected only in a nonpartisan election, unless a change 665
in the manner of nominating persons as candidates for election 666
as officers of the township or municipal corporation is made 667
under division (C) or (D) of this section. 668

Sec. 3513.12. At a presidential primary election, which 669
shall be held ~~on the second Tuesday after the first Monday in~~ 670
~~March~~ in the year ~~2016, 2020~~ and ~~similarly~~ in every fourth year 671
thereafter, delegates and alternates to the national conventions 672
of the different major political parties shall be chosen by 673
direct vote of the electors as provided in this chapter. 674
Candidates for delegate and alternate shall be qualified and the 675
election shall be conducted in the manner prescribed in this 676
chapter for the nomination of candidates for state and district 677
offices, except as provided in section 3513.151 of the Revised 678
Code and except that whenever any group of candidates for 679
delegate at large or alternate at large, or any group of 680
candidates for delegates or alternates from districts, file with 681
the secretary of state statements as provided by this section, 682
designating the same persons as their first and second choices 683
for president of the United States, such a group of candidates 684
may submit a group petition containing a declaration of 685
candidacy for each of such candidates. The group petition need 686
be signed only by the number of electors required for the 687
petition of a single candidate. No group petition shall be 688
submitted except by a group of candidates equal in number to the 689
whole number of delegates at large or alternates at large to be 690
elected or equal in number to the whole number of delegates or 691
alternates from a district to be elected. 692

Each person seeking to be elected as delegate or alternate 693
to the national convention of the person's political party shall 694
file with the person's declaration of candidacy and certificate 695
a statement in writing signed by the person in which the person 696
shall state the person's first and second choices for nomination 697
as the candidate of the person's party for the presidency of the 698
United States. The secretary of state shall not permit any 699

declaration of candidacy and certificate of a candidate for 700
election as such delegate or alternate to be filed unless 701
accompanied by such statement in writing. The name of a 702
candidate for the presidency shall not be so used without the 703
candidate's written consent. 704

A person who is a first choice for president of candidates 705
seeking election as delegates and alternates shall file with the 706
secretary of state, prior to the day of the election, a list 707
indicating the order in which certificates of election are to be 708
issued to delegate or alternate candidates to whose candidacy 709
the person has consented, if fewer than all of such candidates 710
are entitled under party rules to be certified as elected. Each 711
candidate for election as such delegate or alternate may also 712
file along with the candidate's declaration of candidacy and 713
certificate a statement in writing signed by the candidate in 714
the following form: 715

"Statement of Candidate 716

For Election as (Delegate) (Alternate) to the 717

..... (name of political party) National Convention 718

I hereby declare to the voters of my political party in 719
the State of Ohio that, if elected as (delegate) 720
(alternate) to their national party convention, I shall, to the 721
best of my judgment and ability, support that candidate for 722
President of the United States who shall have been selected at 723
this primary by the voters of my party in the manner provided in 724
Chapter 3513. of the Ohio Revised Code, as their candidate for 725
such office. 726

..... (name), 727

Candidate for 728

(Delegate) (Alternate) "	729
The procedures for the selection of candidates for	730
delegate and alternate to the national convention of a political	731
party set forth in this section and in section 3513.121 of the	732
Revised Code are alternative procedures, and if the procedures	733
of this section are followed, the procedures of section 3513.121	734
of the Revised Code need not be followed.	735
Sec. 3513.262. The nominating petitions of all candidates	736
required to be filed before four p.m. of the day before the day	737
of the primary election immediately preceding the general	738
election shall be processed as follows:	739
If such petition is filed with the secretary of state, the	740
secretary of state shall, not later than the fifteenth day of	741
June following the filing of such petition, or if the primary	742
election was a presidential primary election, not later than the	743
end of the sixth week after the day of that election, transmit	744
to each board such separate petition papers as purport to	745
contain signatures of electors of the county of such board. If	746
such petition is filed with the board of the most populous	747
county of a district or of a county in which the major portion	748
of the population of a subdivision is located, such board shall,	749
not later than the fifteenth day of June, or if the primary	750
election was a presidential primary election, not later than the	751
end of the sixth week after the day of that election, transmit	752
to each board within such district such separate petition papers	753
of the petition as purport to contain signatures of electors of	754
the county of such board.	755
All petition papers so transmitted to a board and all	756
nominating petitions filed with a board shall, under proper	757
regulations, be open to public inspection from the fifteenth day	758

of June until four p.m. of the thirtieth day of that month, ~~or~~ 759
~~if the primary election was a presidential primary election,~~ 760
~~from the end of the sixth week after the election until four~~ 761
~~p.m. of the end of the seventh week after the election.~~ Each 762
board shall, not later than the next fifteenth day of July, ~~or~~ 763
~~if the primary election was a presidential primary election, not~~ 764
~~later than the end of the tenth week after the day of that~~ 765
~~election,~~ examine and determine the sufficiency of the 766
signatures on the petition papers transmitted to or filed with 767
it, and the validity of the petitions filed with it, and shall 768
return to the secretary of state all petition papers transmitted 769
to it by the secretary of state, together with its certification 770
of its determination as to the validity or invalidity of 771
signatures thereon, and shall return to each other board all 772
petition papers transmitted to it by such other board, as 773
provided in this section, together with its certification of its 774
determination as to the validity or invalidity of signatures 775
thereon. A signature on a nominating petition is not valid if it 776
is dated more than one year before the date the nominating 777
petition was filed. All other matters affecting the validity or 778
invalidity of such petition papers shall be determined by the 779
secretary of state or the board with whom such petition papers 780
were filed. 781

Written protests against nominating petitions may be filed 782
by any qualified elector eligible to vote for the candidate 783
whose nominating petition the elector objects to, not later than 784
four p.m. of the thirtieth day of July, ~~or if the primary~~ 785
~~election was a presidential primary election, not later than the~~ 786
~~end of the twelfth week after the day of that election.~~ Such 787
protests shall be filed with the election officials with whom 788
the nominating petition was filed. Upon the filing of such 789

protest, the election officials with whom it is filed shall 790
promptly fix the time and place for hearing it, and shall 791
forthwith mail notice of the filing of such protest and the time 792
and place for hearing it to the person whose nomination is 793
protested. They shall also forthwith mail notice of the time and 794
place fixed for the hearing to the person who filed the protest. 795
At the time fixed, such election officials shall hear the 796
protest and determine the validity or invalidity of the 797
petition. Such determination shall be final. 798

A protest against the nominating petition filed by joint 799
candidates for the offices of governor and lieutenant governor 800
shall be filed, heard, and determined in the same manner as a 801
protest against the nominating petition of a candidate who files 802
individually. 803

Section 2. That existing sections 511.27, 1545.21, 804
3501.01, 3503.16, 3513.01, 3513.12, and 3513.262 of the Revised 805
Code are hereby repealed. 806

Section 3. Section 3501.01 of the Revised Code is 807
presented in this act as a composite of the section as amended 808
by both Am. Sub. H.B. 64 and Am. H.B. 153 of the 131st General 809
Assembly. The General Assembly, applying the principle stated in 810
division (B) of section 1.52 of the Revised Code that amendments 811
are to be harmonized if reasonably capable of simultaneous 812
operation, finds that the composite is the resulting version of 813
the section in effect prior to the effective date of the section 814
as presented in this act. 815