

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 271

Representatives Mathews, Peterson

A BILL

To amend section 3505.06 of the Revised Code to 1
specify that state questions and issues 2
appearing on ballots must be numbered 3
consecutively based on the previous election. 4

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

Section 1. That section 3505.06 of the Revised Code be 5
amended to read as follows: 6

Sec. 3505.06. (A) On the questions and issues ballot shall 7
be printed all questions and issues to be submitted at any one 8
election together with the percentage of affirmative votes 9
necessary for passage as required by law. Such ballot shall have 10
printed across the top thereof, and below the stubs, "Official 11
Questions and Issues Ballot." 12

(B) (1) Questions and issues shall be grouped together on 13
the ballot from top to bottom as provided in division (B) (1) of 14
this section, except as otherwise provided in division (B) (2) of 15
this section. State questions and issues shall always appear as 16
the top group of questions and issues. In calendar year 1997, 17
the following questions and issues shall be grouped together on 18
the ballot, in the following order from top to bottom, after the 19

state questions and issues: 20

- (a) County questions and issues; 21
- (b) Municipal questions and issues; 22
- (c) Township questions and issues; 23
- (d) School or other district questions and issues. 24

In each succeeding calendar year after 1997, each group of 25
questions and issues described in division (B) (1) (a) to (d) of 26
this section shall be moved down one place on the ballot except 27
that the group that was last on the ballot during the 28
immediately preceding calendar year shall appear at the top of 29
the ballot after the state questions and issues. The rotation 30
shall be performed only once each calendar year, beginning with 31
the first election held during the calendar year. The rotation 32
of groups of questions and issues shall be performed during each 33
calendar year as required by division (B) (1) of this section, 34
even if no questions and issues from any one or more such groups 35
appear on the ballot at any particular election held during that 36
calendar year. 37

(2) Questions and issues shall be grouped together on the 38
ballot, from top to bottom, in the following order when it is 39
not practicable to group them together as required by division 40
(B) (1) of this section because of the type of voting machines 41
used by the board of elections: state questions and issues, 42
county questions and issues, municipal questions and issues, 43
township questions and issues, and school or other district 44
questions and issues. The particular order in which each of a 45
group of state questions or issues is placed on the ballot shall 46
be determined by, and certified to each board of elections by, 47
the secretary of state. 48

(3) Failure of the board of elections to rotate questions and issues as required by division (B) (1) of this section does not affect the validity of the election at which the failure occurred, and is not grounds for contesting an election under section 3515.08 of the Revised Code.

(C) The particular order in which each of a group of county, municipal, township, or school district questions or issues is placed on the ballot shall be determined by the board providing the ballots.

(D) The printed matter pertaining to each question or issue on the ballot shall be enclosed at the top and bottom thereof by a heavy horizontal line across the width of the ballot. Immediately below such top line shall be printed a brief title descriptive of the question or issue below it, such as "Proposed Constitutional Amendment," "Proposed Bond Issue," "Proposed Annexation of Territory," "Proposed Increase in Tax Rate," or such other brief title as will be descriptive of the question or issue to which it pertains, together with a brief statement of the percentage of affirmative votes necessary for passage, such as "A sixty-five per cent affirmative vote is necessary for passage," "A majority vote is necessary for passage," or such other brief statement as will be descriptive of the percentage of affirmative votes required.

(E) The questions and issues ballot need not contain the full text of the proposal to be voted upon. A condensed text that will properly describe the question, issue, or an amendment proposed by other than the general assembly shall be used as prepared and certified by the secretary of state for state-wide questions or issues or by the board for local questions or issues. If other than a full text is used, the full text of the

proposed question, issue, or amendment together with the 79
percentage of affirmative votes necessary for passage as 80
required by law shall be posted in each polling place in some 81
spot that is easily accessible to the voters. 82

~~(F) Each~~ (F) (1) Except as otherwise provided in division 83
(F) (2) of this section, each question and issue appearing on the 84
questions and issues ballot may be consecutively numbered. The 85
question or issue determined to appear at the top of the ballot 86
may be designated on the face thereof by the Arabic numeral "1" 87
and all questions and issues placed below on the ballot shall be 88
consecutively numbered. Such numeral shall be placed below the 89
heavy top horizontal line enclosing such question or issue and 90
to the left of the brief title thereof. 91

(2) Beginning with the general election to be held on 92
November 5, 2024, a state question or issue determined to appear 93
at the top of the ballot shall be designated on the face thereof 94
by the Arabic numeral "1" and all state questions and issues 95
placed below on the ballot shall be consecutively numbered. For 96
elections occurring after the general election held on November 97
5, 2024, a state question or issue determined to appear at the 98
top of the ballot shall be designated on the face thereof by the 99
Arabic numeral that is consecutive to the Arabic numeral of the 100
last state question or issue that appeared on the ballot at the 101
immediately preceding election at which a state question or 102
issue appeared on the ballot and all state questions or issues 103
placed below on the ballot shall be consecutively numbered. Such 104
numeral shall be placed below the heavy top horizontal line 105
enclosing such question or issue and to the left of the brief 106
title thereof. 107

(G) No portion of a ballot question proposing to levy a 108

property tax in excess of the ten-mill limitation under any 109
section of the Revised Code, including the renewal or 110
replacement of such a levy, may be printed in boldface type or 111
in a font size that is different from the font size of other 112
text in the ballot question. The prohibitions in division (G) of 113
this section do not apply to printed matter either described in 114
division (D) of this section related to such a ballot question 115
or located in the area of the ballot in which votes are 116
indicated for or against that question. 117

Section 2. That existing section 3505.06 of the Revised 118
Code is hereby repealed. 119