As Introduced

135th General Assembly
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2023-2024

H. B. No. 235

Representative Fowler Arthur

Cosponsors: Representatives Dean, Wiggam, Holmes, Lear, Demetriou, Gross, Ferguson, Loychik, Williams, Click, Johnson, Hall, Stein, McClain, Claggett, King, Mathews, Lorenz, Dobos, Klopfenstein, Stoltzfus, Kick, Lampton, Young, T., Miller, M., Plummer, Willis

A BILL

To amend sections 3.15, 3301.01, 3301.02, 3301.03, 3301.06, 3501.01, 3501.02, 3505.03, 3505.04, 3513.04, and 3513.052; to enact sections 3301.021 and 3301.139; and to repeal section 3513.259 of the Revised Code with regard to membership and election of State Board of Education members and to make changes regarding the State Board's public meetings.

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

Section 1. That sections 3.15, 3301.01, 3301.02, 3301.03, 3301.06, 3501.01, 3501.02, 3505.03, 3505.04, 3513.04, and 3513.052 be amended and sections 3301.021 and 3301.139 of the Revised Code be enacted to read as follows:

Sec. 3.15. (A) Except as otherwise provided in division (B) of this section, at all times during one's term of office:

(1) Each member of the general assembly and each elected voting member of the state board of education shall be a
resident of the district the member represents.

(2) Each judge and each elected officer of a court shall be a resident of the territory of that court.

(3) Each person holding an elective office of a political subdivision shall be a resident of that political subdivision.

(4) Each member of a municipal legislative authority who represents a ward shall be a resident of the ward the member represents, and each member of a board of education of a city school district who represents a subdistrict shall be a resident of the subdistrict the member represents.

(B) Any person who fails to meet any of the requirements of division (A) of this section that apply to the person shall forfeit the office. Division (A) of this section applies to persons who have been either elected or appointed to an elective office. Division (A) of this section does not apply to a member of the general assembly or the state board of education, to a member of a municipal legislative authority who represents a ward, or to a member of a board of education of a city school district who represents a subdistrict, during the remainder of the member's existing term of office after there is a change in the member's district's, ward's, or subdistrict's boundaries that leaves the member's permanent residence outside the district, ward, or subdistrict.

Sec. 3301.01. (A) There is hereby created the state board of education consisting of nineteen fifteen members with eleven elected members, one each to be elected in accordance with section 3301.03 of the Revised Code from each of the districts established in accordance with division (B) of this section, and with eight members to be appointed by the governor with the
advice and consent of the Senate congressional district.

In addition to the nineteen fifteen elected or appointed members, the chairperson of the committee of the Senate that primarily deals with education and the chairperson of the committee of the House of Representatives that primarily deals with education shall be nonvoting ex officio members of the board.

(B)(1) The territory of each state board of education district for each elected voting member of the board shall consist of the territory of three contiguous Senate districts as established in the most recent apportionment for members of the general assembly, but the territory of no Senate district shall be part of the territory of more than one state board of education district. Each state board of education district shall be as compact as practicable. The districts shall include, when practicable, some districts that primarily consist of territory in rural areas and some districts that primarily consist of territory in urban areas.

(2) If, after the apportionment for members of the general assembly is made in any year, the general assembly does not during that year enact legislation establishing state board of education districts in accordance with division (B)(1) of this section, the governor shall designate the boundaries of the districts in accordance with division (B)(1) of this section no later than the thirty-first day of January of the year next succeeding such apportionment. Upon making such designation, the governor shall give written notice of the boundaries of the districts to each member of the state board of education, including the nonvoting ex officio members; the superintendent of public instruction; the president of the Senate; the speaker...
of the house of representatives; and the board of elections of each county in each new district. On the first day of February in any year in which the governor designates the boundaries of state board of education districts under this section, the state board of education districts as they existed prior to that date shall cease to exist and the new districts shall be created.

Sec. 3301.02. (A) Elected voting members of the state board of education shall be elected as required by expiration of respective terms, each for a term of four years or until a successor is elected and qualified. One elected member shall be elected from each district respectively in which the term of office of a board member expires on the first day of January following the election. The term of office of each member so elected shall begin on the first day of January immediately following this election.

(B) At any time the boundaries of state board of education congressional districts are changed under division (B) of section 3301.01 of the Revised Code, a member of the state board whose term will not expire within two years of the time the change in boundaries is made shall represent, for the remainder of the term for which the member was elected, the state board district containing the largest portion of the population of the district from which the member was elected. If more than one member whose term will not so expire would represent the same district under the provisions of this section, either the general assembly, if the general assembly enacted legislation establishing those districts under division (B)(2) of section 3301.01 of the Revised Code, or the governor, if the governor designated the boundaries of the districts under that division, shall designate which member shall represent each district for the balance of the members' terms.
(C) Appointed voting members of the board shall serve four-year terms beginning the first day of January and ending on the thirty-first day of December. Except as provided in division (D) of this section, members may be reappointed.

(D) No person, elected or appointed, shall hold the office of member of the state board of education for a period of longer than two successive terms of four years. Terms shall be considered successive unless separated by a period of four or more years. Only terms beginning on or after January 1, 1996, shall be considered in determining an individual's eligibility to hold office.

Sec. 3301.021. Notwithstanding any provision of the Revised Code to the contrary:

(A)(1) During the period beginning on the effective date of this section and ending on December 31, 2024, the state board of education shall consist of nineteen members, with eleven elected members continuing to represent the state board of education districts they represented before the effective date of this section, four members at large appointed to serve terms expiring December 31, 2024, and four members at large appointed to serve terms expiring December 31, 2026. The provisions of Chapter 3301. and section 3.15 of the Revised Code, as they existed before the effective date of this section, apply to the members of the board during that period.

(2) During the period beginning on January 1, 2025, and ending on December 31, 2026, the state board of education shall consist of nineteen members, with fifteen elected members, as described in division (B) of this section, and four members at large appointed to serve terms expiring December 31, 2026. The provisions of Chapter 3301. and section 3.15 of the Revised
Code, as they existed before the effective date of this section, apply to the appointed members of the board during that period, provided that the governor shall not appoint members of the board to serve terms beginning on or after January 1, 2025.

(3) Beginning on January 1, 2027, the state board of education shall consist of fifteen elected members.

(B)(1) Except as otherwise provided in division (B)(2) of this section, members of the state board of education shall first be elected from each congressional district at the general election held on November 5, 2024.

(2) An elected member of the board whose term began before the effective date of this section and expires on January 1, 2027, shall represent the congressional district in which the member resides as of October 6, 2024, for the remainder of the member's term. No member shall be elected to the board from that congressional district in 2024.

(3) A member of the board who is elected on November 5, 2024, to represent a congressional district shall serve a four-year term beginning on January 1, 2025, and ending on January 1, 2029.

(4) A member of the board who is elected on November 3, 2026, to succeed a member of the board whose term began before the effective date of this section, as described in division (B)(2) of this section, and is elected to represent a congressional district shall serve a four-year term beginning on January 1, 2027, and ending on January 1, 2031.

Sec. 3301.03. (A) Each elected voting member of the state board of education shall be a qualified elector residing in the territory composing the district from which the member is
elected, and shall be nominated and elected to office as provided by Title XXXV of the Revised Code. Each appointed voting member of the board shall be a qualified elector residing in the state. At least four of the appointed voting members shall represent rural school districts in the state, as evidenced by the member's current place of residence and at least one of the following:

(A) The member's children attend, or at one time attended, school in a rural district;

(B) The member's past or present occupation is associated with rural areas of the state;

(C) The member possesses other credentials or experience demonstrating knowledge and familiarity with rural school districts.

(B) No elected or appointed voting member of the board shall, during the member's term of office, hold any other office of trust or profit or be an employee or officer of any public or private elementary or secondary school. Before entering on the duties of office, each elected and appointed voting member shall subscribe to the official oath of office.

(C) Each voting member of the state board of education shall be paid a salary fixed pursuant to division (J) of section 124.15 of the Revised Code, together with the member's actual and necessary expenses incurred while engaged in the performance of the member's official duties or in the conduct of authorized board business, and while en route to and from the member's home for such purposes.

(D) As used in this section only, "office of trust or profit" means:
(1) A federal or state elective office or an elected office of a political subdivision of the state;

(2) A position on a board or commission of the state that is appointed by the governor;

(3) An office set forth in section 121.03, 121.04, or 121.05 of the Revised Code;

(4) An office of the government of the United States that is appointed by the president of the United States.

Sec. 3301.06. A vacancy in the state board of education may be caused by death, nonresidence, resignation, removal from office, failure of a person elected to qualify within ten days after the organization of the board or of the person's election, removal from the district of election or from residence in the state, or absence from any two consecutive regular meetings of the board if such absence is caused by reasons declared insufficient by a vote of twelve members of the board. When a vacancy occurs in the office of an elected voting member, the governor shall, within a period of thirty days and with the advice and consent of the senate, appoint a qualified person residing in the district in which the vacancy occurred to fill the vacancy until the next general election at which members of the state board of education are elected, at which time a qualified elector residing in the district in which the vacancy occurred shall be elected for the unexpired term. Such member shall assume office at the next succeeding meeting of the board. When a vacancy occurs in the office of an appointed member, the governor shall, within a period of thirty days and with the advice and consent of the senate, appoint a qualified person to serve the remainder of the term.
Sec. 3301.139. (A) The state board of education shall convene at least one public meeting each month to conduct hearings on any rules proposed to be adopted by the director of education and workforce under section 3301.13 of the Revised Code.

(B) The state board shall hold at least one hearing on each proposed rule prior to its adoption by the director. During a hearing about a proposed rule, the state board shall accept public testimony and written comments about the rule. Based on the hearings it holds regarding a rule, the state board shall prepare a report regarding that rule. The report shall include a summary of the public testimony and written comments submitted during the hearings. The department of education and workforce shall post that report on its publicly accessible web site.

(C) The director, the deputy director of primary and secondary education, or the deputy director of career-technical education shall attend each public meeting conducted by the state board under this section.

(D) The director shall assign employees of the department to assist the state board in performing its duties under this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.

(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.

(T) "Political subdivision" means a county, township, city, village, or school district.

(U) "Election officer" or "election official" means any of the following:

(1) Secretary of state;

(2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor;

(3) Director of a board of elections;

(4) Deputy director of a board of elections;

(5) Member of a board of elections;

(6) Employees of a board of elections;

(7) Precinct election officials;

(8) Employees appointed by the boards of elections on a temporary or part-time basis.

(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.

(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.

(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.


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

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

(b) A United States passport or passport card;

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

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

(BB) "Driver's license" means a license or permit issued by the registrar or a deputy registrar under Chapter 4506. or 4507. of the Revised Code that authorizes an individual to drive. "Driver's license" includes a driver's license, commercial driver's license, probationary license, restricted license, motorcycle operator's license, or temporary instruction permit identification card. "Driver's license" does not include a nonrenewable license issued under section 4507.09 of the Revised Code.

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

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

Sec. 3501.02. General elections in the state and its political subdivisions shall be held as follows:

(A) For the election of electors of president and vice-president of the United States, in the year of 1932 and every four years thereafter;

(B) For the election of a member of the senate of the United States, in the years 1932 and 1934, and every six years after each of such years; except as otherwise provided for filling vacancies;

(C) For the election of representatives in the congress of the United States and of elective state and county officers including elected members of the state board of education, in the even-numbered years; except as otherwise provided for filling vacancies;

(D) For municipal and township officers, members of boards of education, judges and clerks of municipal courts, in the odd-numbered years;

(E) Proposed constitutional amendments or proposed measures submitted by the general assembly or by initiative or referendum petitions to the voters of the state at large may be submitted to the general election in any year occurring at least
sixty days, in case of a referendum, and ninety one hundred twenty-five days, in the case of an initiated measure, subsequent to the filing of the petitions therefor. Proposed constitutional amendments submitted by the general assembly to the voters of the state at large may be submitted at a special election occurring on the day in any year specified by division (E) of section 3501.01 of the Revised Code for the holding of a primary election, when a special election on that date is designated by the general assembly in the resolution adopting the proposed constitutional amendment.

No special election shall be held on a day other than the day of a general election, unless a law or charter provides otherwise, regarding the submission of a question or issue to the voters of a county, township, city, village, or school district.

(F)(1) Notwithstanding any provision of the Revised Code to the contrary, any question or issue, except a candidacy, to be voted upon at an election shall be certified, for placement upon the ballot, to the board of elections not later than four p.m. of the ninetieth day before the day of the election.

(2) Any question or issue that is certified for placement on a ballot on or after the effective date of this amendment July 2, 2010, shall be certified not later than the ninetieth day before the day of the applicable election, notwithstanding any deadlines appearing in any section of the Revised Code governing the placement of that question or issue on the ballot.

Sec. 3505.03. (A) On the office type ballot shall be printed the names of all candidates for election to offices, except the office of judge of a municipal court, county court, or court of common pleas, who were nominated at the most recent
primary election as candidates of a political party or who were 515
nominated in accordance with section 3513.02 of the Revised 516
Code, and the names of all candidates for election to offices 517
who were nominated by nominating petitions, except candidates 518
for the office of judge of a municipal court, county court, or 519
court of common pleas, for member of the state board of 520
education, for member of a board of education other than the 521
state board of education, for municipal offices, and for 522
township offices.

(B) The face of the ballot below the stub shall be 523
substantially in the following form:

"OFFICIAL OFFICE TYPE BALLOT 524

(1) To vote for a candidate record your vote in the manner 525
provided next to the name of such candidate.

(2) If you tear, soil, deface, or erroneously mark this 526
ballot, return it to the precinct election officers or, if you 527
cannot return it, notify the precinct election officers, and 528
obtain another ballot."

(C) The order in which the offices shall be listed on the 529
ballot shall be prescribed by, and certified to each board of 530
elections by, the secretary of state; provided that for state, 531
district, and county offices the order from top to bottom shall 532
be as follows: governor and lieutenant governor, attorney 533
general, auditor of state, secretary of state, treasurer of 534
state, chief justice of the supreme court, justice of the 535
supreme court, United States senator, representative to 536
congress, state senator, state representative, judge of a court 537
of appeals, member of the state board of education, county 538
commissioner, county auditor, prosecuting attorney, clerk of the 539
court of common pleas, sheriff, county recorder, county treasurer, county engineer, and coroner. The offices of governor and lieutenant governor shall be printed on the ballot in a manner that requires a voter to cast one vote jointly for the candidates who have been nominated by the same political party or petition.

(D) Within the rectangular space within which the title of each judicial office listed in division (C) of this section is printed on the ballot and immediately below the title shall be printed the date of the commencement of the term of the office, if it is a full term, as follows: "Full term commencing ______(Date)_______," or the date of the end of the term of the office, if it is an unexpired term, as follows: "Unexpired term ending ______(Date)_______"

(E)(1) The names of all candidates for an office shall be arranged in a group under the title of that office, and, except for absentee ballots or when the number of candidates for a particular office is the same as the number of candidates to be elected for that office, shall be rotated from one precinct to another. On absentee ballots, the names of all candidates for an office shall be arranged in a group under the title of that office and shall be so alternated that each name shall appear, insofar as may be reasonably possible, substantially an equal number of times at the beginning, at the end, and in each intermediate place, if any, of the group in which such name belongs, unless the number of candidates for a particular office is the same as the number of candidates to be elected for that office.

(2) The method of printing the ballots to meet the rotation requirement of this section shall be as follows: the
least common multiple of the number of names in each of the
several groups of candidates shall be used, and the number of
changes made in the printer's forms in printing the ballots
shall correspond with that multiple. The board of elections
shall number all precincts in regular serial sequence. In the
first precinct, the names of the candidates in each group shall
be listed in alphabetical order. In each succeeding precinct,
the name in each group that is listed first in the preceding
precinct shall be listed last, and the name of each candidate
shall be moved up one place. In each precinct using paper
ballots, the printed ballots shall then be assembled in tablets.

(F) Under the name of each candidate nominated at a
primary election, nominated by petition under section 3517.012
of the Revised Code, or certified by a party committee to fill a
vacancy under section 3513.31 of the Revised Code shall be
printed, in less prominent type face than that in which the
candidate's name is printed, the name of the political party by
which the candidate was nominated or certified. Under the name
of each candidate appearing on the ballot who filed a nominating
petition and requested a ballot designation as a nonparty
candidate under section 3513.257 of the Revised Code shall be
printed, in less prominent type face than that in which the
candidate's name is printed, the designation of "nonparty
candidate." Under the name of each candidate appearing on the
ballot who filed a nominating petition and requested a ballot
designation as an other-party candidate under section 3513.257
of the Revised Code shall be printed, in less prominent type
face than that in which the candidate's name is printed, the
designation of "other-party candidate." No designation shall
appear under the name of a candidate appearing on the ballot who
filed a nominating petition and requested that no ballot
designation appear under the candidate's name under section 3513.257 of the Revised Code, or who filed a nominating petition and failed to request a ballot designation either as a nonparty candidate or as an other-party candidate under that section.

(G) Except as provided in this section, no words, designations, or emblems descriptive of a candidate or the candidate's political affiliation, or indicative of the method by which the candidate was nominated or certified, shall be printed under or after a candidate's name that is printed on the ballot.

Sec. 3505.04. On the nonpartisan ballot shall be printed the names of all nonpartisan candidates for election to the office of judge of a municipal court, county court, or court of common pleas, the office of member of the state board of education, the office of member of a board of education other than the state board of education, municipal or township offices for municipal corporations and townships in which primary elections are not held for nomination of candidates by political parties, and municipal offices of municipal corporations having charters which provide for separate ballots for elections for such municipal offices.

Such ballots shall have printed across the top, and below the stubs, "Official Nonpartisan Ballot."

The order in which the offices are listed on the ballot shall be prescribed by, and certified to each board of elections by, the secretary of state; provided that the office of member of the state board of education county judicial offices shall be listed first on the ballot, then county judicial offices, followed by municipal and township offices, and by offices of member of a board of education other than the state board of education.
education, in the order stated.

Within the rectangular space within which the title of each judicial office is printed on the ballot and immediately below such title shall be printed the date of the commencement of the term of the office, if a full term, as follows: "Full term commencing _______(Date)_______," or the date of the end of the term of the office, if an unexpired term, as follows: "Unexpired term ending _______(Date)_______".

The secretary of state shall prescribe the information and directions to the voter to be printed on the ballot within the rectangular space in which the title of office of member of the state board of education appears.

Within the rectangular space within which the title of each office for member of a board of education other than the state board of education is printed on the ballot shall be printed "For Member of Board of Education," and the number to be elected, directions to the voter as to voting for one, two, or more, and, if the office to be voted for is member of a board of education of a city school district, words shall be printed in said space on the ballot to indicate whether candidates are to be elected from subdistricts or at large.

The names of all nonpartisan candidates for an office shall be arranged in a group under the title of that office, and shall be rotated and printed on the ballot as provided in section 3505.03 of the Revised Code.

No name or designation of any political party nor any words, designations, or emblems descriptive of a candidate or the candidate's political affiliation, or indicative of the method by which such candidate was nominated or certified, shall
be printed under or after any nonpartisan candidate's name which is printed on the ballot.

Sec. 3513.04. Candidates for party nominations to state, district, county, and municipal offices or positions, for which party nominations are provided by law, and for election as members of party controlling committees shall have their names printed on the official primary ballot by filing a declaration of candidacy and paying the fees specified for the office under divisions (A) and (B) of section 3513.10 of the Revised Code, except that the joint candidates for party nomination to the offices of governor and lieutenant governor shall, for the two of them, file one declaration of candidacy. The joint candidates also shall pay the fees specified for the joint candidates under divisions (A) and (B) of section 3513.10 of the Revised Code.

The secretary of state shall not accept for filing the declaration of candidacy of a candidate for party nomination to the office of governor unless the declaration of candidacy also shows a joint candidate for the same party's nomination to the office of lieutenant governor, shall not accept for filing the declaration of candidacy of a candidate for party nomination to the office of lieutenant governor unless the declaration of candidacy also shows a joint candidate for the same party's nomination to the office of governor, and shall not accept for filing a declaration of candidacy that shows a candidate for party nomination to the office of governor or lieutenant governor who, for the same election, has already filed a declaration of candidacy or a declaration of intent to be a write-in candidate, or has become a candidate by the filling of a vacancy under section 3513.30 of the Revised Code for any other state office or any federal or county office.
No person who seeks party nomination for an office or position at a primary election by declaration of candidacy or by declaration of intent to be a write-in candidate and no person who is a first choice for president of candidates seeking election as delegates and alternates to the national conventions of the different major political parties who are chosen by direct vote of the electors as provided in this chapter shall be permitted to become a candidate by nominating petition, including a nominating petition filed under section 3517.012 of the Revised Code, by declaration of intent to be a write-in candidate, or by filling a vacancy under section 3513.31 of the Revised Code at the following general election for any office other than the office of member of the state board of education, office of member of a city, local, or exempted village board of education, office of member of a governing board of an educational service center, or office of township trustee.

Sec. 3513.052. (A) No person shall seek nomination or election to any of the following offices or positions at the same election by filing a declaration of candidacy and petition, a declaration of intent to be a write-in candidate, or a nominating petition, or by becoming a candidate through party nomination in a primary election, or by the filling of a vacancy under section 3513.30 or 3513.31 of the Revised Code:

(1) Two or more state offices;

(2) Two or more county offices;

(3) A state office and a county office;

(4) A federal office and a state or county office;

(5) Any combination of two or more municipal or township offices, positions as a member of a city, local, or exempted
village board of education, or positions as a member of a
governing board of an educational service center.

(B) The secretary of state or a board of elections shall
not accept for filing a declaration of candidacy and petition, a
declaration of intent to be a write-in candidate, or a
nominating petition of a person seeking to become a candidate if
that person, for the same election, has already filed a
declaration of candidacy, a declaration of intent to be a write-
in candidate, or a nominating petition, or has become a
candidate through party nomination at a primary election or by
the filling of a vacancy under section 3513.30 or 3513.31 of the
Revised Code for:

(1) Any federal, state, or county office, if the
declaration of candidacy, declaration of intent to be a write-in
candidate, or nominating petition is for a state or county
office;

(2) Any municipal or township office, or for member of a
city, local, or exempted village board of education, or for
member of a governing board of an educational service center, if
the declaration of candidacy, declaration of intent to be a
write-in candidate, or nominating petition is for a municipal or
township office, or for member of a city, local, or exempted
village board of education, or for member of a governing board
of an educational service center.

(C)(1) If the secretary of state determines, before the
day of the primary election, that a person is seeking nomination
to more than one office at that election in violation of
division (A) of this section, the secretary of state shall do
one of the following:
(a) If each office or the district for each office for which the person is seeking nomination is wholly within a single county and none of those offices is a federal office, the secretary of state shall notify the board of elections of that county. The board then shall determine the date on which the person first sought to become a candidate for each of those offices by filing a declaration of candidacy or a declaration of intent to be a write-in candidate or by the filling of a vacancy under section 3513.30 of the Revised Code. The board shall vote promptly to disqualify that person as a candidate for each office for which the person sought to become a candidate after the date on which the person first sought to become a candidate for any of those offices. If the board determines that the person sought to become a candidate for more than one of those offices on the same date, the board shall vote promptly to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks nomination, according to the ballot order prescribed under section 3505.03 of the Revised Code.

(b) If one or more of the offices for which the person is seeking nomination is a state office or an office with a district larger than a single county and none of the offices for which the person is seeking nomination is a federal office, the secretary of state shall determine the date on which the person first sought to become a candidate for each of those offices by filing a declaration of candidacy or a declaration of intent to be a write-in candidate or by the filling of a vacancy under section 3513.30 of the Revised Code. The secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office for which the person
sought to become a candidate after the date on which the person first sought to become a candidate for any of those offices. If the secretary of state determines that the person sought to become a candidate for more than one of those offices on the same date, the secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks nomination, according to the ballot order prescribed under section 3505.03 of the Revised Code. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state.

(c) If each office or the district for each office for which the person is seeking nomination is wholly within a single county and any of those offices is a federal office, the secretary of state shall notify the board of elections of that county. The board then shall vote promptly to disqualify that person as a candidate for each office that is not a federal office.

(d) If one or more of the offices for which the person is seeking nomination is a state office and any of the offices for which the person is seeking nomination is a federal office, the secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that is not a federal office. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state.

(2) If a board of elections determines, before the day of
the primary election, that a person is seeking nomination to more than one office at that election in violation of division (A) of this section, the board shall do one of the following:

(a) If each office or the district for each office for which the person is seeking nomination is wholly within that county and none of those offices is a federal office, the board shall determine the date on which the person first sought to become a candidate for each of those offices by filing a declaration of candidacy or a declaration of intent to be a write-in candidate or by the filling of a vacancy under section 3513.30 of the Revised Code. The board shall vote promptly to disqualify that person as a candidate for each office for which the person sought to become a candidate after the date on which the person first sought to become a candidate for any of those offices. If the board determines that the person sought to become a candidate for more than one of those offices on the same date, the board shall vote promptly to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks nomination, according to the ballot order prescribed under section 3505.03 of the Revised Code.

(b) If one or more of the offices for which the person is seeking nomination is a state office or an office with a district larger than a single county and none of the offices for which the person is seeking nomination is a federal office, the board shall notify the secretary of state. The secretary of state then shall determine the date on which the person first sought to become a candidate for each of those offices by filing a declaration of candidacy or a declaration of intent to be a write-in candidate or by the filling of a vacancy under section 3513.30 of the Revised Code. The secretary of state shall order
the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office for which the person sought to become a candidate after the date on which the person first sought to become a candidate for any of those offices. If the secretary of state determines that the person sought to become a candidate for more than one of those offices on the same date, the secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks nomination, according to the ballot order prescribed under section 3505.03 of the Revised Code. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state.

(c) If each office or the district for each office for which the person is seeking nomination is wholly within a single county and any of those offices is a federal office, the board shall vote promptly to disqualify that person as a candidate for each office that is not a federal office.

(d) If one or more of the offices for which the person is seeking nomination is a state office and any of the offices for which the person is seeking nomination is a federal office, the board shall notify the secretary of state. The secretary of state then shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that is not a federal office. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state.
(D)(1) If the secretary of state determines, after the day of the primary election and before the day of the general election, that a person is seeking election to more than one office at that election in violation of division (A) of this section, the secretary of state shall do one of the following:

(a) If each office or the district for each office for which the person is seeking election is wholly within a single county and none of those offices is a federal office, the secretary of state shall notify the board of elections of that county. The board then shall determine the offices for which the person seeks to appear as a candidate on the ballot. The board shall vote promptly to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code.

(b) If one or more of the offices for which the person is seeking election is a state office or an office with a district larger than a single county and none of the offices for which the person is seeking election is a federal office, the secretary of state shall promptly investigate and determine the offices for which the person seeks to appear as a candidate on the ballot. The secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that would be listed on the ballot below the...
highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code.

(c) If each office or the district for each office for which the person is seeking election is wholly within a single county and any of those offices is a federal office, the secretary of state shall notify the board of elections of that county. The board then shall vote promptly to disqualify that person as a candidate for each office that is not a federal office. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that is not a federal office.

(d) If one or more of the offices for which the person is seeking election is a state office and any of the offices for which the person is seeking election is a federal office, the secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that is not a federal office. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state. If the person sought nomination at a primary election and has not yet
been issued a certificate of nomination, the board shall not
issue that certificate for that person for any office that is
not a federal office.

(2) If a board of elections determines, after the day of
the primary election and before the day of the general election,
that a person is seeking election to more than one office at
that election in violation of division (A) of this section, the
board of elections shall do one of the following:

(a) If each office or the district for each office for
which the person is seeking election is wholly within that
county and none of those offices is a federal office, the board
shall determine the offices for which the person seeks to appear
as a candidate on the ballot. The board shall vote promptly to
disqualify that person as a candidate for each office that would
be listed on the ballot below the highest office for which that
person seeks election, according to the ballot order prescribed
under section 3505.03 of the Revised Code. If the person sought
nomination at a primary election and has not yet been issued a
certificate of nomination, the board shall not issue that
certificate for that person for any office that would be listed
on the ballot below the highest office for which that person
seeks election, according to the ballot order prescribed under
section 3505.03 of the Revised Code.

(b) If one or more of the offices for which the person is
seeking election is a state office or an office with a district
larger than a single county and none of the offices for which
the person is seeking election is a federal office, the board
shall notify the secretary of state. The secretary of state
promptly shall investigate and determine the offices for which
the person seeks to appear as a candidate on the ballot. The
secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code.

(c) If each office or the district for each office for which the person is seeking election is wholly within that county and any of those offices is a federal office, the board shall vote promptly to disqualify that person as a candidate for each office that is not a federal office. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that is not a federal office.

(d) If one or more of the offices for which the person is seeking election is a state office and any of the offices for which the person is seeking election is a federal office, the board shall notify the secretary of state. The secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that is not a federal
office. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that is not a federal office.

(E) When a person is disqualified as a candidate under division (C) or (D) of this section, on or before the seventieth day before the day of the applicable election, the board of elections shall remove the person's name from the ballot for any office for which that person has been disqualified as a candidate according to the directions of the secretary of state. When a person is disqualified as a candidate under division (C) or (D) of this section after the seventieth day before the day of the applicable election, the board of elections shall not remove the person's name from the ballot for any office for which that person has been disqualified as a candidate. The board of elections shall post a notice at each polling location on the day of the applicable election, and shall enclose with each absent voter's ballot given or mailed after the candidate is disqualified, a notice that votes for the person for the office for which the person has been disqualified as a candidate will be void and will not be counted. If the name is not removed from the ballots before the day of the election, the votes for the disqualified candidate are void and shall not be counted.

(F) Any vacancy created by the disqualification of a person as a candidate under division (C) or (D) of this section may be filled in the manner provided for in sections 3513.30 and 3513.31 of the Revised Code.

(G) Nothing in this section or section 3513.04, 3513.041,
3513.05, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257, 3513.259, or 3513.261 of the Revised Code prohibits, and the secretary of state or a board of elections shall not disqualify, a person from being a candidate for an office, if that person timely withdraws as a candidate for any offices specified in division (A) of this section for which that person first sought to become a candidate by filing a declaration of candidacy and petition, a declaration of intent to be a write-in candidate, or a nominating petition, by party nomination in a primary election, or by the filling of a vacancy under section 3513.30 or 3513.31 of the Revised Code.

(H) As used in this section:

(1) "State office" means the offices of governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, member of the general assembly, chief justice of the supreme court, and justice of the supreme court.

(2) "Timely withdraws" means either of the following:

(a) Withdrawing as a candidate before the applicable deadline for filing a declaration of candidacy, declaration of intent to be a write-in candidate, or nominating petition for the subsequent office for which the person is seeking to become a candidate at the same election;

(b) Withdrawing as a candidate before the applicable deadline for the filling of a vacancy under section 3513.30 or 3513.31 of the Revised Code, if the person is seeking to become a candidate for a subsequent office at the same election under either of those sections.

Section 2. That existing sections 3.15, 3301.01, 3301.02,
3301.03, 3301.06, 3501.01, 3501.02, 3505.03, 3505.04, 3513.04, and 3513.052 of the Revised Code are hereby repealed.

**Section 3.** That section 3513.259 of the Revised Code is hereby repealed.

**Section 4.** The amendment, enactment, or repeal of sections 3.15, 3301.01, 3301.02, 3301.021, 3301.03, 3301.06, 3301.139, 3501.01, 3501.02, 3505.03, 3505.04, 3513.04, 3513.052, and 3513.259 of the Revised Code in Sections 1, 2, and 3 of this act take effect on the earliest date prescribed by law; however, the appointed members of the State Board of Education as constituted under sections 3301.01, 3301.02, 3301.03, and 3301.06 of the Revised Code, as those sections existed prior to the effective date of this section, shall remain in office until the expiration of their terms. Thereafter, their respective offices shall be abolished and no successor shall be appointed. If such appointed member vacates the office prior to the expiration of the member's term, no person shall be appointed to fill that vacancy, and that office shall be abolished.