

I_136_2479-3

136th General Assembly
Regular Session
2025-2026

Sub. S. B. No. 395

To amend sections 111.27, 3501.01, 3505.03, 1
3505.04, 3505.08, 3505.10, 3505.23, 3505.27, 2
3505.33, 3505.34, 3505.35, 3505.36, 3505.37, 3
3506.11, 3509.03, 3509.04, 3511.02, 3511.05, 4
3513.01, 3513.04, 3513.041, 3513.05, 3513.052, 5
3513.07, 3513.08, 3513.12, 3513.121, 3513.13, 6
3513.14, 3513.15, 3513.18, 3513.19, 3513.191, 7
3513.20, 3513.22, 3513.23, 3513.24, 3513.254, 8
3513.255, 3513.257, 3513.261, 3513.263, 3513.30, 9
3513.31, 3513.311, 3513.32, 3513.33, 3515.04, 10
3517.012, and 3517.016; to enact sections 11
3505.031 and 3505.301; and to repeal sections 12
3513.16, 3513.256, 3513.28, 3513.301, and 13
3513.312 of the Revised Code to implement a top- 14
three primary election system and a consensus 15
choice general election system for Congress and 16
for certain state offices. 17

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

Section 1. That sections 111.27, 3501.01, 3505.03, 18
3505.04, 3505.08, 3505.10, 3505.23, 3505.27, 3505.33, 3505.34, 19



3505.35, 3505.36, 3505.37, 3506.11, 3509.03, 3509.04, 3511.02, 20
3511.05, 3513.01, 3513.04, 3513.041, 3513.05, 3513.052, 3513.07, 21
3513.08, 3513.12, 3513.121, 3513.13, 3513.14, 3513.15, 3513.18, 22
3513.19, 3513.191, 3513.20, 3513.22, 3513.23, 3513.24, 3513.254, 23
3513.255, 3513.257, 3513.261, 3513.263, 3513.30, 3513.31, 24
3513.311, 3513.32, 3513.33, 3515.04, 3517.012, and 3517.016 be 25
amended and sections 3505.031 and 3505.301 of the Revised Code 26
be enacted to read as follows: 27

Sec. 111.27. There is hereby established in the state 28
treasury the board of elections fund. The fund shall be used by 29
the secretary of state to provide advancements, subject to 30
recoupment, or to reimburse boards of elections pursuant to 31
sections ~~3513.301, 3513.312,~~ 3515.071, and 3521.03 of the 32
Revised Code, and to provide training and educational programs 33
for members and employees of boards of elections. The fund shall 34
receive transfers of cash pursuant to controlling board action. 35

Sec. 3501.01. As used in the sections of the Revised Code 36
relating to elections and political communications: 37

(A) "General election" means the election held on the 38
first Tuesday after the first Monday in each November. 39

(B) "Regular municipal election" means the election held 40
on the first Tuesday after the first Monday in November in each 41
odd-numbered year. 42

(C) "Regular state election" means the election held on 43
the first Tuesday after the first Monday in November in each 44
even-numbered year. 45

(D) "Special election" means any election other than those 46
elections defined in other divisions of this section. A special 47
election may be held only on the first Tuesday after the first 48

Monday in May or November, on the first Tuesday after the first 49
Monday in August in accordance with section 3501.022 of the 50
Revised Code, or on the day authorized by a particular municipal 51
or county charter for the holding of a primary election, except 52
that in any year in which a presidential primary election is 53
held, no special election shall be held in May, except as 54
authorized by a municipal or county charter, but may be held on 55
the third Tuesday after the first Monday in March. 56

(E) (1) "Primary" or "primary election" means an election 57
held for the purpose of nominating persons as candidates ~~of~~ 58
~~political parties~~ for election to offices, and for the purpose 59
~~of electing persons as members of the controlling committees of~~ 60
~~political parties and as delegates and alternates to the~~ 61
~~conventions of political parties~~ holding party primaries. 62
Primary elections shall be held on the first Tuesday after the 63
first Monday in May of each year except in years in which a 64
presidential primary election is held. 65

(2) "Party primary" means a primary election at which 66
members of a political party nominate candidates for partisan 67
office and elect members of the party's controlling committees 68
and delegates and alternates to the party's national convention. 69

(3) "Presidential primary election" means a party primary 70
~~election as defined by division (E) (1) of this section~~ at which 71
an election is held for the purpose of choosing delegates and 72
alternates to the national conventions of the major political 73
parties pursuant to section 3513.12 of the Revised Code. Unless 74
otherwise specified, presidential primary elections are included 75
in references to primary elections and to party primaries. In 76
years in which a presidential primary election is held, all 77
primary elections shall be held on the third Tuesday after the 78

first Monday in March except as otherwise authorized by a 79
municipal or county charter. 80

(F) "Political party" means any group of voters meeting 81
the requirements set forth in section 3517.01 of the Revised 82
Code for the formation and existence of a political party. 83

(1) "Major political party" means any political party 84
organized under the laws of this state whose candidate for 85
governor or nominees for presidential electors received not less 86
than twenty per cent of the total vote cast for such office at 87
the most recent regular state election. 88

(2) "Minor political party" means any political party 89
organized under the laws of this state that meets either of the 90
following requirements: 91

(a) Except as otherwise provided in this division, the 92
political party's candidate for governor or nominees for 93
presidential electors received less than twenty per cent but not 94
less than three per cent of the total vote cast for such office 95
at the most recent regular state election. A political party 96
that meets the requirements of this division remains a political 97
party for a period of four years after meeting those 98
requirements. 99

(b) The political party has filed with the secretary of 100
state, subsequent to its failure to meet the requirements of 101
division (F) (2) (a) of this section, a petition that meets the 102
requirements of section 3517.01 of the Revised Code. 103

A newly formed political party shall be known as a minor 104
political party until the time of the first election for 105
governor or president which occurs not less than twelve months 106
subsequent to the formation of such party, after which election 107

the status of such party shall be determined by the vote for the 108
office of governor or president. 109

(3) A "political party's candidate for governor" is the 110
candidate for governor who declared the candidate's party 111
preference as being for that political party and who received 112
the most votes out of any candidate for governor at that 113
election who declared the candidate's party preference as being 114
for that political party. 115

(G) "Dominant party in a precinct" or "dominant political 116
party in a precinct" means that political party whose candidate 117
for election to the office of governor at the most recent 118
regular state election at which a governor was elected received 119
more votes than any other person received for election to that 120
office in such precinct at such election. 121

(H) "Candidate" means any qualified person certified in 122
accordance with the provisions of the Revised Code for placement 123
on the official ballot of a primary, general, or special 124
election to be held in this state, or any qualified person who 125
claims to be a write-in candidate, or who knowingly assents to 126
being represented as a write-in candidate by another at either a 127
primary, general, or special election to be held in this state. 128

(I) "Independent candidate" means any candidate for a 129
partisan office who claims not to be affiliated with a political 130
party, and whose name has been certified on the office-type 131
ballot at a general or special election through the filing of a 132
statement of candidacy and nominating petition, as prescribed in 133
section 3513.257 of the Revised Code. 134

(J) "Nonpartisan candidate" means any candidate for a 135
nonpartisan office whose name ~~is required, pursuant to section~~ 136

~~3505.04 of the Revised Code, has been certified to be listed~~ 137
~~appear on the nonpartisan ballot, including all candidates for~~ 138
~~judge of a municipal court, county court, or court of common~~ 139
~~pleas, for member of any board of education, for municipal or~~ 140
~~township offices in which primary elections are not held for~~ 141
~~nominating candidates by political parties, and for offices of~~ 142
~~municipal corporations having charters that provide for separate~~ 143
~~ballots for elections for these offices at a general or special~~ 144
~~election.~~ 145

(K) "Party candidate" means any candidate for a partisan 146
office who claims to be a member of a political party and who 147
has been certified to appear on the office-type ballot at a 148
general or special election as the nominee of a political party 149
because the candidate has won the primary election of the 150
candidate's party for the public office the candidate seeks, has 151
been nominated under section 3517.012, or is selected by party 152
committee in accordance with section 3513.31 of the Revised 153
Code. 154

(L) "Officer of a political party" includes, but is not 155
limited to, any member, elected or appointed, of a controlling 156
committee, whether representing the territory of the state, a 157
district therein, a county, township, a city, a ward, a 158
precinct, or other territory, of a major or minor political 159
party. 160

(M) "Question or issue" means any question or issue 161
certified in accordance with the Revised Code for placement on 162
an official ballot at a general or special election to be held 163
in this state. 164

(N) "Elector" or "qualified elector" means a person having 165
the qualifications provided by law to be entitled to vote. 166

(O) "Voter" means an elector who votes at an election.	167
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	168 169 170
(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.	171 172 173 174
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	175 176 177
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	178 179 180
(T) "Political subdivision" means a county, township, city, village, or school district.	181 182
(U) "Election officer" or "election official" means any of the following:	183 184
(1) Secretary of state;	185
(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;	186 187 188 189
(3) Director of a board of elections;	190
(4) Deputy director of a board of elections;	191
(5) Member of a board of elections;	192
(6) Employees of a board of elections;	193

(7) Precinct election officials;	194
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	195 196
(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.	197 198 199 200 201 202 203
(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, date of birth, or United States citizenship, the number of the elector's Ohio driver's license or state identification card, the last four digits of the elector's social security number, or any other information required for registration. The notice shall be sent by forwardable mail, shall be accompanied by a postage prepaid, preaddressed return envelope containing a form on which the elector may verify or correct the elector's registration, and shall meet the requirements of the National Voter Registration Act of 1993.	204 205 206 207 208 209 210 211 212 213 214 215
(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	216 217 218 219 220 221 222 223

of state for registering voters, including the department of job 224
and family services, the program administered under section 225
3701.132 of the Revised Code by the department of health, the 226
department of behavioral health, the department of developmental 227
disabilities, the opportunities for Ohioans with disabilities 228
agency, and any other agency the secretary of state designates. 229
"Designated agency" does not include public high schools and 230
vocational schools, public libraries, or the office of a county 231
treasurer. 232

(Y) "National Voter Registration Act of 1993" means the 233
"National Voter Registration Act of 1993," 107 Stat. 77, 42 234
U.S.C.A. 1973gg. 235

(Z) "Voting Rights Act of 1965" means the "Voting Rights 236
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 237

(AA) (1) "Photo identification" means one of the following 238
documents that includes the individual's name and photograph and 239
is not expired: 240

(a) An Ohio driver's license, state identification card, 241
or interim identification form issued by the registrar of motor 242
vehicles or a deputy registrar under Chapter 4506. or 4507. of 243
the Revised Code; 244

(b) A United States passport or passport card; 245

(c) A United States military identification card, Ohio 246
national guard identification card, or United States department 247
of veterans affairs identification card. 248

(2) A "copy" of an individual's photo identification means 249
images of both the front and back of a document described in 250
division (AA) (1) of this section, except that if the document is 251
a United States passport, a copy of the photo identification 252

means an image of the passport's identification page that 253
includes the individual's name, photograph, and other 254
identifying information and the passport's expiration date. 255

(BB) "Driver's license" means a license or permit issued 256
by the registrar or a deputy registrar under Chapter 4506. or 257
4507. of the Revised Code that authorizes an individual to 258
drive. "Driver's license" includes a driver's license, 259
commercial driver's license, probationary license, restricted 260
license, motorcycle operator's license, or temporary instruction 261
permit identification card. "Driver's license" does not include 262
a limited term license issued under section 4506.14 or 4507.09 263
of the Revised Code. 264

(CC) "State identification card" means a card issued by 265
the registrar or a deputy registrar under sections 4507.50 to 266
4507.52 of the Revised Code. 267

(DD) "Interim identification form" means the document 268
issued by the registrar or a deputy registrar to an applicant 269
for a driver's license or state identification card that 270
contains all of the information otherwise found on the license 271
or card and that an applicant may use as a form of 272
identification until the physical license or card arrives in the 273
mail. 274

(EE) (1) "Proof of citizenship" means evidence that an 275
individual is a United States citizen, in the form of one of the 276
following: 277

(a) The number of the individual's current Ohio driver's 278
license or state identification card, if the secretary of state 279
verifies using information obtained from the bureau of motor 280
vehicles that the individual has submitted documentation to the 281

bureau that indicates that the individual is a United States 282
citizen; 283

(b) The individual's current Ohio driver's license, state 284
identification card, or interim identification form issued on or 285
after April 7, 2023, or a copy of the front and back of that 286
license, card, or form, if the license, card, or form does not 287
include a notation designating that the individual is a 288
noncitizen of the United States; 289

(c) The individual's birth certificate, certification of 290
report of birth, or consular report of birth abroad, or a copy 291
of one of those documents; 292

(d) The individual's current United States passport or 293
passport card, a copy of the identification page of the 294
passport, or a copy of the front and back of the passport card; 295

(e) The individual's certificate of naturalization or 296
certificate of citizenship or a copy of one of those documents; 297

(f) The individual's I-797 notice of action for form 298
N-565, application for replacement naturalization/citizenship 299
document issued by United States citizenship and immigration 300
services, if the notice indicates that the application has been 301
approved; a copy of that notice; or an original or copy of the 302
successor form of that notice issued by the federal agency that 303
is responsible for fulfilling requests for replacement 304
naturalization or citizenship documents. 305

(2) If an individual's current legal name is different 306
from the name on the individual's proof of citizenship, the 307
individual also shall provide proof of the change of name, such 308
as a copy of a marriage license or court order. 309

(FF) "Ranked choice voting" and "instant runoff voting" 310

mean a method of nominating or electing one or more candidates 311
to an office as follows: 312

(1) Voters rank candidates on the ballot in order of 313
preference. 314

(2) Tabulation proceeds in rounds such that in each round, 315
one or more candidates are nominated or elected or a last-place 316
candidate is defeated. 317

(3) Votes are transferred from nominated, elected, or 318
defeated candidates to the voter's next-ranked candidate or 319
candidates in order of preference. 320

(4) Tabulation ends when a candidate receives the majority 321
of the votes cast or when the number of candidates nominated or 322
elected equals the number of offices to be filled, as 323
applicable. 324

(GG) "Voter-nominated office" means a congressional or 325
state elective office for which a candidate may choose to have 326
the candidate's party preference or lack of party preference 327
indicated upon the ballot. The following offices are voter- 328
nominated offices: 329

(1) Governor; 330

(2) Lieutenant governor; 331

(3) Secretary of state; 332

(4) Treasurer of state; 333

(5) Attorney general; 334

(6) Member of the senate of the United States; 335

(7) Member of the United States house of representatives; 336

<u>(8) Member of the Ohio senate;</u>	337
<u>(9) Member of the Ohio house of representatives.</u>	338
<u>(HH) "Nonpartisan office" means an office that appears on</u>	339
<u>the nonpartisan ballot at a general election under section</u>	340
<u>3505.04 of the Revised Code. The following offices are</u>	341
<u>nonpartisan offices:</u>	342
<u>(1) Judge of a municipal court, county court, or court of</u>	343
<u>common pleas;</u>	344
<u>(2) Member of a board of education;</u>	345
<u>(3) Municipal or township offices for which party</u>	346
<u>primaries are not held for the purposes of nominating</u>	347
<u>candidates;</u>	348
<u>(4) Offices of municipal corporations having charters that</u>	349
<u>provide for separate ballots for election for these offices.</u>	350
<u>(II) "Partisan office" means an office or position for</u>	351
<u>which candidates are nominated by the members of a political</u>	352
<u>party and that appear on the ballot at the general or special</u>	353
<u>election as the nominees of that political party. The following</u>	354
<u>offices are partisan offices:</u>	355
<u>(1) President and vice-president of the United States;</u>	356
<u>(2) Chief justice or justice of the supreme court;</u>	357
<u>(3) Judge of a court of appeals;</u>	358
<u>(4) County offices, other than the office of judge of a</u>	359
<u>county court or court of common pleas;</u>	360
<u>(5) Municipal and township offices for which party</u>	361
<u>primaries are held for the purpose of nominating candidates.</u>	362

(JJ) "Consensus choice" means a candidate who wins each of 363
the candidate's pairings in a general election held in 364
connection to a preceding top-three primary election. 365

(KK) "Margin of loss" means, for a losing candidate in a 366
given pairing in a general election, the number of voters who 367
indicated a preference for the winning candidate over the losing 368
candidate minus the number of voters who indicated a preference 369
for the losing candidate over the winning candidate. A candidate 370
who wins each of the candidate's pairings, as described in 371
division (A) of section 3505.03 of the Revised Code, is 372
considered to have a margin of loss of zero. 373

(LL) For purposes of any provision of law that requires 374
the calculation of the total vote cast for the office of 375
governor at an election, the total vote cast for governor is the 376
total number of votes cast in the gubernatorial candidate 377
pairing that was decided by the smallest margin. 378

Sec. 3505.03. (A) On the partisan office ballot shall 379
be printed the names of all candidates for election to partisan 380
offices, ~~except the office of judge of a municipal court, county~~ 381
~~court, or court of common pleas, who were nominated at the most~~ 382
~~recent primary election as candidates of a political party or~~ 383
~~who were nominated in accordance with section 3513.02 of the~~ 384
~~Revised Code, and the names of all candidates for election to~~ 385
~~offices who were nominated by nominating petitions, except~~ 386
~~candidates for the office of judge of a municipal court, county~~ 387
~~court, or court of common pleas, for member of a board of~~ 388
~~education, for municipal offices, and for township offices other~~ 389
than the offices of president and vice-president of the United 390
States, which shall appear on the presidential ballot as 391
described in section 3505.10 of the Revised Code. 392

(B) The face of the ballot below the stub shall be 393
substantially in the following form: 394

"OFFICIAL PARTISAN OFFICE TYPE BALLOT 395

~~(1)~~ To vote for a candidate record your vote in the manner 396
provided next to the name of such candidate. 397

~~(2)~~ If you tear, soil, deface, or erroneously mark this 398
ballot, return it to the precinct election officers or, if you 399
cannot return it, notify the precinct election officers, and 400
obtain another ballot." 401

(C) The order in which the offices shall be listed on the 402
ballot shall be prescribed by, and certified to each board of 403
elections by, the secretary of state; provided that for state, 404
district, and county offices the order from top to bottom shall 405
be as follows: ~~governor and lieutenant governor, attorney-~~ 406
~~general, auditor of state, secretary of state, treasurer of-~~ 407
~~state, chief justice of the supreme court, justice of the~~ 408
~~supreme court, United States senator, representative to~~ 409
~~congress, state senator, state representative, judge of a court~~ 410
~~of appeals, county commissioner, county auditor, prosecuting~~ 411
~~attorney, clerk of the court of common pleas, sheriff, county~~ 412
~~recorder, county treasurer, county engineer, and coroner. The~~ 413
~~offices of governor and lieutenant governor shall be printed on~~ 414
~~the ballot in a manner that requires a voter to cast one vote~~ 415
~~jointly for the candidates who have been nominated by the same~~ 416
~~political party or petition.~~ 417

(D) Within the rectangular space within which the title of 418
each judicial office listed in division (C) of this section is 419
printed on the ballot and immediately below the title shall be 420
printed the date of the commencement of the term of the office, 421

if it is a full term, as follows: "Full term commencing 422
_____ (Date) _____," or the date of the end of the term of the 423
office, if it is an unexpired term, as follows: "Unexpired term 424
ending _____ (Date) _____" 425

(E) (1) The names of all candidates for ~~an~~ a partisan 426
office shall be arranged in a group under the title of that 427
office, and, except for absentee ballots or when the number of 428
candidates for a particular office is the same as the number of 429
candidates to be elected for that office, shall be rotated from 430
one precinct to another. On absentee ballots, the names of all 431
candidates for an office shall be arranged in a group under the 432
title of that office and shall be so alternated that each name 433
shall appear, insofar as may be reasonably possible, 434
substantially an equal number of times at the beginning, at the 435
end, and in each intermediate place, if any, of the group in 436
which such name belongs, unless the number of candidates for a 437
particular office is the same as the number of candidates to be 438
elected for that office. 439

(2) The method of printing the ballots to meet the 440
rotation requirement of this section shall be as follows: the 441
least common multiple of the number of names in each of the 442
several groups of candidates shall be used, and the number of 443
changes made in the printer's forms in printing the ballots 444
shall correspond with that multiple. The board of elections 445
shall number all precincts in regular serial sequence. In the 446
first precinct, the names of the candidates in each group shall 447
be listed in alphabetical order. In each succeeding precinct, 448
the name in each group that is listed first in the preceding 449
precinct shall be listed last, and the name of each candidate 450
shall be moved up one place. In each precinct using paper 451
ballots, the printed ballots shall then be assembled in tablets. 452

(F) Under the name of each candidate nominated at a party 453
primary election, nominated by petition under section 3517.012 454
of the Revised Code, or certified by a party committee to fill a 455
vacancy under section 3513.31 of the Revised Code shall be 456
printed, in less prominent type face than that in which the 457
candidate's name is printed, the name of the political party by 458
which the candidate was nominated or certified. Under the name 459
of each candidate appearing on the ballot who filed a nominating 460
petition and requested a ballot designation as a nonparty 461
candidate under section 3513.257 of the Revised Code shall be 462
printed, in less prominent type face than that in which the 463
candidate's name is printed, the designation of "nonparty 464
candidate." Under the name of each candidate appearing on the 465
ballot who filed a nominating petition and requested a ballot 466
designation as an other-party candidate under section 3513.257 467
of the Revised Code shall be printed, in less prominent type 468
face than that in which the candidate's name is printed, the 469
designation of "other-party candidate." No designation shall 470
appear under the name of a candidate appearing on the ballot who 471
filed a nominating petition and requested that no ballot 472
designation appear under the candidate's name under section 473
3513.257 of the Revised Code, or who filed a nominating petition 474
and failed to request a ballot designation either as a nonparty 475
candidate or as an other-party candidate under that section. 476

(G) Except as provided in this section, no words, 477
designations, or emblems descriptive of a candidate or the 478
candidate's political affiliation, or indicative of the method 479
by which the candidate was nominated or certified, shall be 480
printed under or after a candidate's name that is printed on the 481
ballot. 482

(H) For each partisan office, the candidate who receives 483

the largest number of votes is elected to the office, except 484
that if more than one candidate is to be elected to an office, 485
the candidates shall be ranked from the largest to the smallest 486
number of votes received and the candidates shall be declared 487
elected to the available seats beginning with the candidate who 488
received the largest number of votes and proceeding until all 489
available seats have been awarded. If more than the number of 490
candidates to be elected to an office received the largest and 491
an equal number of votes, the tie shall be resolved as follows: 492

(1) If a board of elections is to declare the results of 493
the election, the tie shall be resolved by lot by the 494
chairperson of the board in the presence of a majority of the 495
members of the board. 496

(2) If the secretary of state is to declare the results of 497
the election, the tie shall be resolved by lot by the secretary 498
of state in the presence of the governor, the auditor of state, 499
the attorney general, and the chairperson of the state central 500
committee of each political party, who at the request of the 501
secretary of state shall assemble to witness the drawing of the 502
lot. 503

Sec. 3505.031. (A) On the voter-nominated office type 504
ballot shall be printed the names of all candidates for election 505
to voter-nominated offices. 506

(B) The face of the ballot below the stub shall be 507
substantially in the following form: 508

"OFFICIAL VOTER-NOMINATED OFFICE TYPE BALLOT 509

To vote for a candidate record your vote in the manner 510
provided next to the name of the candidate. 511

If you tear, soil, deface, or erroneously mark this 512

ballot, return it to the precinct election officials or, if you 513
cannot return it, notify the precinct election officials, and 514
obtain another ballot." 515

(C) The order in which the offices shall be listed on the 516
ballot from top to bottom shall be as follows: governor and 517
lieutenant governor, attorney general, auditor of state, 518
secretary of state, treasurer of state, United States senator, 519
representative to congress, state senator, and state 520
representative. The offices of governor and lieutenant governor 521
shall be printed on the ballot in a manner that requires a voter 522
to cast one vote jointly for the candidates who have been 523
nominated together. 524

(D) (1) Except as otherwise provided in division (F) of 525
this section, under the title of each voter-nominated office, 526
the names of the candidates for that office shall be arranged in 527
pairs, such that the ballot displays every possible unique 528
pairing of the candidates' names. The two names in each pair 529
shall be separated by a solid line with one name printed above 530
the other. An enclosed blank rectangular space shall be provided 531
at the left of each name. 532

(2) For each pairing, the ballot shall direct the voter to 533
indicate which of the two candidates the voter prefers by 534
marking the space provided next to the preferred candidate. The 535
ballot shall inform the voter that the voter may express a 536
preference for not more than one candidate in each pair and is 537
not required to express a preference in every pair. If a voter 538
marks both candidates in a pair or otherwise marks the ballot in 539
a way that does not clearly indicate a preference in a pair, the 540
ballot shall be treated as indicating no preference for that 541
pair. 542

(3) The candidate who receives more indications of 543
preference than the other candidate in a given pair is 544
considered to have won that pairing. If a candidate wins each of 545
the candidate's pairings, that candidate is the consensus choice 546
and winner of the election. If no candidate wins each of the 547
candidate's pairings, the candidate with the smallest margin of 548
loss is the winner of the election. If two or more candidates 549
tie for the smallest margin of loss, the tie shall be resolved 550
as follows: 551

(a) If a board of elections is to declare the results of 552
the election, the tie shall be resolved by lot by the 553
chairperson of the board in the presence of a majority of the 554
members of the board. 555

(b) If the secretary of state is to declare the results of 556
the election, the tie shall be resolved by lot by the secretary 557
of state in the presence of the governor, the auditor of state, 558
and the attorney general, who at the request of the secretary of 559
state shall assemble to witness the drawing of the lot. 560

(c) If the general assembly is to declare the results of 561
the election, the winning candidate shall be declared elected by 562
a majority of the votes of all of the members of the senate and 563
the house of representatives of the general assembly. 564

(E) (1) The order in which each pair of candidate names 565
appears on the ballots shall be rotated so that there are six 566
unique ballot variations, as follows: 567

(a) In each ballot variation, each candidate's name shall 568
appear exactly once on the left side of a pair and exactly once 569
on the right side of a pair; 570

(b) Among the set of six ballot variations, each of the 571

six possible orders of pairs of candidate names appears in 572
exactly one ballot variation; 573

(c) Among the set of six ballot variations, each of the 574
six possible orders of pairs of candidate names appears in each 575
position in the list of pairs exactly once. 576

(2) Each board of elections shall cause each of the six 577
ballot variations described in this division to be used as 578
equally as practicable throughout the territory in which the 579
office is to be voted upon. 580

(3) The secretary of state may by rule establish 581
procedures for the equal or approximately equal distribution of 582
the six ballot variations described in division (E)(1) of this 583
section, and for surnames that are identical, hyphenated, or 584
include suffixes, provided that no rule adopted by the secretary 585
of state shall alter the sequence of pairings or the order of 586
candidate names within pairings described in that division. 587

(F) If the number of candidates for an office does not 588
exceed the number of candidates to be elected to the office, the 589
name of the candidate for the office shall appear under the 590
title of the office. The ballot shall direct the voter to 591
indicate a number of preferred candidates that does not exceed 592
the number of candidates to be elected. 593

(G) Under the name of each candidate shall be printed, in 594
less prominent type face than that in which the candidate's name 595
is printed, "Preference:" followed by the name of the political 596
party the candidate declared as the candidate's preferred party 597
in the candidate's declaration of candidacy or, in the case of a 598
candidate who declared a preference for no political party in 599
the candidate's declaration of candidacy, the phrase, "No 600

political party preference."

601

Sec. 3505.04. (A) 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 a 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.

602

603

604

605

606

607

608

609

610

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

611

612

(C) 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 county
judicial offices shall be listed first on the ballot, followed
by municipal and township offices, and by offices of member of a
board of education, in the order stated.

613

614

615

616

617

618

(D) (1) 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 candidates
for each term so designated shall be candidates for that term
only, unless two or more new judgeships have been created, in
which case from all candidates for a newly created judgeship
those receiving the highest number of votes shall be nominated.

619

620

621

622

623

624

625

626

627

628

629

(2) Within the rectangular space within which the title of each office for member of a 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.

(E) 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.

(F) 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.

(G) For each nonpartisan office, the candidate who receives the largest number of votes is elected to the office, except that if more than one candidate is to be elected to an office, the candidates shall be ranked from the largest to the smallest number of votes received and the candidates shall be declared elected to the available seats beginning with the candidate who received the largest number of votes and proceeding until all available seats have been awarded. If more than the number of candidates to be elected to an office received the largest and an equal number of votes, the tie shall be resolved by lot by the chairperson of the board of elections in the presence of a majority of the members of the board.

Sec. 3505.08. (A) Ballots shall be provided by the board 660
of elections for all general and special elections. The ballots 661
shall be printed with black ink on No. 2 white book paper fifty 662
pounds in weight per ream assuming such ream to consist of five 663
hundred sheets of such paper twenty-five by thirty-eight inches 664
in size. Each ballot shall have attached at the top two stubs, 665
each of the width of the ballot and not less than one-half inch 666
in length, except that, if the board of elections has an 667
alternate method to account for the ballots that the secretary 668
of state has authorized, each ballot may have only one stub that 669
shall be the width of the ballot and not less than one-half inch 670
in length. In the case of ballots with two stubs, the stubs 671
shall be separated from the ballot and from each other by 672
perforated lines. The top stub shall be known as Stub B and 673
shall have printed on its face "Stub B." The other stub shall be 674
known as Stub A and shall have printed on its face "Stub A." 675
Each stub shall also have printed on its face "Consecutive 676
Number _____" 677

Each ballot of each kind of ballot provided for use in 678
each precinct shall be numbered consecutively beginning with 679
number 1 by printing such number upon both of the stubs attached 680
to the ballot. On ballots bearing the names of candidates, each 681
candidate's name shall be printed in twelve point boldface upper 682
case type in an enclosed rectangular space, and an enclosed 683
blank rectangular space shall be provided at the left of the 684
candidate's name. The name of ~~the any political party of a~~ 685
~~candidate nominated at a primary election, nominated by petition~~ 686
~~under section 3517.012 of the Revised Code, or certified by a~~ 687
~~party committee appearing under a candidate's name~~ shall be 688
printed in ten point lightface upper and lower case type and 689
shall be separated by a two point blank space. The name of each 690

candidate shall be indented one space within the enclosed 691
rectangular space, and the name of the political party shall be 692
indented two spaces within the enclosed rectangular space. 693

The title of each office on the ballots shall be printed 694
in twelve point boldface upper and lower case type in a separate 695
enclosed rectangular space. A four point rule shall separate the 696
name of a candidate or a group of candidates for the same office 697
from the title of the office next appearing below on the ballot; 698
a two point rule shall separate the title of the office from the 699
names of candidates; and a one point rule shall separate names_ 700
and pairs of names of candidates. Headings shall be printed in 701
display Roman type. When the names of several candidates are 702
grouped together as candidates for the same office, except when 703
the names are grouped together as pairs, there shall be printed 704
on the ballots immediately below the title of the office and 705
within the separate rectangular space in which the title is 706
printed "Vote for not more than _____," in six point boldface 707
upper and lower case filling the blank space with that number 708
which will indicate the number of persons who may be lawfully 709
elected to the office. 710

Columns on ballots shall be separated from each other by a 711
heavy vertical border or solid line at least one-eighth of an 712
inch wide, and a similar vertical border or line shall enclose 713
the left and right side of ballots. Ballots shall be trimmed 714
along the sides close to such lines. 715

The ballots provided for by this section shall be 716
comprised of four kinds of ballots designated as follows: office 717
type ballot; nonpartisan ballot; questions and issues ballot; 718
and presidential ballot. 719

On the back of each office type ballot shall be printed 720

"Official Office Type Ballot;" on the back of each nonpartisan 721
ballot shall be printed "Official Nonpartisan Ballot;" on the 722
back of each questions and issues ballot shall be printed 723
"Official Questions and Issues Ballot;" and on the back of each 724
presidential ballot shall be printed "Official Presidential 725
Ballot." At the end of every ballot also shall be printed the 726
date of the election at which the ballot is used and the 727
facsimile signatures of the members of the board of the county 728
in which the ballot is used. For the purpose of identifying the 729
kind of ballot, the back of every ballot may be numbered in the 730
order the board shall determine. The numbers shall be printed in 731
not less than thirty-six point type above the words "Official 732
Office Type Ballot," "Official Nonpartisan Ballot," "Official 733
Questions and Issues Ballot," or "Official Presidential Ballot," 734
as the case may be. A ballot box bearing corresponding numbers 735
shall be furnished for each precinct in which the above- 736
described numbered ballots are used. 737

On the back of every ballot used, there shall be a solid 738
black line printed opposite the blank rectangular space that is 739
used to mark the choice of the voter. This line shall be printed 740
wide enough so that the mark in the blank rectangular space will 741
not be visible from the back side of the ballot. 742

Sample ballots may be printed by the board of elections 743
for all general elections. The ballots shall be printed on 744
colored paper, and "Sample Ballot" shall be plainly printed in 745
boldface type on the face of each ballot. In counties of less 746
than one hundred thousand population, the board may print not 747
more than five hundred sample ballots; in all other counties, it 748
may print not more than one thousand sample ballots. The sample 749
ballots shall not be distributed by a political party or a 750
candidate, nor shall a political party or candidate cause their 751

title or name to be imprinted on sample ballots. 752

(B) Notwithstanding division (A) of this section, in 753
approving the form of an official ballot, the secretary of state 754
may authorize the use of fonts, type face settings, and ballot 755
formats other than those prescribed in that division. 756

Sec. 3505.10. (A) On the presidential ballot below the 757
stubs at the top of the face of the ballot shall be printed 758
"Official Presidential Ballot" centered between the side edges 759
of the ballot. Below "Official Presidential Ballot" shall be 760
printed a heavy line centered between the side edges of the 761
ballot. Below the line shall be printed "Instruction to Voters" 762
centered between the side edges of the ballot, and below those 763
words shall be printed the following instructions: 764

"(1) To vote for the candidates for president and vice- 765
president whose names are printed below, record your vote in the 766
manner provided next to the names of such candidates. That 767
recording of the vote will be counted as a vote for each of the 768
candidates for presidential elector whose names have been 769
certified to the secretary of state and who are members of the 770
same political party as the nominees for president and vice- 771
president. A recording of the vote for independent candidates 772
for president and vice-president shall be counted as a vote for 773
the presidential electors filed by such candidates with the 774
secretary of state. 775

(2) To vote for candidates for president and vice- 776
president in the blank space below, record your vote in the 777
manner provided and write the names of your choice for president 778
and vice-president under the respective headings provided for 779
those offices. Such write-in will be counted as a vote for the 780
candidates' presidential electors whose names have been properly 781

certified to the secretary of state. 782

(3) If you tear, soil, deface, or erroneously mark this 783
ballot, return it to the precinct election officers or, if you 784
cannot return it, notify the precinct election officers, and 785
obtain another ballot." 786

(B) Below those instructions to the voter shall be printed 787
a single vertical column of enclosed rectangular spaces equal in 788
number to the number of presidential candidates plus one 789
additional space for write-in candidates. Each of those 790
rectangular spaces shall be enclosed by a heavy line along each 791
of its four sides, and such spaces shall be separated from each 792
other by one-half inch of open space. 793

In each of those enclosed rectangular spaces, except the 794
space provided for write-in candidates, shall be printed the 795
names of the candidates for president and vice-president 796
certified to the secretary of state or nominated in one of the 797
following manners: 798

(1) Nominated by the national convention of a political 799
party to which delegates and alternates were elected in this 800
state at the next preceding primary election. A political party 801
certifying candidates so nominated shall certify the names of 802
those candidates to the secretary of state on or before the 803
ninetieth day before the day of the general election. 804

(2) Nominated by nominating petition in accordance with 805
section 3513.257 of the Revised Code. Such a petition shall be 806
filed on or before the ninetieth day before the day of the 807
general election to provide sufficient time to verify the 808
sufficiency and accuracy of signatures on it. 809

(3) Certified to the secretary of state for placement on 810

the presidential ballot by authorized officials of a minor 811
political party that has held a state or national convention for 812
the purpose of choosing those candidates or that may, without a 813
convention, certify those candidates in accordance with the 814
procedure authorized by its party rules. The officials shall 815
certify the names of those candidates to the secretary of state 816
on or before the ninetieth day before the day of the general 817
election. The certification shall be accompanied by a 818
designation of a sufficient number of presidential electors to 819
satisfy the requirements of law. 820

(4) Certified to the secretary of state for placement on 821
the presidential ballot by a newly formed minor political party 822
under division (C) of section 3517.012 of the Revised Code not 823
later than the seventy-fifth day before the day of the general 824
election. The certification shall be accompanied by a 825
designation of a sufficient number of presidential electors to 826
satisfy the requirements of law. 827

The names of candidates for electors of president and 828
vice-president shall not be placed on the ballot, but shall be 829
certified to the secretary of state as required by this section 830
and sections 3513.11 and, 3513.257, and 3517.012 of the Revised 831
Code. A vote for any candidates for president and vice-president 832
shall be a vote for the electors of those candidates whose names 833
have been certified to the secretary of state. 834

(C) The arrangement of the printing in each of the 835
enclosed rectangular spaces shall be substantially as follows: 836
Near the top and centered within the rectangular space shall be 837
printed "For President" in ten-point boldface upper and lower 838
case type. Below "For President" shall be printed the name of 839
the candidate for president in twelve-point boldface upper case 840

type. Below the name of the candidate for president shall be 841
printed the name of the political party by which that candidate 842
for president was nominated in eight-point lightface upper and 843
lower case type. Below the name of such political party shall be 844
printed "For Vice-President" in ten-point boldface upper and 845
lower case type. Below "For Vice-President" shall be printed the 846
name of the candidate for vice-president in twelve-point 847
boldface upper case type. Below the name of the candidate for 848
vice-president shall be printed the name of the political party 849
by which that candidate for vice-president was nominated in 850
eight-point lightface upper and lower case type. Except for 851
candidates nominated by petition under section 3517.012 of the 852
Revised Code, no political identification or name of any 853
political party shall be printed below the names of presidential 854
and vice-presidential candidates nominated by petition. 855

The rectangular spaces on the ballot described in this 856
section shall be rotated and printed as provided in section 857
3505.03 of the Revised Code. 858

(D) If more than one pair of joint candidates for 859
president and vice-president receives the largest and an equal 860
number of votes, the tie shall be resolved by lot by the 861
secretary of state in the presence of the governor, the auditor 862
of state, and the attorney general, who at the request of the 863
secretary of state shall assemble to witness the drawing of the 864
lot. 865

Sec. 3505.23. Except as otherwise provided in this 866
section, no voter shall be allowed to occupy a voting 867
compartment or use a voting machine more than ten minutes when 868
all the voting compartments or machines are in use and voters 869
are waiting to occupy them. The ten-minute time limit shall not 870

apply to any person who requires the use of an accessible voting 871
machine as required under the "Help America Vote Act of 2002," 872
116 Stat. 1704, 42 U.S.C. 15481. 873

Except as otherwise provided by section 3505.24 of the 874
Revised Code, no voter shall occupy a voting compartment or 875
machine with another person or speak to anyone, nor shall anyone 876
speak to the voter, while the voter is in a voting compartment 877
or machine. 878

In precincts that do not use voting machines the following 879
procedure shall be followed: 880

If a voter tears, soils, defaces, or erroneously marks a 881
ballot the voter may return it to the precinct election 882
officials and a second ballot shall be issued to the voter. 883
Before returning a torn, soiled, defaced, or erroneously marked 884
ballot, the voter shall fold it so as to conceal any marks the 885
voter made upon it, but the voter shall not remove Stub A 886
therefrom. If the voter tears, soils, defaces, or erroneously 887
marks such second ballot, the voter may return it to the 888
precinct election officials, and a third ballot shall be issued 889
to the voter. In no case shall more than three ballots be issued 890
to a voter. Upon receiving a returned torn, soiled, defaced, or 891
erroneously marked ballot the precinct election officials shall 892
detach Stub A therefrom, write "Defaced" on the back of such 893
ballot, and place the stub and the ballot in the separate 894
containers provided therefor. 895

No elector shall leave the polling place until the elector 896
returns to the precinct election officials every ballot issued 897
to the elector with Stub A on each ballot attached thereto, 898
regardless of whether the elector has or has not placed any 899
marks upon the ballot. 900

Before leaving the voting compartment, the voter shall 901
fold each ballot marked by the voter so that no part of the face 902
of the ballot is visible, and so that the printing thereon 903
indicating the kind of ballot it is and the facsimile signatures 904
of the members of the board of elections are visible. The voter 905
shall then leave the voting compartment, deliver the voter's 906
ballots, and state the voter's name to the precinct election 907
official having charge of the ballot box, who shall announce the 908
name, detach Stub A from each ballot, and announce the number on 909
the stubs. The precinct election officials in charge of the poll 910
lists or poll books shall check to ascertain whether the number 911
so announced is the number on Stub B of the ballots issued to 912
such voter, and if no discrepancy appears to exist, the precinct 913
election official in charge of the ballot box shall, in the 914
presence of the voter, deposit each such ballot in the ballot 915
box and shall place Stub A from each ballot in the container 916
provided therefor. The voter shall then immediately leave the 917
polling place. 918

No ballot delivered by a voter to the precinct election 919
official in charge of the ballot box with Stub A detached 920
therefrom, and only ballots provided in accordance with Title 921
XXXV of the Revised Code, shall be voted or deposited in the 922
ballot box. 923

In marking a presidential ballot, the voter shall record 924
the vote in the manner provided on the ballot next to the names 925
of the candidates for the offices of president and vice- 926
president. Such ballot shall be considered and counted as a vote 927
for each of the candidates for election as presidential elector 928
whose names were certified to the secretary of state by the 929
political party of such nominees for president and vice- 930
president. 931

In marking an office type ballot or nonpartisan ballot, 932
the voter shall record the vote in the manner provided on the 933
~~ballot next to the name of each candidate for whom the voter~~ 934
~~desires to vote.~~ 935

In marking a primary election ballot, the voter shall 936
record the vote in the manner provided on the ballot next to the 937
name of each candidate for whom the voter desires to vote. If 938
the voter desires to vote for the nomination of a person whose 939
name is not printed on the primary election ballot, the voter 940
may do so by writing such person's name on the ballot in the 941
proper place provided for such purpose. 942

In marking a questions and issues ballot, the voter shall 943
record the vote in the manner provided on the ballot at the left 944
or at the right of "YES" or "NO" or other words of similar 945
import which are printed on the ballot to enable the voter to 946
indicate how the voter votes in connection with each question or 947
issue upon which the voter desires to vote. 948

In marking any ballot on which a blank space has been 949
provided wherein an elector may write in the name of a person 950
for whom the elector desires to vote, the elector shall write 951
such person's name in such blank space and on no other place on 952
the ballot. Unless specific provision is made by statute, no 953
blank space shall be provided on a ballot for write-in votes, 954
and any names written on a ballot other than in a blank space 955
provided therefor shall not be counted or recorded. 956

Sec. 3505.27. Unless otherwise ordered by the secretary of 957
state or the board of elections, the counting and tallying of 958
ballots shall be conducted according to procedures prescribed by 959
the board of elections that assure an accurate count of all 960
votes cast and that include all of the following: 961

(A) The counting and tallying of ballots at the 962
appropriate office, as designated by the board, in the full view 963
of members of the board and observers; 964

(B) The recording on a worksheet or other appropriate 965
document of the number of votes cast or preferences indicated 966
for each candidate, as applicable, and the number of votes cast 967
for and against each question or issue; 968

(C) The periodic reporting to the public and the office of 969
the secretary of state of the number of votes cast or 970
preferences indicated for each candidate, as applicable, and the 971
number of votes cast for and against each question or issue as 972
tallied at the time of the report; 973

(D) An examination and verification by the appropriate 974
authority, as designated by the board, of the votes so tallied 975
and recorded in the pollbook under section 3505.26 of the 976
Revised Code. 977

The board shall prescribe additional procedures as 978
necessary to assure an accurate count of all votes cast. These 979
procedures shall be followed until all of the ballots that are 980
required to be counted on the day of the election after the 981
close of the polls have been counted. 982

All work sheets that are prepared at the polling locations 983
shall be preserved and placed inside the pollbook and returned 984
to the board. 985

If there is any disagreement as to how a ballot should be 986
counted, it shall be submitted to the members of the board for a 987
decision on whether or to what extent the ballot should be 988
counted. If three of the members do not agree as to how any part 989
of the ballot shall be counted, only that part of the ballot on 990

which three of the members do agree shall be counted. A notation
shall be made upon the ballot indicating what part has not been
counted, and the ballot shall be placed in an envelope marked
"Disputed Ballots."

Sec. 3505.301. (A) For each voter-nominated office to be
filled at a general election in the manner described in section
3505.031 of the Revised Code, the secretary of state shall make
available to the public the following reports:

(1) A summary report that lists, for each pair of
candidates, the number of voters who preferred the first
candidate to the second and the number of voters who preferred
the second candidate to the first. The report also shall
identify the consensus choice if one exists. If no consensus
choice exists, the report shall identify the candidate or
candidates with the smallest margin of loss.

(2) A ballot image report that lists, for each ballot, the
voter's indicated preference in each candidate pairing, the
precinct of the ballot, and whether the ballot was cast in
person or by mail. In the report, the ballots shall be listed in
a manner that does not permit the order in which they were cast
in each precinct to be reconstructed.

(3) A comprehensive report that lists for each precinct
and for each pair of candidates all of the following
information:

(a) The number of ballots preferring the first candidate
to the second;

(b) The number of ballots preferring the second candidate
to the first;

(c) The number of ballots that indicated no preference for

that comparison.

1020

(B) As soon as practicable after the close of the polls,
the secretary of state shall make preliminary versions of the
summary report and ballot image report available to the public
in a plain text electronic format on the secretary of state's
official web site. When the results of the election are
declared, the secretary of state shall make the summary report,
ballot image report, and comprehensive report available to the
public on the secretary of state's official web site in a plain
text electronic format.

1021

1022

1023

1024

1025

1026

1027

1028

1029

Sec. 3505.33. When the board of elections has completed
the canvass of the election returns from the precincts in its
county, in which electors were entitled to vote at any general
or special election, it shall determine and declare the results
of the elections determined by the electors of such county or of
a district or subdivision within such county. ~~If more than the~~
~~number of candidates to be elected to an office received the~~
~~largest and an equal number of votes, such tie shall be resolved~~
~~by lot by the chairperson of the board in the presence of a~~
~~majority of the members of the board.~~ Such declaration shall be
in writing and shall be signed by at least a majority of the
members of the board. It shall bear the date of the day upon
which it is made, and a copy thereof shall be posted by the
board in a conspicuous place in its office. The board shall keep
such copy posted for a period of at least five days.

1030

1031

1032

1033

1034

1035

1036

1037

1038

1039

1040

1041

1042

1043

1044

Thereupon the board shall promptly certify abstracts of
the results of such elections within its county, in such forms
as the secretary of state prescribes. Such forms shall be
designated and shall contain abstracts as follows:

1045

1046

1047

1048

Form No. 1. An abstract of the votes cast for the office

1049

of president and vice-president of the United States. 1050

Form No. 2. An abstract of the votes cast for the office 1051
of governor and lieutenant governor, secretary of state, auditor 1052
of state, treasurer of state, attorney general, chief justice of 1053
the supreme court of Ohio, judge of the supreme court of Ohio, 1054
member of the senate of the congress of the United States, 1055
member at large of the house of representatives of the congress 1056
of the United States, district member of the house of 1057
representatives of the congress of the United States, and an 1058
abstract of the votes cast upon each question or issue submitted 1059
at such election to electors throughout the entire state. 1060

Form No. 3. An abstract of the votes cast for the office 1061
of member of the senate of the general assembly, and member of 1062
the house of representatives of the general assembly. 1063

Form No. 4. A report of the votes cast for judge of the 1064
court of appeals, judge of the court of common pleas, judge of 1065
the probate court, judge of the county court, county 1066
commissioner, county auditor, prosecuting attorney, clerk of the 1067
court of common pleas, sheriff, county recorder, county 1068
treasurer, county engineer, and coroner. 1069

Form No. 5. A report of the votes cast upon all questions 1070
and issues other than such questions and issues which were 1071
submitted to electors throughout the entire state. 1072

Form No. 6. A report of the votes cast for municipal 1073
offices, judge of the municipal court, township offices, and the 1074
office of member of a board of education. 1075

One copy of each of these forms shall be kept in the 1076
office of the board. One copy of each of these forms shall 1077
promptly be sent to the secretary of state, who shall place the 1078

records contained in forms No. 1, No. 2, No. 3, No. 4, and No. 6 1079
in electronic format. One copy of Form No. 2 shall promptly be 1080
sent by electronic mail to the president of the senate of the 1081
general assembly. The board shall also at once upon completion 1082
of the official count send a certified copy of that part of each 1083
of the forms which pertains to an election in which only 1084
electors of a district comprised of more than one county but 1085
less than all of the counties of the state voted to the board of 1086
the most populous county in such district. It shall also at once 1087
upon completion of the official count send a certified copy of 1088
that part of each of the forms which pertains to an election in 1089
which only electors of a subdivision located partly within the 1090
county voted to the board of the county in which the major 1091
portion of the population of such subdivision is located. 1092

If, after certifying and sending abstracts and parts 1093
thereof, a board finds that any such abstract or part thereof is 1094
incorrect, it shall promptly prepare, certify, and send a 1095
corrected abstract or part thereof to take the place of each 1096
incorrect abstract or part thereof theretofore certified and 1097
sent. 1098

Sec. 3505.34. During the first week of the regular session 1099
of the general assembly following a regular state election, the 1100
president of the senate, in the presence of a majority of the 1101
members of each house of the general assembly, shall open, 1102
announce, and canvass the abstracts of the votes cast for the 1103
offices of governor and lieutenant governor, secretary of state, 1104
auditor of state, treasurer of state, and attorney general, as 1105
contained in the Form No. 2 sent to the president of the senate 1106
as required by section 3505.33 of the Revised Code, and shall 1107
determine and declare the results of such election for such 1108
offices. ~~The joint candidates for governor and lieutenant~~ 1109

~~governor and the candidate for each other office who received~~ 1110
~~the largest number of votes shall be declared elected to such~~ 1111
~~office. If two or more candidates for election to the same~~ 1112
~~office, or two or more sets of joint candidates for governor and~~ 1113
~~lieutenant governor, receive the largest and an equal number of~~ 1114
~~votes, one of them, or one set of joint candidates for governor~~ 1115
~~and lieutenant governor, shall be declared elected to such~~ 1116
~~office by a majority of the votes of all of the members of the~~ 1117
~~senate and the house of representatives of the general assembly.~~ 1118
If said Form No. 2 has not at such time been received by the 1119
president of the senate from the board of elections of any 1120
county, the secretary of state, upon request of the president of 1121
the senate, shall furnish to the president of the senate such 1122
copies of said Form No. 2 as have not been received by the 1123
president of the senate. When said canvass has been completed 1124
and the results of the election declared, the president of the 1125
senate shall certify to the secretary of state the names of the 1126
persons declared elected together with the title of the office 1127
to which each has been elected, and from such certification the 1128
secretary of state shall issue a certificate of election to the 1129
officials declared elected and so certified to the secretary of 1130
state. Thereupon the governor shall forthwith issue a commission 1131
to each of the persons elected to such offices. 1132

Sec. 3505.35. (A) When the secretary of state has received 1133
from the board of elections of every county in the state Form 1134
No. 2, as provided for in section 3505.33 of the Revised Code, 1135
the secretary of state shall promptly fix the time and place for 1136
the canvass of such abstracts, and the time fixed shall not be 1137
later than ten days after such abstracts have been received by 1138
the secretary of state from all counties. The secretary of state 1139
shall notify the governor, auditor of state, attorney general, 1140

and the chairperson of the state central committee of each 1141
political party of the time and place fixed. At such time and in 1142
the presence of such of the persons so notified who attend, the 1143
secretary of state shall canvass the abstracts contained in said 1144
Form No. 2 and shall determine and declare the results of all 1145
elections in which electors throughout the entire state voted. 1146
~~If two or more candidates for election to the same office, or~~ 1147
~~two or more sets of joint candidates for governor and lieutenant~~ 1148
~~governor, receive the largest and an equal number of votes, such~~ 1149
~~tie shall be resolved by lot by the secretary of state. Such~~ 1150
declaration of results by the secretary of state shall be in 1151
writing and shall be signed by the secretary of state. It shall 1152
bear the date of the day upon which it is made, and a copy 1153
thereof shall be posted by the secretary of state in a 1154
conspicuous place in the secretary of state's office. The 1155
secretary of state shall keep such copy posted for a period of 1156
at least five days. 1157

Such declaration of results made by the secretary of 1158
state, insofar as it pertains to the offices of governor and 1159
lieutenant governor, secretary of state, auditor of state, 1160
treasurer of state, and attorney general, is only for the 1161
purpose of fixing the time of the commencement of the period of 1162
time within which applications for recounts of votes may be 1163
filed as provided by section 3515.02 of the Revised Code. 1164

(B) When the secretary of state has received from the 1165
board of elections of every county in the state Form No. 4 and 1166
Form No. 6, as provided in section 3505.33 of the Revised Code, 1167
the secretary of state shall promptly transmit by electronic 1168
mail or other telecommunication device a copy of each form to 1169
the administrative director of the supreme court. 1170

Sec. 3505.36. When the board of elections of the most 1171
populous county of a district comprised of more than one county 1172
but less than all of the counties of the state has received from 1173
the board of every county in such district certified copies of 1174
parts of abstracts pertaining to an election in which only the 1175
electors of such district voted, such board shall canvass such 1176
parts of abstracts and determine and declare the results of the 1177
elections determined by the electors of such district. ~~If more~~ 1178
~~than the number of candidates to be elected to an office receive~~ 1179
~~the largest number and an equal number of votes, such tie shall~~ 1180
~~be resolved by lot by the chairman of such board in the presence~~ 1181
~~of all of the members of such board.~~ Such declaration of results 1182
by such board shall be in writing and shall be signed by at 1183
least a majority of the members of such board. It shall bear the 1184
date of the day upon which it was made, and a copy thereof shall 1185
be posted by the board in a conspicuous place in its office. The 1186
board shall keep such copy posted for a period of at least five 1187
days. 1188

Sec. 3505.37. When the board of elections of a county in 1189
which the major portion of the population of a subdivision 1190
located in more than one county is located receives from the 1191
boards of each county in which other portions of such 1192
subdivision are located parts of abstracts pertaining to an 1193
election in which only the electors of such subdivision voted, 1194
such board shall canvass such parts of abstracts and determine 1195
and declare the results of the elections determined by the 1196
electors of such subdivision. ~~If more than the number of~~ 1197
~~candidates to be elected to an office receive the largest number~~ 1198
~~and an equal number of votes, such tie shall be resolved by lot~~ 1199
~~by the chairman of such board in the presence of a majority of~~ 1200
~~the members of such board.~~ Such declaration of results by such 1201

board shall be in writing and shall be signed by at least a 1202
majority of the members of such board. It shall bear the date of 1203
the day upon which it is made, and a copy thereof shall be 1204
posted by such board in a conspicuous place in its office. The 1205
board shall keep such copy posted for a period of at least five 1206
days. 1207

Sec. 3506.11. ~~The names of all candidates for an office~~ 1208
~~shall be arranged in a group under the title of the office and~~ 1209
~~printed on labels so that they may~~ The names of candidates shall 1210
appear and be rotated on the voting machine in a manner as near 1211
as possible to that provided in section sections 3505.03, 1212
3505.031, and 3505.04 of the Revised Code, as directed by the 1213
secretary of state. Under the name of each candidate nominated 1214
~~at a primary election, nominated by petition under section~~ 1215
~~3517.012 of the Revised Code, or certified by a party committee~~ 1216
~~to fill a vacancy under section 3513.31 of the Revised Code, the~~ 1217
~~name of the political party that nominated or certified the~~ 1218
~~candidate shall be printed in less prominent typeface than that~~ 1219
~~in which the candidate's name is printed.~~ 1220

Sec. 3509.03. (A) Except as otherwise provided in sections 1221
3509.051, 3511.02, and 3511.021 of the Revised Code, any 1222
qualified elector desiring to vote absent voter's ballots at an 1223
election shall deliver a written application for those ballots, 1224
either in person or by mail, to the board of elections of the 1225
county in which the elector's voting residence is located. 1226

(B) Except as otherwise permitted under section 3511.02 of 1227
the Revised Code and under division (C) of this section, the 1228
application shall be on a form prescribed by the secretary of 1229
state and shall contain all of the following: 1230

(1) The elector's name; 1231

(2) The elector's signature;	1232
(3) The address at which the elector is registered to vote;	1233 1234
(4) The elector's date of birth;	1235
(5) One of the following:	1236
(a) The elector's Ohio driver's license or state identification card number;	1237 1238
(b) The last four digits of the elector's social security number;	1239 1240
(c) A copy of the elector's photo identification.	1241
(6) A statement identifying the election for which absent voter's ballots are requested;	1242 1243
(7) A statement that the person requesting the ballots is a qualified elector;	1244 1245
(8) If the request is for <u>party</u> primary election ballots, the elector's party affiliation;	1246 1247
(9) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.	1248 1249
(C) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the elector may provide the elector's program participant identification number instead of the address at which the elector is registered to vote.	1250 1251 1252 1253 1254
(D) Except as otherwise provided in division (A) of section 3509.051 and in division (B) of section 3509.08 of the Revised Code, an application to receive absent voter's ballots shall be delivered to the office of the board not earlier than	1255 1256 1257 1258

the first day of January of the year of the elections for which 1259
the absent voter's ballots are requested or not earlier than 1260
ninety days before the day of the election at which the ballots 1261
are to be voted, whichever is earlier, and not later than the 1262
close of business on the seventh day before the day of the 1263
election at which the ballots are to be voted. 1264

(E) Except as permitted under section 111.31 of the 1265
Revised Code, no public office, and no public official or 1266
employee who is acting in an official capacity, shall do either 1267
of the following: 1268

(1) Prepay the return postage for an application for 1269
absent voter's ballots; 1270

(2) Mail or otherwise deliver an unsolicited application 1271
for absent voter's ballots to any person. 1272

(F) (1) Except as otherwise provided in division (F) (2) of 1273
this section and in sections 3505.24 and 3509.08 of the Revised 1274
Code, no person shall preprint or fill out any portion of an 1275
application for absent voter's ballots on behalf of an 1276
applicant. 1277

(2) The secretary of state or a board of elections may 1278
preprint only an applicant's name and address on an application 1279
for absent voter's ballots before mailing that application to 1280
the applicant, except that if the applicant has a confidential 1281
voter registration record, the secretary of state or a board of 1282
elections shall not preprint the applicant's address on the 1283
application. 1284

(3) A completed application for absent voter's ballots is 1285
not valid if any portion of it has been completed by any person 1286
other than the applicant in violation of division (F) of this 1287

section. 1288

Sec. 3509.04. (A) If a board of elections receives an 1289
application for absent voter's ballots that does not contain all 1290
of the required information or is not submitted on an 1291
appropriate form, the board promptly shall notify the applicant 1292
of the additional information required to be provided by the 1293
applicant to complete that application, direct the applicant to 1294
use an appropriate form, or both, as applicable. 1295

(B) Upon receipt by the board of elections of an 1296
application for absent voter's ballots that contains all of the 1297
required information and is submitted on an appropriate form, as 1298
provided by section 3509.03 and division (G) of section 3503.16 1299
of the Revised Code, the board, if the board finds that the 1300
applicant is a qualified elector, shall deliver to the applicant 1301
in person or mail directly to the applicant by special delivery 1302
mail, air mail, or regular mail, postage prepaid, proper absent 1303
voter's ballots. The board shall deliver or mail with the 1304
ballots an unsealed identification envelope upon the face of 1305
which shall be printed a form substantially as follows: 1306

"Identification Envelope Statement of Voter 1307

I, _____ (Name of voter), declare under 1308
penalty of election falsification that the within ballot or 1309
ballots contained no voting marks of any kind when I received 1310
them, and I caused the ballot or ballots to be marked, enclosed 1311
in the identification envelope, and sealed in that envelope. 1312

My voting residence in Ohio is 1313

_____ 1314

(Street and Number, if any, or Rural Route and Number) 1315

of _____ (City, Village, or Township) 1316
Ohio, which is in Ward _____ Precinct _____ 1317
in that city, village, or township. 1318

If I have a confidential voter registration record, I am 1319
providing my program participant identification number instead 1320
of my residence address: _____ 1321

The party primary election ballots, if any, within this 1322
envelope are primary election ballots of the _____ 1323
Party. 1324

Ballots contained within this envelope are to be voted at 1325
the _____ (general, special, or primary) election to be 1326
held on the _____ day of 1327
_____, _____. 1328

My date of birth is _____ (Month and Day), 1329
_____ (Year). 1330

(Voter must provide one of the following:) 1331

My Ohio driver's license or state identification card 1332
number is _____ (Driver's license or state 1333
identification card number). 1334

The last four digits of my Social Security Number are 1335
_____ (Last four digits of Social Security Number). 1336

_____ In lieu of providing a driver's license or state 1337
identification card number or the last four digits of my Social 1338
Security Number, I am enclosing a copy of my photo 1339
identification in the return envelope in which this 1340
identification envelope will be mailed. 1341

I hereby declare, under penalty of election falsification, 1342
that the statements above are true, as I verily believe. 1343

(Signature of Voter)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF
THE FIFTH DEGREE."

The board shall mail with the ballots and the unsealed
identification envelope an unsealed return envelope upon the
face of which shall be printed the post-office address of the
board. In the upper left corner on the face of the return
envelope, several blank lines shall be printed upon which the
voter may write the voter's name and return address. The return
envelope shall be of such size that the identification envelope
can be conveniently placed within it for returning the
identification envelope to the board.

No public office, and no public official or employee who
is acting in an official capacity, shall prepay the return
postage for any absent voter's ballots.

Except as otherwise provided in this section and in
sections 3505.24 and 3509.08 of the Revised Code, an election
official shall not fill out any portion of an identification
envelope statement of voter or an absent voter's ballot on
behalf of an elector. A board of elections may preprint only an
elector's name and address on an identification envelope
statement of voter before mailing absent voter's ballots to the
elector, except that if the elector has a confidential voter
registration record, as described in section 111.44 of the
Revised Code, the board of elections shall not preprint the
elector's address on the identification envelope statement of
voter.

Sec. 3511.02. (A) Notwithstanding any section of the

Revised Code to the contrary, whenever any person applies for 1373
registration as a voter on a form adopted in accordance with 1374
federal regulations relating to the "Uniformed and Overseas 1375
Citizens Absentee Voting Act," 100 Stat. 924, 52 U.S.C.A. 20301, 1376
this application shall be sufficient for voter registration and 1377
as a request for an absent voter's ballot. Uniformed services or 1378
overseas absent voter's ballots may be obtained by any person 1379
meeting the requirements of section 3511.011 of the Revised Code 1380
by applying electronically to the secretary of state or to the 1381
board of elections of the county in which the person's voting 1382
residence is located in accordance with section 3511.021 of the 1383
Revised Code or by applying to the board of elections of the 1384
county in which the person's voting residence is located, in one 1385
of the following ways: 1386

(1) That person may make written application for those 1387
ballots. The person may personally deliver the application to 1388
the office of the board or may mail it, send it by facsimile 1389
machine, send it by electronic mail, send it through internet 1390
delivery if such delivery is offered by the board of elections 1391
or the secretary of state, or otherwise send it to the board. 1392
Except as otherwise provided in division (B) of this section, 1393
the application shall be on a form prescribed by the secretary 1394
of state and shall contain all of the following information: 1395

- (a) The elector's name; 1396
- (b) The elector's signature; 1397
- (c) The address at which the elector is registered to 1398
vote; 1399
- (d) The elector's date of birth; 1400
- (e) One of the following: 1401

(i) The elector's Ohio driver's license or state 1402
identification card number; 1403

(ii) The last four digits of the elector's social security 1404
number; 1405

(iii) A copy of the elector's photo identification. 1406

(f) A statement identifying the election for which absent 1407
voter's ballots are requested; 1408

(g) A statement that the person requesting the ballots is 1409
a qualified elector; 1410

(h) A statement that the elector is an absent uniformed 1411
services voter or overseas voter as defined in 52 U.S.C. 20310; 1412

(i) A statement of the elector's length of residence in 1413
the state immediately preceding the commencement of service, 1414
immediately preceding the date of leaving to be with or near the 1415
service member, or immediately preceding leaving the United 1416
States, or a statement that the elector's parent or legal 1417
guardian resided in this state long enough to establish 1418
residency for voting purposes immediately preceding leaving the 1419
United States, whichever is applicable; 1420

(j) If the request is for party primary election ballots, 1421
the elector's party affiliation; 1422

(k) If the elector desires ballots to be mailed to the 1423
elector, the address to which those ballots shall be mailed; 1424

(l) If the elector desires ballots to be sent to the 1425
elector by facsimile machine, the telephone number to which they 1426
shall be so sent; 1427

(m) If the elector desires ballots to be sent to the 1428

elector by electronic mail or, if offered by the board of 1429
elections or the secretary of state, through internet delivery, 1430
the elector's electronic mail address or other internet contact 1431
information. 1432

(2) A voter or any relative of a voter listed in division 1433
(A) (3) of this section may use a single federal post card 1434
application to apply for uniformed services or overseas absent 1435
voter's ballots for use at the primary and general elections in 1436
a given year and any special election to be held on the day in 1437
that year specified by division (E) of section 3501.01 of the 1438
Revised Code for the holding of a primary election, designated 1439
by the general assembly for the purpose of submitting 1440
constitutional amendments proposed by the general assembly to 1441
the voters of the state. A single federal postcard application 1442
shall be processed by the board of elections pursuant to section 1443
3511.04 of the Revised Code the same as if the voter had applied 1444
separately for uniformed services or overseas absent voter's 1445
ballots for each election. 1446

(3) Application to have uniformed services or overseas 1447
absent voter's ballots mailed or sent by facsimile machine to 1448
such a person may be made by the spouse, father, mother, father- 1449
in-law, mother-in-law, grandfather, grandmother, brother or 1450
sister of the whole blood or half blood, son, daughter, adopting 1451
parent, adopted child, stepparent, stepchild, daughter-in-law, 1452
son-in-law, uncle, aunt, nephew, or niece of such a person. The 1453
application shall be in writing upon a blank form furnished only 1454
by the board or on a single federal post card as provided in 1455
division (A) (2) of this section. The form of the application 1456
shall be prescribed by the secretary of state. The board shall 1457
furnish that blank form to any of the relatives specified in 1458
this division desiring to make the application, only upon the 1459

request of such a relative made in person at the office of the 1460
board or upon the written request of such a relative mailed to 1461
the office of the board. Except as otherwise provided in 1462
division (B) of this section, the application, subscribed and 1463
sworn to by the applicant, shall contain all of the following: 1464

(a) The full name of the elector for whom ballots are 1465
requested; 1466

(b) A statement that the elector is an absent uniformed 1467
services voter or overseas voter as defined in 52 U.S.C. 20310; 1468

(c) The address at which the elector is registered to 1469
vote; 1470

(d) A statement identifying the elector's length of 1471
residence in the state immediately preceding the commencement of 1472
service, immediately preceding the date of leaving to be with or 1473
near a service member, or immediately preceding leaving the 1474
United States, or a statement that the elector's parent or legal 1475
guardian resided in this state long enough to establish 1476
residency for voting purposes immediately preceding leaving the 1477
United States, as the case may be; 1478

(e) The elector's date of birth; 1479

(f) One of the following: 1480

(i) The elector's Ohio driver's license or state 1481
identification card number; 1482

(ii) The last four digits of the elector's social security 1483
number; 1484

(iii) A copy of the elector's photo identification. 1485

(g) A statement identifying the election for which absent 1486

voter's ballots are requested; 1487

(h) A statement that the person requesting the ballots is 1488
a qualified elector; 1489

(i) If the request is for party primary election ballots, 1490
the elector's party affiliation; 1491

(j) A statement that the applicant bears a relationship to 1492
the elector as specified in division (A)(3) of this section; 1493

(k) The address to which ballots shall be mailed, the 1494
telephone number to which ballots shall be sent by facsimile 1495
machine, the electronic mail address to which ballots shall be 1496
sent by electronic mail, or, if internet delivery is offered by 1497
the board of elections or the secretary of state, the internet 1498
contact information to which ballots shall be sent through 1499
internet delivery; 1500

(l) The signature and address of the person making the 1501
application. 1502

(B) If the elector has a confidential voter registration 1503
record, as described in section 111.44 of the Revised Code, the 1504
application may include the elector's program participant 1505
identification number instead of the address at which the 1506
elector is registered to vote. 1507

(C) Each application for uniformed services or overseas 1508
absent voter's ballots shall be delivered to the office of the 1509
board not earlier than the first day of January of the year of 1510
the elections for which the uniformed services or overseas 1511
absent voter's ballots are requested or not earlier than ninety 1512
days before the day of the election at which the ballots are to 1513
be voted, whichever is earlier. An application to receive 1514
uniformed services or overseas absent voter's ballots by mail or 1515

by another method permitted under section 3511.021 of the Revised Code shall be delivered to the office of the board not later than the close of business on the seventh day preceding the day of the election.

(D) If the voter for whom the application is made is entitled to vote for presidential and vice-presidential electors only, the applicant shall submit to the board, in addition to the requirements of division (A) of this section, a statement to the effect that the voter is qualified to vote for presidential and vice-presidential electors and for no other offices.

(E) Except as permitted under section 111.31 of the Revised Code, no public office, and no public official or employee who is acting in an official capacity, shall do either of the following:

(1) Prepay the return postage for an application for absent voter's ballots;

(2) Mail or otherwise deliver an unsolicited application for absent voter's ballots to any person.

(F) (1) Except as otherwise provided in divisions (A) (2) and (3) and (F) (2) of this section and in sections 3505.24 and 3509.08 of the Revised Code, no person shall fill out any portion of a federal post card application or other application for absent voter's ballots on behalf of an applicant.

(2) The secretary of state or a board of elections may preprint only an applicant's name and address on a federal post card application or other application for absent voter's ballots before mailing that application to the applicant, except that if the applicant has a confidential voter registration record, the secretary of state or the board of elections shall not preprint

the applicant's address on the application. 1545

(3) A completed application for absent voter's ballots is 1546
not valid if any portion of it has been completed by any person 1547
other than the applicant in violation of division (F) of this 1548
section. 1549

Sec. 3511.05. (A) The board of elections shall place 1550
uniformed services or overseas absent voter's ballots sent by 1551
mail in an unsealed identification envelope, gummed ready for 1552
sealing. The board shall include with uniformed services or 1553
overseas absent voter's ballots sent electronically, including 1554
by facsimile machine, an instruction sheet for preparing a 1555
gummed envelope in which the ballots shall be returned. The 1556
envelope for returning ballots sent by either means shall have 1557
printed or written on its face a form substantially as follows: 1558

"Identification Envelope Statement of Voter 1559

I, _____ (Name of voter), declare under 1560
penalty of election falsification that the within ballot or 1561
ballots contained no voting marks of any kind when I received 1562
them, and I caused the ballot or ballots to be marked, enclosed 1563
in the identification envelope, and sealed in that envelope. 1564

My voting residence in Ohio is 1565

_____ 1566

(Street and Number, if any, or Rural Route and Number) 1567

of _____ (City, Village, or Township) 1568
Ohio, which is in Ward _____ Precinct _____ 1569
in that city, village, or township. 1570

If I have a confidential voter registration record, I am 1571
providing my program participant identification number instead 1572

of my residence address: _____ 1573

The party primary election ballots, if any, within this 1574
envelope are primary election ballots of the _____ 1575
Party. 1576

Ballots contained within this envelope are to be voted at 1577
the _____ (general, special, or primary) election to be 1578
held on the _____ day of 1579
_____, 1580

My date of birth is _____ (Month and Day), 1581
_____ (Year). 1582

(Voter must provide one of the following:) 1583

My Ohio driver's license or state identification card 1584
number is _____ (Driver's license or state 1585
identification card number). 1586

The last four digits of my Social Security Number are 1587
_____ (Last four digits of Social Security Number). 1588

_____ In lieu of providing a driver's license or state 1589
identification card number or the last four digits of my Social 1590
Security Number, I am enclosing a copy of my photo 1591
identification in the return envelope in which this 1592
identification envelope will be mailed. 1593

I hereby declare, under penalty of election falsification, 1594
that the statements above are true, as I verily believe. 1595

_____ 1596

(Signature of Voter) 1597

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 1598
THE FIFTH DEGREE." 1599

(B) The board shall also mail with the ballots and the
unsealed identification envelope sent by mail an unsealed return
envelope, gummed, ready for sealing, for use by the voter in
returning the voter's marked ballots to the office of the board.
The board shall send with the ballots and the instruction sheet
for preparing a gummed envelope sent electronically, including
by facsimile machine, an instruction sheet for preparing a
second gummed envelope as described in this division, for use by
the voter in returning that voter's marked ballots to the board.
The return envelope shall have two parallel lines, each one
quarter of an inch in width, printed across its face paralleling
the top, with an intervening space of one quarter of an inch
between such lines. The top line shall be one and one-quarter
inches from the top of the envelope. Between the parallel lines
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank
lines shall be printed in the upper left corner on the face of
the envelope for the use by the voter in placing the voter's
complete military, naval, or mailing address on these lines. The
post-office address of the office of the board shall be printed
on the face of such envelope in the lower right portion below
the bottom parallel line.

(C) On the back of each identification envelope and each
return envelope shall be printed the following:

"Instructions to voter:

If the flap on this envelope is so firmly stuck to the
back of the envelope when received by you as to require forcible
opening in order to use it, open the envelope in the manner
least injurious to it, and, after marking your ballots and
enclosing same in the envelope for mailing them to the board of

elections, reclose the envelope in the most practicable way, by 1630
sealing or otherwise, and sign the blank form printed below. 1631

The flap on this envelope was firmly stuck to the back of 1632
the envelope when received, and required forced opening before 1633
sealing and mailing. 1634

(Signature of voter)" 1635
1636

(D) Division (C) of this section does not apply when 1637
absent voter's ballots are sent electronically, including by 1638
facsimile machine. 1639

(E) Except as otherwise provided in this division and in 1640
sections 3505.24 and 3509.08 of the Revised Code, an election 1641
official shall not fill out any portion of an identification 1642
envelope statement of voter or an absent voter's ballot on 1643
behalf of an elector. A board of elections may preprint only an 1644
elector's name and address on an identification envelope 1645
statement of voter before mailing or electronically transmitting 1646
absent voter's ballots to the elector, except that if the 1647
elector has a confidential voter registration record, as 1648
described in section 111.44 of the Revised Code, the board of 1649
elections shall not preprint the elector's address on the 1650
identification envelope statement of voter. 1651

Sec. 3513.01. (A) ~~Except as otherwise provided in this~~ 1652
~~section and section 3517.012 of the Revised Code, primary~~ 1653
~~elections shall be held as provided in division (E) of section~~ 1654
~~3501.01 of the Revised Code for the purpose of nominating~~ 1655
~~persons as candidates of political parties~~ Candidates for 1656
election to offices to be voted for at the succeeding general 1657
election shall be nominated under this chapter as follows: 1658

(1) (a) Party primary elections shall be held as provided 1659
in this chapter and in section 3517.02 of the Revised Code for 1660
the following purposes: 1661

(i) For the purpose of nominating persons as candidates of 1662
political parties for partisan offices; 1663

(ii) For the purpose of nominating persons as candidates 1664
for the office of judge of a municipal court, county court, or 1665
court of common pleas; 1666

(iii) If applicable under divisions (B) to (E) of this 1667
section, for the purpose of nominating persons as candidates of 1668
political parties for municipal or township offices; 1669

(iv) For the purpose of electing members of political 1670
party controlling committees and delegates and alternates to the 1671
national conventions of major political parties. 1672

(b) Independent candidates for partisan offices and for 1673
the office of judge of a municipal court, county court, or court 1674
of common pleas shall be nominated by nominating petition as 1675
provided in section 3513.257 of the Revised Code. 1676

(2) An open primary election shall be held for the purpose 1677
of nominating candidates for election to voter-nominated offices 1678
as follows: 1679

(a) All candidates for an office shall be listed on a 1680
single primary ballot, and a voter may vote for any candidate, 1681
regardless of the candidate's or voter's affiliation or 1682
membership with a political party, provided that the elector is 1683
otherwise qualified to vote for candidates for that office. 1684

(b) The candidates receiving the highest, second highest, 1685
and third highest number of votes shall advance to the 1686

succeeding general election.

1687

(c) A candidate shall have the candidate's political party preference, or lack of political party preference, indicated on the ballot for an office in the manner described under section 3505.031 of the Revised Code. Selection of a party preference by a candidate does not constitute or imply endorsement of the candidate by the party designated. No candidate for an office shall be deemed the official candidate of any party by virtue of the candidate's selection in the primary election.

1688

1689

1690

1691

1692

1693

1694

1695

(d) A political party or party central committee does not have the right to have its preferred candidate participate in the general election other than as chosen by voters in the primary. Nothing in this section shall be interpreted to prohibit a political party or party central committee from endorsing, supporting, or opposing any candidate.

1696

1697

1698

1699

1700

1701

(3) Candidates shall be nominated for election to nonpartisan offices by nominating petition, except where a political subdivision has chosen to nominate candidates for election as officers of the political subdivision by primary election, as permitted under this section..

1702

1703

1704

1705

1706

(4) When the board of education of a city, local, or exempted village school district or the governing board of an educational service center so directs under division (F) of this section, a nonpartisan primary election shall be held for the purpose of nominating candidates for election to the board as follows:

1707

1708

1709

1710

1711

1712

(a) All candidates for an office shall be listed on a single primary ballot, and a voter may vote for any candidate, regardless of the candidate's or voter's affiliation or

1713

1714

1715

membership with a political party, provided that the elector is 1716
otherwise qualified to vote for candidates for that office. 1717

(b) The candidates receiving the highest and second 1718
highest number of votes shall advance to the succeeding general 1719
election. If more than one candidate is to be elected to an 1720
office, or if multiple offices of the same type are to be filled 1721
by the same slate of candidates, the number of candidates 1722
advancing to the general election shall be twice the number to 1723
be elected. 1724

(c) No candidate shall have the candidate's political 1725
party preference, or lack of political party preference, 1726
indicated on the ballot. 1727

(B) The manner of nominating persons as candidates for 1728
election as officers of a municipal corporation having a 1729
population of two thousand or more, as ascertained by the most 1730
recent federal census, shall be the same as the manner in which 1731
candidates were nominated for election as officers ~~in~~ of the 1732
municipal corporation in 1989 unless the manner of nominating 1733
such candidates is changed under division (C), (D), ~~or~~ (E), or 1734
(F) of this section. 1735

(C) Primary elections shall not be held for the nomination 1736
of candidates for election as officers of any township, or any 1737
municipal corporation having a population of less than two 1738
thousand, unless a majority of the electors of any such township 1739
or municipal corporation, as determined by the total number of 1740
votes cast in such township or municipal corporation for the 1741
office of governor at the most recent regular state election, 1742
files with the board of elections of the county within which 1743
such township or municipal corporation is located, or within 1744
which the major portion of the population thereof is located, if 1745

the municipal corporation is situated in more than one county, 1746
not later than one hundred twenty days before the day of a 1747
primary election, a petition signed by such electors asking that 1748
candidates for election as officers of such township or 1749
municipal corporation be nominated as candidates of political 1750
parties, in which event party primary elections shall be held in 1751
such township or municipal corporation for the purpose of 1752
nominating persons as candidates of political parties for 1753
election as officers of such township or municipal corporation 1754
to be voted for at the succeeding regular municipal election. In 1755
a township or municipal corporation where a majority of the 1756
electors have filed a petition asking that candidates for 1757
election as officers of the township or municipal corporation be 1758
nominated as candidates of political parties, the nomination of 1759
candidates ~~for a nonpartisan election by nominating petition~~ may 1760
be reestablished in the manner prescribed in division (E) of 1761
this section. 1762

(D) (1) The electors in a municipal corporation having a 1763
population of two thousand or more, in which municipal officers 1764
were nominated in the most recent election by nominating 1765
petition and elected by nonpartisan election, may place on the 1766
ballot in the manner prescribed in division (D) (2) of this 1767
section the question of changing to the party primary-election 1768
method of nominating persons as candidates for election as 1769
officers of the municipal corporation. 1770

(2) The board of elections of the county within which the 1771
municipal corporation is located, or, if the municipal 1772
corporation is located in more than one county, of the county 1773
within which the major portion of the population of the 1774
municipal corporation is located, shall, upon receipt of a 1775
petition signed by electors of the municipal corporation equal 1776

in number to at least ten per cent of the vote cast at the most 1777
recent regular municipal election, submit to the electors of the 1778
municipal corporation the question of changing to the party 1779
primary-election method of nominating persons as candidates for 1780
election as officers of the municipal corporation. The ballot 1781
language shall be substantially as follows: 1782

"Shall candidates for election as officers of _____ 1783
(name of municipal corporation) in the county of _____ 1784
(name of county) be nominated as candidates of political 1785
parties? 1786

_____ yes 1787

_____ no" 1788

The question shall be placed on the ballot at the next 1789
general election in an even-numbered year occurring at least 1790
ninety days after the petition is filed with the board. If a 1791
majority of the electors voting on the question vote in the 1792
affirmative, candidates for election as officers of the 1793
municipal corporation shall thereafter be nominated as 1794
candidates of political parties in party primary elections, 1795
under division ~~(A)~~ (A) (1) of this section, unless a change in 1796
the manner of nominating persons as candidates for election as 1797
officers of the municipal corporation is made under division (E) 1798
of this section. 1799

(E) (1) The electors in a township or municipal corporation 1800
in which the township or municipal officers are nominated as 1801
candidates of political parties in a party primary election may 1802
place on the ballot, in the manner prescribed in division (E) (2) 1803
of this section, the question of changing to the ~~nonpartisan~~ 1804
nominating petition method of nominating persons as candidates 1805

for election as officers of the township or municipal 1806
corporation. 1807

(2) The board of elections of the county within which the 1808
township or municipal corporation is located, or, if the 1809
municipal corporation is located in more than one county, of the 1810
county within which the major portion of the population of the 1811
municipal corporation is located, shall, upon receipt of a 1812
petition signed by electors of the township or municipal 1813
corporation equal in number to at least ten per cent of the vote 1814
cast at the most recent regular township or municipal election, 1815
as appropriate, submit to the electors of the township or 1816
municipal corporation, as appropriate, the question of changing 1817
to the ~~nonpartisan~~ nominating petition method of nominating 1818
persons as candidates for election as officers of the township 1819
or municipal corporation. The ballot language shall be 1820
substantially as follows: 1821

"Shall candidates for election as officers of _____ 1822
(name of the township or municipal corporation) in the county of 1823
_____ (name of county) be nominated as candidates by 1824
nominating petition and be elected only in a nonpartisan 1825
election? 1826

_____ yes 1827

_____ no" 1828

The question shall appear on the ballot at the next 1829
general election in an even-numbered year occurring at least 1830
ninety days after the petition is filed with the board. If a 1831
majority of electors voting on the question vote in the 1832
affirmative, candidates for officer of the township or municipal 1833
corporation shall thereafter be nominated by nominating petition 1834

and be elected only in a nonpartisan election, unless a change 1835
in the manner of nominating persons as candidates for election 1836
as officers of the township or municipal corporation is made 1837
under division (C) or (D) of this section. 1838

(F) (1) The board of education of a city, local, or 1839
exempted village school district or the governing board of an 1840
educational service center may, by adopting a resolution by a 1841
three-fifths majority vote of the board's total membership, 1842
choose to nominate candidates for election to the board by 1843
nonpartisan primary election under division (A) (4) of this 1844
section. The board of education or governing board shall certify 1845
the resolution to the board of elections at least two hundred 1846
ten days before the day of the primary election. Subject to 1847
division (F) (2) of this section, the resolution applies to all 1848
subsequent nominations for a position as a member of that board 1849
of education or governing board. 1850

(2) Not earlier than five years after the adoption of a 1851
resolution under division (F) (1) of this section, the board of 1852
education of a city, local, or exempted village school district 1853
or the governing board of an educational service center may 1854
rescind that resolution by subsequent resolution upon a three- 1855
fifths majority vote of its total membership. The board of 1856
education or governing board shall certify the resolution to the 1857
board of elections at least two hundred ten days before the day 1858
of the primary election. Subject to division (F) (4) of this 1859
section, the resolution applies to all subsequent nominations 1860
for a position as a member of that board of education or 1861
governing board unless the board adopts another resolution under 1862
division (F) (1) of this section. 1863

Sec. 3513.04. ~~Candidates for party nominations to state,~~ 1864

~~district, county, and municipal offices or positions, for which~~ 1865
~~party nominations are provided by law~~ nomination at a primary 1866
election, and candidates for election as members of party 1867
controlling committees, shall have their names printed on the 1868
official primary ballot by filing a declaration of candidacy and 1869
paying the fees specified for the office under divisions (A) and 1870
(B) of section 3513.10 of the Revised Code, except that the 1871
joint candidates for ~~party~~ nomination to the offices of governor 1872
and lieutenant governor shall, for the two of them, file one 1873
declaration of candidacy. The joint candidates also shall pay 1874
the fees specified for the joint candidates under divisions (A) 1875
and (B) of section 3513.10 of the Revised Code. 1876

The secretary of state shall not accept for filing the 1877
declaration of candidacy of a candidate for ~~party~~ nomination to 1878
the office of governor unless the declaration of candidacy also 1879
shows a joint candidate for ~~the same party's~~ nomination to the 1880
office of lieutenant governor, shall not accept for filing the 1881
declaration of candidacy of a candidate for ~~party~~ nomination to 1882
the office of lieutenant governor unless the declaration of 1883
candidacy also shows a joint candidate for ~~the same party's~~ 1884
nomination to the office of governor, and shall not accept for 1885
filing a declaration of candidacy that shows a candidate for 1886
~~party~~ nomination to the office of governor or lieutenant 1887
governor who, for the same election, has already filed a 1888
declaration of candidacy ~~or a declaration of intent to be a~~ 1889
~~write-in candidate~~, or has become a candidate by the filling of 1890
a vacancy under section 3513.30 of the Revised Code for any 1891
other state office or any federal or county office. 1892

No person who seeks ~~party~~ nomination for an office or 1893
position at a primary election by declaration of candidacy or by 1894
declaration of intent to be a write-in candidate and no person 1895

who is a first choice for president of candidates seeking 1896
election as delegates and alternates to the national conventions 1897
of the different major political parties who are chosen by 1898
direct vote of the electors as provided in this chapter shall be 1899
permitted to become a candidate by nominating petition, 1900
including a nominating petition filed under section 3517.012 of 1901
the Revised Code, by declaration of intent to be a write-in 1902
candidate, or by filling a vacancy under section 3513.31 of the 1903
Revised Code at the following general election for any office 1904
other than the office of member of the state board of education, 1905
office of member of a city, local, or exempted village board of 1906
education, office of member of a governing board of an 1907
educational service center, or office of township trustee. 1908

Sec. 3513.041. ~~A~~ (A) (1) Except as otherwise provided in 1909
divisions (A) (2), (3), and (4) of this section, a write-in space 1910
shall be provided on the ballot for every office, ~~except.~~ 1911

(2) No write-in space shall be provided on a party primary 1912
ballot for the office of delegate or alternate to the national 1913
or state convention of a political party or member of the state 1914
central committee or county central committee of a political 1915
party. 1916

(3) No write-in space shall be provided on the general 1917
election ballot for any voter-nominated office. 1918

(4) No write-in space shall be provided on the ballot in 1919
an election for which the board of elections has received no 1920
valid declarations of intent to be a write-in candidate under 1921
this section. ~~Write-in~~ 1922

(B) Write-in votes shall not be counted for any candidate 1923
who has not filed a declaration of intent to be a write-in 1924

candidate pursuant to this section. ~~A qualified person who has~~ 1925
~~filed a declaration of intent may receive write-in votes at~~ 1926
~~either a primary or general election.~~ Any candidate shall file a 1927
declaration of intent to be a write-in candidate before four 1928
p.m. of the seventy-second day preceding the election at which 1929
such candidacy is to be considered. If the election is to be 1930
determined by electors of a county or a district or subdivision 1931
within the county, such declaration shall be filed with the 1932
board of elections of that county. If the election is to be 1933
determined by electors of a subdivision located in more than one 1934
county, such declaration shall be filed with the board of 1935
elections of the county in which the major portion of the 1936
population of such subdivision is located. If the election is to 1937
be determined by electors of a district comprised of more than 1938
one county but less than all of the counties of the state, such 1939
declaration shall be filed with the board of elections of the 1940
most populous county in such district. ~~Any candidate for an~~ 1941
~~office~~ If the election is to be voted upon by electors 1942
throughout the entire state ~~shall file a~~, the declaration of 1943
~~intent to be a write-in candidate shall be filed with the~~ 1944
secretary of state ~~before four p.m. of the seventy-second day~~ 1945
~~preceding the election at which such candidacy is to be~~ 1946
~~considered.~~ In addition, candidates for president and vice- 1947
president of the United States shall also file with the 1948
secretary of state by that seventy-second day a slate of 1949
presidential electors sufficient in number to satisfy the 1950
requirements of the United States constitution. 1951

(C) A board of elections shall not accept for filing the 1952
declaration of intent to be a write-in candidate of a person 1953
seeking to become a candidate if that person, for the same 1954
election, has already filed a declaration of candidacy, a 1955

declaration of intent to be a write-in candidate, or a 1956
nominating petition, or has become a candidate through ~~party~~ 1957
nomination at a primary election or by the filling of a vacancy 1958
under section 3513.30 or 3513.31 of the Revised Code, for any 1959
federal, state, or county office, if the declaration of intent 1960
to be a write-in candidate is for a state or county office, or 1961
for any municipal or township office, for member of a city, 1962
local, or exempted village board of education, or for member of 1963
a governing board of an educational service center, if the 1964
declaration of intent to be a write-in candidate is for a 1965
municipal or township office, or for member of a city, local, or 1966
exempted village board of education, or for member of a 1967
governing board of an educational service center. 1968

(D) (1) No person shall file a declaration of intent to be 1969
a write-in candidate for the office of governor unless the 1970
declaration also shows the intent of another person to be a 1971
write-in candidate for the office of lieutenant governor. No 1972
person shall file a declaration of intent to be a write-in 1973
candidate for the office of lieutenant governor unless the 1974
declaration also shows the intent of another person to be a 1975
write-in candidate for the office of governor. No person shall 1976
file a declaration of intent to be a write-in candidate for the 1977
office of governor or lieutenant governor if the person has 1978
previously filed a declaration of intent to be a write-in 1979
candidate to the office of governor or lieutenant governor at 1980
the same ~~primary or general~~ election. A write-in vote for the 1981
two candidates who file such a declaration shall be counted as a 1982
vote for them as joint candidates for the offices of governor 1983
and lieutenant governor. 1984

(2) The secretary of state shall not accept for filing the 1985
declaration of intent to be a write-in candidate of a person for 1986

the office of governor unless the declaration also shows the
intent of another person to be a write-in candidate for the
office of lieutenant governor, shall not accept for filing the
declaration of intent to be a write-in candidate of a person for
the office of lieutenant governor unless the declaration also
shows the intent of another person to be a write-in candidate
for the office of governor, and shall not accept for filing the
declaration of intent to be a write-in candidate of a person to
the office of governor or lieutenant governor 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 any other state office or any federal or county office.

(E) Protests against the candidacy of any person filing a
declaration of intent to be a write-in candidate may be filed by
any qualified elector who is eligible to vote in the election at
which the candidacy is to be considered. The protest shall be in
writing and shall be filed not later than four p.m. of the
sixty-seventh day before the day of the election. The protest
shall be filed with the ~~board of elections~~ election officials
with which the declaration of intent to be a write-in candidate
was filed. Upon the filing of the protest, the ~~board~~ election
officials with which it is filed shall promptly fix the time for
hearing it and shall proceed in regard to the hearing in the
same manner as for hearings set for protests filed under section
3513.05 of the Revised Code. At the time fixed, the ~~board~~
election officials shall hear the protest and determine the
validity or invalidity of the declaration of intent to be a
write-in candidate. If the ~~board finds~~ election officials find

that the candidate is not an elector of the state, district,
county, or political subdivision in which the candidate seeks
election to office or has not fully complied with the
requirements of Title XXXV of the Revised Code in regard to the
candidate's candidacy, the candidate's declaration of intent to
be a write-in candidate shall be determined to be invalid and
shall be rejected; otherwise, it shall be determined to be
valid. The determination of the ~~board~~ election officials is
final.

(F) The secretary of state shall prescribe the form of the
declaration of intent to be a write-in candidate.

Sec. 3513.05. ~~Each~~ (A) (1) (a) Except as otherwise provided
in division (A) (1) (b) of this section, each person desiring to
become a candidate for a party nomination at a primary election
~~or for election to an office or position to be voted for at a~~
~~primary election, except persons desiring to become joint~~
~~candidates for the offices of governor and lieutenant governor~~
~~and except as otherwise provided in section 3513.051 of the~~
~~Revised Code,~~ shall, not later than four p.m. of the ninetieth
day before the day of the primary election, file a declaration
of candidacy and petition and pay the fees required under
divisions (A) and (B) of section 3513.10 of the Revised Code.
The declaration of candidacy and all separate petition papers
shall be filed at the same time as one instrument. ~~When the~~
~~offices are to be voted for at a primary election, persons~~

(b) Persons desiring to become joint candidates for the
offices of governor and lieutenant governor at a primary
election shall, not later than four p.m. of the ninetieth day
before the day of the primary election, comply with section
3513.04 of the Revised Code. The prospective joint candidates'

declaration of candidacy and all separate petition papers of 2048
candidacies shall be filed at the same time as one instrument. 2049
~~The~~ 2050

(2) The secretary of state or a board of elections shall 2051
not accept for filing a declaration of candidacy and petition of 2052
a person seeking to become a candidate if that person, for the 2053
same election, has already filed a declaration of candidacy or a 2054
declaration of intent to be a write-in candidate, or has become 2055
a candidate by the filling of a vacancy under section 3513.30 of 2056
the Revised Code for any federal, state, or county office, if 2057
the declaration of candidacy is for a state or county office, or 2058
for any municipal or township office, if the declaration of 2059
candidacy is for a municipal or township office. 2060

~~If~~ (3) Except as otherwise provided in division (B) of 2061
this section, if the declaration of candidacy declares a 2062
candidacy which is to be submitted to electors throughout the 2063
entire state, the petition, ~~including a petition for joint~~ 2064
~~candidates for the offices of governor and lieutenant governor,~~ 2065
shall be signed by at least one thousand qualified electors ~~who~~ 2066
~~are members of the same political party as the candidate or~~ 2067
~~joint candidates,~~ and the declaration of candidacy and petition 2068
shall be filed with the secretary of state; provided that the 2069
secretary of state shall not accept or file any such petition 2070
appearing on its face to contain signatures of more than three 2071
thousand electors. In the case of a candidacy for a partisan 2072
office or an office of a political party, each signer shall be a 2073
member of the same political party as the candidate. 2074

(4) (a) Except as otherwise provided in divisions (A) (4) (b) 2075
and (B) of this paragraph section, if the declaration of 2076
candidacy is of one that is to be submitted only to electors 2077

within a district, political subdivision, or portion thereof, 2078
the petition shall be signed by not less than fifty qualified 2079
~~electors who are members of the same political party as the~~ 2080
~~political party of which the candidate is a member. If~~ In the 2081
case of a candidacy for a partisan office or an office of a 2082
political party, each signer shall be a member of the same 2083
political party as the candidate. 2084

(b) If the declaration of candidacy is for party 2085
nomination as a candidate for member of the legislative 2086
authority of a municipal corporation elected by ward, the 2087
petition shall be signed by not less than twenty-five qualified 2088
electors who are members of the political party of which the 2089
candidate is a member. 2090

(5) No such petition, except the petition for a candidacy 2091
that is to be submitted to electors throughout the entire state, 2092
shall be accepted for filing if it appears to contain on its 2093
face signatures of more than three times the minimum number of 2094
signatures. When a petition of a candidate has been accepted for 2095
filing by a board of elections, the petition shall not be deemed 2096
invalid if, upon verification of signatures contained in the 2097
petition, the board of elections finds the number of signatures 2098
accepted exceeds three times the minimum number of signatures 2099
required. A board of elections may discontinue verifying 2100
signatures on petitions when the number of verified signatures 2101
equals the minimum required number of qualified signatures. 2102

(B) (1) If the declaration of candidacy declares a 2103
candidacy for party nomination or for election as a candidate of 2104
a minor party, the minimum number of signatures on such petition 2105
is one-half the minimum number provided in this section, except 2106
that, when the candidacy is one for election as a member of the 2107

state central committee or the county central committee of a 2108
political party, the minimum number shall be the same for a 2109
minor party as for a major party. 2110

(2) If a declaration of candidacy is one for election as a 2111
member of the state central committee or the county central 2112
committee of a political party, the petition shall be signed by 2113
five qualified electors of the district, county, ward, township, 2114
or precinct within which electors may vote for such candidate. 2115
The electors signing such petition shall be members of the same 2116
political party as the political party of which the candidate is 2117
a member. 2118

(C) For purposes of signing or circulating a petition of 2119
candidacy for ~~party nomination or election~~ a partisan office or 2120
an office of a political party, an elector is considered to be a 2121
member of a political party if the elector voted in that party's 2122
primary election within the preceding two calendar years, or if 2123
the elector did not vote in any other party's primary election 2124
within the preceding two calendar years. 2125

(D) If the declaration of candidacy is of one that is to 2126
be submitted only to electors within a county, or within a 2127
district or subdivision or part thereof smaller than a county, 2128
the petition shall be filed with the board of elections of the 2129
county. If the declaration of candidacy is of one that is to be 2130
submitted only to electors of a district or subdivision or part 2131
thereof that is situated in more than one county, the petition 2132
shall be filed with the board of elections of the county within 2133
which the major portion of the population thereof, as 2134
ascertained by the next preceding federal census, is located. 2135

(E) A petition shall consist of separate petition papers, 2136
each of which shall contain signatures of electors of only one 2137

county. Petitions or separate petition papers containing 2138
signatures of electors of more than one county shall not thereby 2139
be declared invalid. In case petitions or separate petition 2140
papers containing signatures of electors of more than one county 2141
are filed, the board shall determine the county from which the 2142
majority of signatures came, and only signatures from such 2143
county shall be counted. Signatures from any other county shall 2144
be invalid. 2145

(F) Each separate petition paper shall be circulated by 2146
one person only, ~~who~~. In the case of a candidacy for a partisan 2147
office or an office of a political party, the circulator shall 2148
be the candidate or ~~a joint candidate or a~~ member of the same 2149
political party as the candidate ~~or joint candidates, and each~~. 2150
Each separate petition paper shall be governed by the rules set 2151
forth in section 3501.38 of the Revised Code. 2152

(G) (1) The secretary of state shall promptly transmit to 2153
each board such separate petition papers of each petition 2154
accompanying a declaration of candidacy filed with the secretary 2155
of state as purport to contain signatures of electors of the 2156
county of such board. The board of the most populous county of a 2157
district shall promptly transmit to each board within such 2158
district such separate petition papers of each petition 2159
accompanying a declaration of candidacy filed with it as purport 2160
to contain signatures of electors of the county of each such 2161
board. The board of a county within which the major portion of 2162
the population of a subdivision, situated in more than one 2163
county, is located, shall promptly transmit to the board of each 2164
other county within which a portion of such subdivision is 2165
located such separate petition papers of each petition 2166
accompanying a declaration of candidacy filed with it as purport 2167
to contain signatures of electors of the portion of such 2168

subdivision in the county of each such board.

2169

(2) All petition papers so transmitted to a board and all petitions accompanying declarations of candidacy filed with a board shall, under proper regulations, be open to public inspection until four p.m. of the eightieth day before the day of the next primary election. Each board shall, not later than the seventy-eighth day before the day of that primary election, examine and determine the validity or invalidity of the signatures on the petition papers so transmitted to or filed with it and shall return to the secretary of state all petition papers transmitted to it by the secretary of state, together with its certification of its determination as to the validity or invalidity of signatures thereon, and shall return to each other board all petition papers transmitted to it by such board, together with its certification of its determination as to the validity or invalidity of the signatures thereon. All other matters affecting the validity or invalidity of such petition papers shall be determined by the secretary of state or the board with whom such petition papers were filed.

2170
2171
2172
2173
2174
2175
2176
2177
2178
2179
2180
2181
2182
2183
2184
2185
2186
2187

(H) (1) Protests against the candidacy of any person filing a declaration of candidacy for a party nomination or for election to an office or position, as provided in this section, primary may be filed by any qualified elector who is a member of the same that political party as the candidate and who is eligible to vote at the primary election for the candidate whose declaration of candidacy the elector objects to, or by the controlling committee of that political party. Protests against the candidacy of any person filing a declaration of candidacy for nomination to a voter-nominated or nonpartisan office may be filed by any qualified elector who is eligible to vote at the primary election for the candidate whose declaration of

2188
2189
2190
2191
2192
2193
2194
2195
2196
2197
2198
2199

candidacy the elector objects to. The protest shall be in 2200
writing, and shall be filed not later than four p.m. of the 2201
seventy-fourth day before the day of the primary election. The 2202
protest shall be filed with the election officials with whom the 2203
declaration of candidacy and petition was filed. Upon the filing 2204
of the protest, the election officials with whom it is filed 2205
shall promptly fix the time for hearing it, and shall forthwith 2206
mail notice of the filing of the protest and the time fixed for 2207
hearing to the person whose candidacy is so protested. They 2208
shall also forthwith mail notice of the time fixed for such 2209
hearing to the person who filed the protest. At the time fixed, 2210
such election officials shall hear the protest and determine the 2211
validity or invalidity of the declaration of candidacy and 2212
petition. If they find that such candidate is not an elector of 2213
the state, district, county, or political subdivision in which 2214
the candidate seeks a ~~party~~-nomination or election to an office 2215
or position, or has not fully complied with this chapter, the 2216
candidate's declaration of candidacy and petition shall be 2217
determined to be invalid and shall be rejected; otherwise, it 2218
shall be determined to be valid. That determination shall be 2219
final. 2220

(2) A protest against the candidacy of any persons filing 2221
a declaration of candidacy for joint ~~party~~-nomination to the 2222
offices of governor and lieutenant governor shall be filed, 2223
heard, and determined in the same manner as a protest against 2224
the candidacy of any person filing a declaration of candidacy 2225
singly. 2226

(I) (1) The secretary of state shall, on the seventieth day 2227
before the day of a primary election, certify to each board in 2228
the state the forms of the official ballots to be used at the 2229
primary election, together with the names of the candidates to 2230

be printed on the ballots whose nomination or election is to be 2231
determined by electors throughout the entire state and who filed 2232
valid declarations of candidacy and petitions. 2233

(2) The board of the most populous county in a district 2234
comprised of more than one county but less than all of the 2235
counties of the state shall, on the seventieth day before the 2236
day of a primary election, certify to the board of each county 2237
in the district the names of the candidates to be printed on the 2238
official ballots to be used at the primary election, whose 2239
nomination or election is to be determined only by electors 2240
within the district and who filed valid declarations of 2241
candidacy and petitions. 2242

(3) The board of a county within which the major portion 2243
of the population of a subdivision smaller than the county and 2244
situated in more than one county is located shall, on the 2245
seventieth day before the day of a primary election, certify to 2246
the board of each county in which a portion of that subdivision 2247
is located the names of the candidates to be printed on the 2248
official ballots to be used at the primary election, whose 2249
nomination or election is to be determined only by electors 2250
within that subdivision and who filed valid declarations of 2251
candidacy and petitions. 2252

Sec. 3513.052. (A) No person shall seek nomination or 2253
election to any of the following offices or positions at the 2254
same election by filing a declaration of candidacy and petition, 2255
a declaration of intent to be a write-in candidate, or a 2256
nominating petition, or by becoming a candidate through ~~party-~~ 2257
nomination in a primary election, or by the filling of a vacancy 2258
under section 3513.30 or 3513.31 of the Revised Code: 2259

(1) Two or more state offices; 2260

- (2) Two or more county offices; 2261
- (3) A state office and a county office; 2262
- (4) A federal office and a state or county office; 2263
- (5) Any combination of two or more municipal or township 2264
offices, positions as a member of a city, local, or exempted 2265
village board of education, or positions as a member of a 2266
governing board of an educational service center. 2267
- (B) The secretary of state or a board of elections shall 2268
not accept for filing a declaration of candidacy and petition, a 2269
declaration of intent to be a write-in candidate, or a 2270
nominating petition of a person seeking to become a candidate if 2271
that person, for the same election, has already filed a 2272
declaration of candidacy, a declaration of intent to be a write- 2273
in candidate, or a nominating petition, or has become a 2274
candidate through ~~party~~-nomination at a primary election or by 2275
the filling of a vacancy under section 3513.30 or 3513.31 of the 2276
Revised Code for: 2277
- (1) Any federal, state, or county office, if the 2278
declaration of candidacy, declaration of intent to be a write-in 2279
candidate, or nominating petition is for a state or county 2280
office; 2281
- (2) Any municipal or township office, or for member of a 2282
city, local, or exempted village board of education, or for 2283
member of a governing board of an educational service center, if 2284
the declaration of candidacy, declaration of intent to be a 2285
write-in candidate, or nominating petition is for a municipal or 2286
township office, or for member of a city, local, or exempted 2287
village board of education, or for member of a governing board 2288
of an educational service center. 2289

(C) (1) If the secretary of state determines, before the 2290
day of the primary election, that a person is seeking nomination 2291
to more than one office at that election in violation of 2292
division (A) of this section, the secretary of state shall do 2293
one of the following: 2294

(a) If each office or the district for each office for 2295
which the person is seeking nomination is wholly within a single 2296
county and none of those offices is a federal office, the 2297
secretary of state shall notify the board of elections of that 2298
county. The board then shall determine the date on which the 2299
person first sought to become a candidate for each of those 2300
offices by filing a declaration of candidacy or a declaration of 2301
intent to be a write-in candidate or by the filling of a vacancy 2302
under section 3513.30 of the Revised Code. The board shall vote 2303
promptly to disqualify that person as a candidate for each 2304
office for which the person sought to become a candidate after 2305
the date on which the person first sought to become a candidate 2306
for any of those offices. If the board determines that the 2307
person sought to become a candidate for more than one of those 2308
offices on the same date, the board shall vote promptly to 2309
disqualify that person as a candidate for each office that would 2310
be listed on the ballot below the highest office for which that 2311
person seeks nomination, according to the ballot order 2312
prescribed under section 3505.03 of the Revised Code. 2313

(b) If one or more of the offices for which the person is 2314
seeking nomination is a state office or an office with a 2315
district larger than a single county and none of the offices for 2316
which the person is seeking nomination is a federal office, the 2317
secretary of state shall determine the date on which the person 2318
first sought to become a candidate for each of those offices by 2319
filing a declaration of candidacy or a declaration of intent to 2320

be a write-in candidate or by the filling of a vacancy under 2321
section 3513.30 of the Revised Code. The secretary of state 2322
shall order the board of elections of each county in which the 2323
person is seeking to appear on the ballot to disqualify that 2324
person as a candidate for each office for which the person 2325
sought to become a candidate after the date on which the person 2326
first sought to become a candidate for any of those offices. If 2327
the secretary of state determines that the person sought to 2328
become a candidate for more than one of those offices on the 2329
same date, the secretary of state shall order the board of 2330
elections of each county in which the person is seeking to 2331
appear on the ballot to disqualify that person as a candidate 2332
for each office that would be listed on the ballot below the 2333
highest office for which that person seeks nomination, according 2334
to the ballot order prescribed under section 3505.03 of the 2335
Revised Code. Each board of elections so notified shall vote 2336
promptly to disqualify the person as a candidate in accordance 2337
with the order of the secretary of state. 2338

(c) If each office or the district for each office for 2339
which the person is seeking nomination is wholly within a single 2340
county and any of those offices is a federal office, the 2341
secretary of state shall notify the board of elections of that 2342
county. The board then shall vote promptly to disqualify that 2343
person as a candidate for each office that is not a federal 2344
office. 2345

(d) If one or more of the offices for which the person is 2346
seeking nomination is a state office and any of the offices for 2347
which the person is seeking nomination is a federal office, the 2348
secretary of state shall order the board of elections of each 2349
county in which the person is seeking to appear on the ballot to 2350
disqualify that person as a candidate for each office that is 2351

not a federal office. Each board of elections so notified shall 2352
vote promptly to disqualify the person as a candidate in 2353
accordance with the order of the secretary of state. 2354

(2) If a board of elections determines, before the day of 2355
the primary election, that a person is seeking nomination to 2356
more than one office at that election in violation of division 2357
(A) of this section, the board shall do one of the following: 2358

(a) If each office or the district for each office for 2359
which the person is seeking nomination is wholly within that 2360
county and none of those offices is a federal office, the board 2361
shall determine the date on which the person first sought to 2362
become a candidate for each of those offices by filing a 2363
declaration of candidacy or a declaration of intent to be a 2364
write-in candidate or by the filling of a vacancy under section 2365
3513.30 of the Revised Code. The board shall vote promptly to 2366
disqualify that person as a candidate for each office for which 2367
the person sought to become a candidate after the date on which 2368
the person first sought to become a candidate for any of those 2369
offices. If the board determines that the person sought to 2370
become a candidate for more than one of those offices on the 2371
same date, the board shall vote promptly to disqualify that 2372
person as a candidate for each office that would be listed on 2373
the ballot below the highest office for which that person seeks 2374
nomination, according to the ballot order prescribed under 2375
section 3505.03 of the Revised Code. 2376

(b) If one or more of the offices for which the person is 2377
seeking nomination is a state office or an office with a 2378
district larger than a single county and none of the offices for 2379
which the person is seeking nomination is a federal office, the 2380
board shall notify the secretary of state. The secretary of 2381

state then shall determine the date on which the person first 2382
sought to become a candidate for each of those offices by filing 2383
a declaration of candidacy or a declaration of intent to be a 2384
write-in candidate or by the filling of a vacancy under section 2385
3513.30 of the Revised Code. The secretary of state shall order 2386
the board of elections of each county in which the person is 2387
seeking to appear on the ballot to disqualify that person as a 2388
candidate for each office for which the person sought to become 2389
a candidate after the date on which the person first sought to 2390
become a candidate for any of those offices. If the secretary of 2391
state determines that the person sought to become a candidate 2392
for more than one of those offices on the same date, the 2393
secretary of state shall order the board of elections of each 2394
county in which the person is seeking to appear on the ballot to 2395
disqualify that person as a candidate for each office that would 2396
be listed on the ballot below the highest office for which that 2397
person seeks nomination, according to the ballot order 2398
prescribed under section 3505.03 of the Revised Code. Each board 2399
of elections so notified shall vote promptly to disqualify the 2400
person as a candidate in accordance with the order of the 2401
secretary of state. 2402

(c) If each office or the district for each office for 2403
which the person is seeking nomination is wholly within a single 2404
county and any of those offices is a federal office, the board 2405
shall vote promptly to disqualify that person as a candidate for 2406
each office that is not a federal office. 2407

(d) If one or more of the offices for which the person is 2408
seeking nomination is a state office and any of the offices for 2409
which the person is seeking nomination is a federal office, the 2410
board shall notify the secretary of state. The secretary of 2411
state then shall order the board of elections of each county in 2412

which the person is seeking to appear on the ballot to 2413
disqualify that person as a candidate for each office that is 2414
not a federal office. Each board of elections so notified shall 2415
vote promptly to disqualify the person as a candidate in 2416
accordance with the order of the secretary of state. 2417

(D) (1) If the secretary of state determines, after the day 2418
of the primary election and before the day of the general 2419
election, that a person is seeking election to more than one 2420
office at that election in violation of division (A) of this 2421
section, the secretary of state shall do one of the following: 2422

(a) If each office or the district for each office for 2423
which the person is seeking election is wholly within a single 2424
county and none of those offices is a federal office, the 2425
secretary of state shall notify the board of elections of that 2426
county. The board then shall determine the offices for which the 2427
person seeks to appear as a candidate on the ballot. The board 2428
shall vote promptly to disqualify that person as a candidate for 2429
each office that would be listed on the ballot below the highest 2430
office for which that person seeks election, according to the 2431
ballot order prescribed under section 3505.03 of the Revised 2432
Code. If the person sought nomination at a primary election and 2433
has not yet been issued a certificate of nomination, the board 2434
shall not issue that certificate for that person for any office 2435
that would be listed on the ballot below the highest office for 2436
which that person seeks election, according to the ballot order 2437
prescribed under section 3505.03 of the Revised Code. 2438

(b) If one or more of the offices for which the person is 2439
seeking election is a state office or an office with a district 2440
larger than a single county and none of the offices for which 2441
the person is seeking election is a federal office, the 2442

secretary of state shall promptly investigate and determine the 2443
offices for which the person seeks to appear as a candidate on 2444
the ballot. The secretary of state shall order the board of 2445
elections of each county in which the person is seeking to 2446
appear on the ballot to disqualify that person as a candidate 2447
for each office that would be listed on the ballot below the 2448
highest office for which that person seeks election, according 2449
to the ballot order prescribed under section 3505.03 of the 2450
Revised Code. Each board of elections so notified shall vote 2451
promptly to disqualify the person as a candidate in accordance 2452
with the order of the secretary of state. If the person sought 2453
nomination at a primary election and has not yet been issued a 2454
certificate of nomination, the board shall not issue that 2455
certificate for that person for any office that would be listed 2456
on the ballot below the highest office for which that person 2457
seeks election, according to the ballot order prescribed under 2458
section 3505.03 of the Revised Code. 2459

(c) If each office or the district for each office for 2460
which the person is seeking election is wholly within a single 2461
county and any of those offices is a federal office, the 2462
secretary of state shall notify the board of elections of that 2463
county. The board then shall vote promptly to disqualify that 2464
person as a candidate for each office that is not a federal 2465
office. If the person sought nomination at a primary election 2466
and has not yet been issued a certificate of nomination, the 2467
board shall not issue that certificate for that person for any 2468
office that is not a federal office. 2469

(d) If one or more of the offices for which the person is 2470
seeking election is a state office and any of the offices for 2471
which the person is seeking election is a federal office, the 2472
secretary of state shall order the board of elections of each 2473

county in which the person is seeking to appear on the ballot to 2474
disqualify that person as a candidate for each office that is 2475
not a federal office. Each board of elections so notified shall 2476
vote promptly to disqualify the person as a candidate in 2477
accordance with the order of the secretary of state. If the 2478
person sought nomination at a primary election and has not yet 2479
been issued a certificate of nomination, the board shall not 2480
issue that certificate for that person for any office that is 2481
not a federal office. 2482

(2) If a board of elections determines, after the day of 2483
the primary election and before the day of the general election, 2484
that a person is seeking election to more than one office at 2485
that election in violation of division (A) of this section, the 2486
board of elections shall do one of the following: 2487

(a) If each office or the district for each office for 2488
which the person is seeking election is wholly within that 2489
county and none of those offices is a federal office, the board 2490
shall determine the offices for which the person seeks to appear 2491
as a candidate on the ballot. The board shall vote promptly to 2492
disqualify that person as a candidate for each office that would 2493
be listed on the ballot below the highest office for which that 2494
person seeks election, according to the ballot order prescribed 2495
under section 3505.03 of the Revised Code. If the person sought 2496
nomination at a primary election and has not yet been issued a 2497
certificate of nomination, the board shall not issue that 2498
certificate for that person for any office that would be listed 2499
on the ballot below the highest office for which that person 2500
seeks election, according to the ballot order prescribed under 2501
section 3505.03 of the Revised Code. 2502

(b) If one or more of the offices for which the person is 2503

seeking election is a state office or an office with a district 2504
larger than a single county and none of the offices for which 2505
the person is seeking election is a federal office, the board 2506
shall notify the secretary of state. The secretary of state 2507
promptly shall investigate and determine the offices for which 2508
the person seeks to appear as a candidate on the ballot. The 2509
secretary of state shall order the board of elections of each 2510
county in which the person is seeking to appear on the ballot to 2511
disqualify that person as a candidate for each office that would 2512
be listed on the ballot below the highest office for which that 2513
person seeks election, according to the ballot order prescribed 2514
under section 3505.03 of the Revised Code. Each board of 2515
elections so notified shall vote promptly to disqualify the 2516
person as a candidate in accordance with the order of the 2517
secretary of state. If the person sought nomination at a primary 2518
election and has not yet been issued a certificate of 2519
nomination, the board shall not issue that certificate for that 2520
person for any office that would be listed on the ballot below 2521
the highest office for which that person seeks election, 2522
according to the ballot order prescribed under section 3505.03 2523
of the Revised Code. 2524

(c) If each office or the district for each office for 2525
which the person is seeking election is wholly within that 2526
county and any of those offices is a federal office, the board 2527
shall vote promptly to disqualify that person as a candidate for 2528
each office that is not a federal office. If the person sought 2529
nomination at a primary election and has not yet been issued a 2530
certificate of nomination, the board shall not issue that 2531
certificate for that person for any office that is not a federal 2532
office. 2533

(d) If one or more of the offices for which the person is 2534

seeking election is a state office and any of the offices for 2535
which the person is seeking election is a federal office, the 2536
board shall notify the secretary of state. The secretary of 2537
state shall order the board of elections of each county in which 2538
the person is seeking to appear on the ballot to disqualify that 2539
person as a candidate for each office that is not a federal 2540
office. Each board of elections so notified shall vote promptly 2541
to disqualify the person as a candidate in accordance with the 2542
order of the secretary of state. If the person sought nomination 2543
at a primary election and has not yet been issued a certificate 2544
of nomination, the board shall not issue that certificate for 2545
that person for any office that is not a federal office. 2546

(E) When a person is disqualified as a candidate under 2547
division (C) or (D) of this section, on or before the seventieth 2548
day before the day of the applicable election, the board of 2549
elections shall remove the person's name from the ballot for any 2550
office for which that person has been disqualified as a 2551
candidate according to the directions of the secretary of state. 2552
When a person is disqualified as a candidate under division (C) 2553
or (D) of this section after the seventieth day before the day 2554
of the applicable election, the board of elections shall not 2555
remove the person's name from the ballot for any office for 2556
which that person has been disqualified as a candidate. The 2557
board of elections shall post a notice at each polling location 2558
on the day of the applicable election, and shall enclose with 2559
each absent voter's ballot given or mailed after the candidate 2560
is disqualified, a notice that votes for the person for the 2561
office for which the person has been disqualified as a candidate 2562
will be void and will not be counted. If the name is not removed 2563
from the ballots before the day of the election, the votes for 2564
the disqualified candidate are void and shall not be counted. 2565

(F) Any vacancy created by the disqualification of a 2566
person as a candidate under division (C) or (D) of this section 2567
may be filled in the manner provided for in sections 3513.30 and 2568
3513.31 of the Revised Code. 2569

(G) Nothing in this section or section 3513.04, ~~3513.041,~~ 2570
3513.05, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257, or 2571
3513.261 of the Revised Code prohibits, and the secretary of 2572
state or a board of elections shall not disqualify, a person 2573
from being a candidate for an office, if that person timely 2574
withdraws as a candidate for any offices specified in division 2575
(A) of this section for which that person first sought to become 2576
a candidate by filing a declaration of candidacy and petition, a 2577
declaration of intent to be a write-in candidate, or a 2578
nominating petition, by ~~party~~-nomination in a primary election, 2579
or by the filling of a vacancy under section 3513.30 or 3513.31 2580
of the Revised Code. 2581

(H) As used in this section: 2582

(1) "State office" means the offices of governor, 2583
lieutenant governor, secretary of state, auditor of state, 2584
treasurer of state, attorney general, member of the general 2585
assembly, chief justice of the supreme court, and justice of the 2586
supreme court. 2587

(2) "Timely withdraws" means either of the following: 2588

(a) Withdrawing as a candidate before the applicable 2589
deadline for filing a declaration of candidacy, declaration of 2590
intent to be a write-in candidate, or nominating petition for 2591
the subsequent office for which the person is seeking to become 2592
a candidate at the same election; 2593

(b) Withdrawing as a candidate before the applicable 2594

deadline for the filling of a vacancy under section 3513.30 or 2595
3513.31 of the Revised Code, if the person is seeking to become 2596
a candidate for a subsequent office at the same election under 2597
either of those sections. 2598

Sec. 3513.07. (A) The form of declaration of candidacy and 2599
petition of a person desiring to be a candidate for a party 2600
nomination or a candidate for election to ~~an~~ a partisan office 2601
or position to be voted for at a primary election shall be 2602
substantially as follows: 2603

"DECLARATION OF CANDIDACY-~~PARTY PRIMARY ELECTION~~ FOR PARTISAN 2604
OFFICE 2605

I, _____ (Name of Candidate), the 2606
undersigned, hereby declare under penalty of election 2607
falsification that my voting residence is in _____ 2608
precinct of the _____ (Township) or 2609
(Ward and City or Village) in the county of _____, 2610
Ohio; that my voting residence is _____ (Street and 2611
Number, if any, or Rural Route and Number) of the 2612
_____ (City or Village) of 2613
_____, Ohio; and that I am a qualified elector in 2614
the precinct in which my voting residence is located. I am a 2615
member of the _____ Party. I hereby declare that I desire to 2616
be _____ ~~(a candidate for nomination as a~~ 2617
~~candidate of the Party for election to the office of~~ 2618
~~_____)~~ (a candidate for election to the office or 2619
position of _____) for the _____ in the state, 2620
district, (Full term or unexpired term ending _____) 2621
county, city, or village of _____, at the primary 2622
election to be held on the _____ day of _____, _____, 2623
and I hereby request that my name be printed upon the official 2624

primary election ballot of the said _____ Party as a 2625
candidate for _____ ~~(such nomination)~~ or ~~(such election)~~ as 2626
provided by law. 2627

I further declare that, if elected to said office or 2628
position, I will qualify therefor, and that I will support and 2629
abide by the principles enunciated by the _____ Party. 2630

Dated this _____ day of _____, _____ 2631

_____ 2632

(Signature of candidate) 2633

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2634
FELONY OF THE FIFTH DEGREE. 2635

PETITION OF CANDIDATE 2636

We, the undersigned, qualified electors of the state of 2637
Ohio, whose voting residence is in the county, city, village, 2638
ward, township, or school district, and precinct set opposite 2639
our names, and members of the 2640

_____ Party, hereby certify 2641
that _____ (Name of candidate) whose 2642
declaration of candidacy is filed herewith, is a member of the 2643
_____ Party, and is, in our opinion, well qualified to 2644
perform the duties of the office or position to which that 2645
candidate desires to be elected. 2646

Street City, 2647

and Village or 2648

Signature Number Township Ward Precinct County Date 2649

(Must use address on file with the board of elections) 2650

_____ 2651

	2652
	2653
_____ (Name of circulator	2654
of petition), declares under penalty of election falsification	2655
that the circulator of the petition is a qualified elector of	2656
the state of Ohio and resides at the address appearing below the	2657
signature of that circulator; that the circulator is a member of	2658
the _____ Party; that the circulator is the circulator of	2659
the foregoing petition paper containing _____ (Number)	2660
signatures; that the circulator witnessed the affixing of every	2661
signature; that all signers were to the best of the circulator's	2662
knowledge and belief qualified to sign; and that every signature	2663
is to the best of the circulator's knowledge and belief the	2664
signature of the person whose signature it purports to be or of	2665
an attorney in fact acting pursuant to section 3501.382 of the	2666
Revised Code.	2667
_____	2668
(Signature of circulator)	2669
_____	2670
(Address of circulator's	2671
permanent residence in this	2672
state)	2673
_____	2674
(If petition is for a	2675
statewide candidate, the	2676
name and address of person	2677
employing to circulate	2678

petition, if any) 2679

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2680
FELONY OF THE FIFTH DEGREE." 2681

~~The secretary of state shall prescribe a form of~~ 2682
~~declaration of candidacy and petition, and the form shall be~~ 2683
~~substantially similar to the declaration of candidacy and~~ 2684
~~petition set forth in this section, that will be suitable for~~ 2685
~~joint candidates for the offices of governor and lieutenant~~ 2686
~~governor.~~ 2687

The petition provided for in this ~~section~~ division shall 2688
be circulated only by a member of the same political party as 2689
the candidate. 2690

(B) The form of declaration of candidacy and petition of a 2691
person desiring to be a candidate for election to a voter- 2692
nominated or nonpartisan office or position to be voted for at a 2693
primary election shall be substantially as follows: 2694

"DECLARATION OF CANDIDACY FOR NOMINATION BY PRIMARY 2695
ELECTION 2696

I, _____ (Name of Candidate), the 2697
undersigned, hereby declare under penalty of election 2698
falsification that my voting residence is in _____ 2699
precinct of the _____ (Township) or 2700
(Ward and City or Village) in the county of _____, 2701
Ohio; that my voting residence is _____ (Street and 2702
Number, if any, or Rural Route and Number) of the 2703
_____ (City or Village) of 2704
_____, Ohio; and that I am a qualified elector in 2705
the precinct in which my voting residence is located. I desire 2706
to be nominated as a candidate for election to the office or 2707

position of _____ in the state, district, (Full term or 2708
unexpired term ending _____) county, city, or village 2709
of _____ , at the primary election to be held on 2710
the _____ day of _____ , _____ , and I request that my 2711
name be printed upon the official primary election ballot as a 2712
candidate for that nomination as provided by law. 2713

In the case of a candidate for a voter-nominated office 2714
(check one): My preference is for _____ the _____ Party or 2715
no political party. 2716

I further declare that, if elected to said office or 2717
position, I will qualify therefor. 2718

Dated this _____ day of _____ , 2719

_____ 2720

(Signature of candidate) 2721

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2722
FELONY OF THE FIFTH DEGREE. 2723

PETITION OF CANDIDATE 2724

We, the undersigned, qualified electors of the state of 2725
Ohio, whose voting residence is in the county, city, village, 2726
ward, township, or school district, and precinct set opposite 2727
our names, hereby certify that 2728
(Name of candidate) whose declaration of candidacy is filed 2729
herewith is, in our opinion, well qualified to perform the 2730
duties of the office or position to which that candidate desires 2731
to be elected. 2732

Street City, 2733

and Village or Signature Number Township Ward Precinct 2734

County Date 2735

(Must use address on file with the board of elections) 2736

_____ 2737

_____ 2738

_____ 2739

_____ (Name of 2740

circulator of petition), declares under penalty of election 2741

falsification that the circulator of the petition is a qualified 2742

elector of the state of Ohio and resides at the address 2743

appearing below the signature of that circulator; that the 2744

circulator is the circulator of the foregoing petition paper 2745

containing _____ (Number) signatures; that the 2746

circulator witnessed the affixing of every signature; that all 2747

signers were to the best of the circulator's knowledge and 2748

belief qualified to sign; and that every signature is to the 2749

best of the circulator's knowledge and belief the signature of 2750

the person whose signature it purports to be or of an attorney 2751

in fact acting pursuant to section 3501.382 of the Revised Code. 2752

_____ 2753

(Signature of circulator) 2754

_____ 2755

(Address of circulator's 2756

permanent residence in this 2757

state) 2758

_____ 2759

(If petition is for a 2760

statewide candidate, the 2761

name and address of person 2762

employing to circulate 2763

petition, if any) 2764

I, _____, hereby constitute 2765
the persons named below a committee to represent me: 2766

<u>Name</u>	<u>Residence</u>	2767
-------------	------------------	------

_____		2768
-------	--	------

_____		2769
-------	--	------

_____		2770
-------	--	------

_____		2771
-------	--	------

_____		2772
-------	--	------

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2773
FELONY OF THE FIFTH DEGREE." 2774

The secretary of state shall prescribe a form of 2775
declaration of candidacy and petition, and the form shall be 2776
substantially similar to the declaration of candidacy and 2777
petition set forth in this division, that will be suitable for 2778
joint candidates for the offices of governor and lieutenant 2779
governor. 2780

~~**Sec. 3513.08. Each person filing a declaration of**~~ 2781
~~candidacy for nomination at a primary election as a candidate~~ 2782
~~for election to the office of judge of the supreme court, court~~ 2783
~~of appeals, court of common pleas, probate court, and such other~~ 2784
~~courts as are established by law, in addition to designating in~~ 2785
~~such declaration the office for election to which he seeks such~~ 2786
~~nomination, shall, if two or more judges of the same court are~~ 2787
~~to be elected at any one election, designate the term of the~~ 2788

~~office for election to which he seeks such nomination by stating~~ 2789
~~therein, if a full term, the date of the commencement of such~~ 2790
~~term as follows:~~ 2791

~~"Full term commencing _____ (date) _____,"~~ 2792
~~or by stating therein, if an unexpired term, the date on which~~ 2793
~~such unexpired term will end as follows: "unexpired term ending~~ 2794
~~_____ (Date) _____"~~ 2795

~~Each person filing a declaration of candidacy for~~ 2796
~~nomination at a primary election as a candidate for election to~~ 2797
~~the office of county commissioner, in addition to designating in~~ 2798
~~the declaration the office for election to which he seeks the~~ 2799
~~nomination, shall, if two or more commissioners of the same~~ 2800
~~county are to be elected at any one election, designate the term~~ 2801
~~of the office for election to which he seeks the nomination by~~ 2802
~~stating therein, if a full term, the date of the commencement of~~ 2803
~~the term, as follows:~~ 2804

~~"Full term commencing _____ (Date) _____,"~~ 2805
~~or by stating therein, if an unexpired term, the date on which~~ 2806
~~the unexpired term will end, as follows: "unexpired term ending~~ 2807
~~_____ (Date) _____"~~ 2808

~~Each person filing a declaration of candidacy for~~ 2809
~~nomination at a primary election or nominating petition as a~~ 2810
candidate for the unexpired term of any an office shall 2811
designate in ~~such the~~ declaration or petition the date on which 2812
such unexpired term will end. 2813

Each person filing a declaration of candidacy or 2814
nominating petition for an office to which multiple candidates 2815
are to be elected at the same election shall designate in the 2816
declaration or petition the date on which the term of office the 2817

person seeks will commence.

2818

Sec. 3513.12. At a presidential primary election, which
shall be held as provided in division ~~(E)(2)~~(E)(3) of section
3501.01 of the Revised Code, delegates and alternates to the
national conventions of the different major political parties
shall be chosen by direct vote of the electors as provided in
this chapter. Candidates for delegate and alternate shall be
qualified and the election shall be conducted in the manner
prescribed in this chapter for the nomination of candidates for
state and district partisan offices, except as provided in
section 3513.151 of the Revised Code and except that whenever
any group of candidates for delegate at large or alternate at
large, or any group of candidates for delegates or alternates
from districts, file with the secretary of state statements as
provided by this section, designating the same persons as their
first and second choices for president of the United States,
such a group of candidates may submit a group petition
containing a declaration of candidacy for each of such
candidates. The group petition need be signed only by the number
of electors required for the petition of a single candidate. No
group petition shall be submitted except by a group of
candidates equal in number to the whole number of delegates at
large or alternates at large to be elected or equal in number to
the whole number of delegates or alternates from a district to
be elected.

2819
2820
2821
2822
2823
2824
2825
2826
2827
2828
2829
2830
2831
2832
2833
2834
2835
2836
2837
2838
2839
2840
2841
2842

Each person seeking to be elected as delegate or alternate
to the national convention of the person's political party shall
file with the person's declaration of candidacy and certificate
a statement in writing signed by the person in which the person
shall state the person's first and second choices for nomination
as the candidate of the person's party for the presidency of the

2843
2844
2845
2846
2847
2848

United States. The secretary of state shall not permit any
declaration of candidacy and certificate of a candidate for
election as such delegate or alternate to be filed unless
accompanied by such statement in writing. The name of a
candidate for the presidency shall not be so used without the
candidate's written consent.

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

"Statement of Candidate

For Election as _____ (Delegate) (Alternate) to the
_____ (name of political party) National Convention

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

_____ (name),

Candidate for _____ 2878

(Delegate) (Alternate) " 2879

The procedures for the selection of candidates for 2880
delegate and alternate to the national convention of a political 2881
party set forth in this section and in section 3513.121 of the 2882
Revised Code are alternative procedures, and if the procedures 2883
of this section are followed, the procedures of section 3513.121 2884
of the Revised Code need not be followed. 2885

Sec. 3513.121. (A) Any candidate for the presidency of the 2886
United States who has raised at least five thousand dollars for 2887
the primary election in each of twenty states from individuals, 2888
with a maximum of two hundred fifty dollars per contributor 2889
counting toward the threshold, may file with the secretary of 2890
state a declaration of candidacy not later than four p.m. of the 2891
ninetieth day before the presidential primary election. Such 2892
declaration of candidacy shall be accompanied by a reasonable 2893
accounting proving eligibility and a statement from the 2894
candidate's registered principal campaign committee treasurer, 2895
meeting the standards of 28 U.S.C. sec. 1746, certifying that 2896
the candidate has met the contribution requirements of this 2897
division. Any candidate who files a declaration of candidacy 2898
pursuant to this division shall also file, or shall cause to be 2899
filed by a person authorized in writing to represent the 2900
candidate, not later than four p.m. of the ninetieth day before 2901
the same primary election, a list of candidates for district 2902
delegate and alternate to the national convention of the 2903
candidate's political party who have been selected in accordance 2904
with rules adopted by the state central committee of the 2905
candidate's political party. The candidates for district 2906
delegate and alternate whose names appear on this list shall be 2907

represented on the ballot in accordance with section 3513.151 of 2908
the Revised Code in every congressional district that the 2909
presidential candidate named in the presidential candidate's 2910
declaration of candidacy, provided that such candidates meet the 2911
other requirements of this section. 2912

(B) Candidates for delegate at large and alternate at 2913
large to the national convention of a political party for a 2914
presidential candidate who submits a declaration of candidacy in 2915
accordance with division (A) of this section shall be selected 2916
in accordance with rules adopted by the state central committee 2917
of the presidential candidate's political party. 2918

(C) Each candidate for district delegate and alternate to 2919
the national convention of a political party selected pursuant 2920
to division (A) of this section shall file or shall cause to be 2921
filed with the secretary of state, not later than four p.m. of 2922
the ninetieth day before the presidential primary election in 2923
which the person is a candidate, both of the following: 2924

(1) A declaration of candidacy in the form prescribed in 2925
division (A) of section 3513.07 of the Revised Code, but not the 2926
petition prescribed in that section; 2927

(2) A statement in writing signed by the candidate in 2928
which the candidate states the candidate's first and second 2929
choices for nomination as the candidate of the candidate's party 2930
for the presidency of the United States. 2931

(D) A declaration of candidacy filed pursuant to division 2932
(A) of this section shall be in substantially the form 2933
prescribed in division (A) of section 3513.07 of the Revised 2934
Code except that the secretary of state shall modify that form 2935
to include spaces for a presidential candidate to indicate in 2936

which congressional districts the candidate wishes the 2937
candidate's candidacy to be submitted to the electors and shall 2938
modify it in any other ways necessary to adapt it to use by 2939
presidential candidates. A candidate who files a declaration of 2940
candidacy pursuant to division (A) of this section shall not 2941
file the petition prescribed in section 3513.07 of the Revised 2942
Code. 2943

(E) Section 3513.151 of the Revised Code applies in regard 2944
to candidates for delegate and alternate to the national 2945
convention of a political party selected pursuant to this 2946
section. The state central committee of the political party of 2947
any presidential candidate who files a declaration of candidacy 2948
pursuant to division (A) of this section shall file with the 2949
secretary of state the rules of its political party in 2950
accordance with division (E) of section 3513.151 of the Revised 2951
Code. 2952

(F) The procedures for the selection of candidates for 2953
delegate and alternate to the national convention of a political 2954
party set forth in this section and in section 3513.12 of the 2955
Revised Code are alternative procedures, and if the procedures 2956
of this section are followed, the procedures of section 3513.12 2957
of the Revised Code need not be followed. 2958

Sec. 3513.13. (A) For a primary election, the board of 2959
elections shall provide ballots as follows: 2960

(1) A ballot that includes the candidates for nomination 2961
to each voter-nominated office for which candidates are to be 2962
nominated at the primary election; 2963

(2) A ballot that includes the candidates for nomination 2964
to each nonpartisan office for which candidates are to be 2965

nominated at the primary election; 2966

(3) ~~Separate primary election ballots shall be provided by~~ 2967
~~the board of elections for each political party having~~ 2968
~~candidates for nomination or election in holding a party primary~~ 2969
~~election. Section~~ 2970

(B) Section 3505.08 of the Revised Code governing the kind 2971
of paper, the kind of ink, and the size and style of type to be 2972
used in the printing of ballots for general elections shall 2973
apply in the printing of ballots for primary elections. 2974

Primary election ballots shall have printed on the back 2975
thereof "Official _____ (~~name of party~~type of ballot) 2976
_____ primary ballot," the date of the election, and the 2977
facsimile signatures of the members of the board. 2978

Such ballots shall have stubs attached at the top thereof 2979
as required on ballots for general elections. 2980

On the back of every ballot used there shall be a solid 2981
black line printed opposite the blank rectangular space that is 2982
used to mark the choice of the voter. This line shall be printed 2983
wide enough so that the mark in the blank rectangular space will 2984
not be visible from the back side of the ballot. 2985

Such ballots shall have printed at the top thereof and 2986
below the stubs "Official _____ (~~name of party~~type of 2987
ballot) _____ primary ballot" and instructions to the 2988
voter to the effect that to vote for a candidate the voter shall 2989
record the vote in the manner provided on the ballot next to the 2990
name of such candidate, except as provided in section 3513.151 2991
of the Revised Code, and that if he a voter who tears, soils, 2992
defaces, or erroneously marks the ballot ~~he~~ may return it to the 2993
precinct election officers and obtain another ballot. 2994

(C) Except as provided in section 3513.151 of the Revised Code, primary election ballots shall contain the names of all persons whose declarations of candidacy and petitions have been determined to be valid. The name of each candidate for nomination for, or election to, an office or position shall be printed in an enclosed rectangular space at the left of which an enclosed blank rectangular space shall be provided. The names of candidates shall be printed on the ballot immediately below the title of the office or position for nomination or election to which the candidate seeks nomination or election. The order in which offices and positions shall be listed on the ballot shall be prescribed by and shall be certified to each board by the secretary of state, and shall be the same, to the extent the secretary of state deems practicable, as is provided for the listing of offices on general election ballots.

Sec. 3513.14. (A) ~~Except in elections for which the board of elections has received no valid declarations of intent to be a space for a write-in candidate is to be provided under section 3513.041 of the Revised Code, immediately below the title of each office for which nominations are to be made and the names of candidates for such nomination printed thereunder, there shall be provided on each primary election ballot as many blank spaces as, but not more than, the number of nominations to be made for such office, in which the voter may write the names of persons for whose nomination he the voter desires to vote, provided that inasmuch as candidates for the office of delegate and alternate to the national and state conventions, member of the state central committee, and member of the county central committee are elected at the primary election no blank space shall be left on the ballot after the names of the candidates for such office, and no~~ No vote shall be counted for any

person whose name has been written in on ~~said the~~ ballot for any 3026
~~of such offices~~ office for which no write-in space is to be 3027
provided under that section. ~~If~~ 3028

(B) If no person files and qualifies as a candidate for 3029
the office of member of the state central committee or member of 3030
the county central committee such office shall not appear on the 3031
ballot. 3032

(C) The face of the ballot below the stub, for a party 3033
primary, shall be substantially in the following form: 3034

OFFICIAL _____ (name of party) _____ 3035

PRIMARY BALLOT 3036

~~(A)~~ To vote for a candidate record your vote in the manner 3037
provided next to the name of such candidate. 3038

~~(B)~~ If you tear, soil, deface, or erroneously mark this 3039
ballot return it to the election officials and obtain another. 3040

(D) The face of the ballot below the stub, for a primary 3041
election for a voter-nominated or nonpartisan office, shall be 3042
substantially in the following form: 3043

OFFICIAL PRIMARY BALLOT 3044

To vote for a candidate record your vote in the manner 3045
provided next to the name of such candidate. 3046

If you tear, soil, deface, or erroneously mark this ballot 3047
return it to the election officials and obtain another. 3048

Sec. 3513.15. (A) (1) The names of the candidates in each 3049
group of two or more candidates seeking the same nomination or 3050
election at a primary election, except delegates and alternates 3051
to the national convention of a political party, shall be— 3052

~~rotated and printed as provided in section 3505.03 of the~~ 3053
~~Revised Code, except that no indication of membership in or~~ 3054
~~affiliation with a political party shall be printed after or~~ 3055
~~under the candidate's name~~ arranged in a group under the title 3056
of the office. ~~When~~ The ballots shall be printed so that the 3057
order in which each candidate appears shall be alternated so 3058
that, insofar as is reasonably possible, each candidate appears 3059
in each position in the list of candidates substantially an 3060
equal number of times. 3061

(2) In the case of a voter-nominated office, under the 3062
name of each candidate shall be printed, in less prominent type 3063
face than that in which the candidate's name is printed, 3064
"Preference:" followed by the name of the political party the 3065
candidate declared as the candidate's preferred party in the 3066
candidate's declaration of candidacy or, in the case of a 3067
candidate who declared a preference for no political party in 3068
the candidate's declaration of candidacy, the phrase, "No 3069
political party preference." 3070

(3) In the case of a nonpartisan office or a partisan 3071
office, no indication of membership in or affiliation with a 3072
political party shall be printed after or under the candidate's 3073
name. 3074

(B) When the names of the first choices for president of 3075
candidates for delegate and alternate are not grouped with the 3076
names of such candidates, the names of the first choices for 3077
president shall be rotated in the same manner as the names of 3078
candidates. ~~The~~ 3079

(C) The specific form and size of the ballot shall be 3080
prescribed by the secretary of state in compliance with this 3081
chapter. 3082

(D) It shall not be necessary to have the names of 3083
candidates for member of a county central committee printed on 3084
the ballots provided for absentee voters, and the board may 3085
cause the names of such candidates to be written on said ballots 3086
in the spaces provided therefor. 3087

(E) The secretary of state shall prescribe the procedure 3088
for rotating the names of candidates on the ballot and the form 3089
of the ballot for the election of delegates and alternates to 3090
the national convention of a political party in accordance with 3091
section 3513.151 of the Revised Code. 3092

Sec. 3513.18. Party primaries shall be held at the same 3093
place and time, but there shall be separate pollbooks and tally 3094
sheets provided at each polling place for each party 3095
participating in the election. 3096

~~If a special election on a question or issue is held on~~ 3097
~~the day of a primary election, there~~ There shall be provided in 3098
the pollbooks pages on which shall be recorded the names of all 3099
electors voting only on the nomination of voter-nominated or 3100
nonpartisan candidates and on said ~~any special election on a~~ 3101
question or issue held on the day of the primary election and 3102
not voting in ~~such a party~~ primary. It shall not be necessary 3103
for those electors ~~desiring to vote only on the question or~~ 3104
~~issue~~ to declare their political affiliation. 3105

Sec. 3513.19. (A) It is the duty of any precinct election 3106
official, whenever any such official doubts that a person 3107
attempting to vote at a primary election is legally entitled to 3108
vote at that election, to challenge the right of that person to 3109
vote. The right of a person to vote at a primary election may be 3110
challenged upon the following grounds: 3111

(1) That the person whose right to vote is challenged is 3112
not a legally qualified elector; 3113

(2) That the person has received or has been promised some 3114
valuable reward or consideration for the person's vote; 3115

(3) ~~That~~ If the election is a party primary, that the 3116
person is not affiliated with or is not a member of the 3117
political party whose ballot the person desires to vote. Such 3118
party affiliation shall be determined by examining the elector's 3119
voting record for the current year and the immediately preceding 3120
two calendar years as shown on the voter's registration card, 3121
using the standards of affiliation specified in ~~the seventh~~ 3122
~~paragraph~~ division (C) of section 3513.05 of the Revised Code. 3123
Division (A) (3) of this section and ~~the seventh paragraph~~ 3124
division (C) of section 3513.05 of the Revised Code do not 3125
prohibit a person who holds an elective office for which 3126
candidates are nominated at a party primary election from doing 3127
any of the following: 3128

(a) If the person voted as a member of a different 3129
political party at any primary election within the current year 3130
and the immediately preceding two calendar years, being a 3131
candidate for nomination at a party primary held during the 3132
times specified in division (C) (2) of section 3513.191 of the 3133
Revised Code provided that the person complies with the 3134
requirements of that section; 3135

(b) Circulating the person's own petition of candidacy for 3136
party nomination in the primary election. 3137

(B) When the right of a person to vote is challenged upon 3138
the ground set forth in division (A) (3) of this section, 3139
membership in or political affiliation with a political party 3140

shall be determined by the person's statement, made under 3141
penalty of election falsification, that the person desires to be 3142
affiliated with and supports the principles of the political 3143
party whose primary ballot the person desires to vote. 3144

Sec. 3513.191. (A) No person shall be a candidate for 3145
nomination or election at a party primary if the person voted as 3146
a member of a different political party at any primary election 3147
within the current year and the immediately preceding two 3148
calendar years. 3149

(B) Notwithstanding division (A) of this section, either 3150
of the following persons may be candidates for nomination of any 3151
political party at a party primary: 3152

(1) A person who does not hold an elective office; 3153

(2) A person who holds an elective office other than one 3154
for which candidates are nominated at a party primary. 3155

(C) (1) Notwithstanding division (A) of this section, a 3156
person who holds an elective office for which candidates are 3157
nominated at a party primary may be a candidate at a primary 3158
election held during the times specified in division (C) (2) of 3159
this section for nomination as a candidate of a political party 3160
of which the person is prohibited from being a candidate for 3161
nomination under division (A) of this section if the person 3162
files a declaration of intent to seek the nomination of that 3163
party and if, by filing the declaration, the person has not 3164
violated division (C) (3) of this section. The declaration of 3165
intent shall: 3166

(a) Be filed not later than four p.m. of the thirtieth day 3167
before a declaration of candidacy and petition is required to be 3168
filed under section 3513.05 of the Revised Code; 3169

(b) Be filed with the same official with whom the person 3170
filing the declaration of intent is required to file a 3171
declaration of candidacy and petition; 3172

(c) Indicate the political party whose nomination in the 3173
primary election the person seeks; 3174

(d) Be on a form prescribed by the secretary of state. 3175

(2) No person filing a declaration of intent under 3176
division (C) (1) of this section shall be a candidate at any 3177
primary election for nomination for an elective office for which 3178
candidates are nominated at a party primary during the calendar 3179
year in which the person files the declaration or during the 3180
next calendar year except as a candidate of the party indicated 3181
under division (C) (1) (c) of this section. 3182

(3) No person who files a declaration of intent under 3183
division (C) (1) of this section shall file another such 3184
declaration for a period of ten years after the declaration is 3185
filed. 3186

(4) Notwithstanding ~~the seventh paragraph~~ division (C) of 3187
section 3513.05 of the Revised Code, a person who complies with 3188
this section may circulate that person's own petition of 3189
candidacy for party nomination at the party primary at which the 3190
person seeks nomination under this section. 3191

Sec. 3513.20. Before any challenged person shall be 3192
allowed to vote at a primary election, the person shall make a 3193
statement, under penalty of election falsification, before one 3194
of the precinct officials, blanks for which shall be furnished 3195
by the board of elections, giving name, age, residence, length 3196
of residence in the precinct, county, and state; if applicable, 3197
stating that the person desires to be affiliated with and 3198

supports the principles of the political party whose party 3199
primary ballot the person desires to vote; and giving all other 3200
facts necessary to determine whether the person is entitled to 3201
vote in that primary election. The statement shall be returned 3202
to the office of the board with the pollbooks and tally sheets. 3203

If a person challenged refuses to make that statement 3204
under penalty of election falsification, the person shall be 3205
permitted to vote a provisional ballot under section 3505.181 of 3206
the Revised Code. If a majority of the precinct officials finds 3207
that the statements of a person challenged or the person's 3208
voting record or other evidence shows that the person lacks any 3209
of the qualifications required to make the person a qualified 3210
elector at the primary election or, if applicable, that the 3211
person is not affiliated with or is not a member of the 3212
political party whose ballot the person desires to vote, the 3213
person shall be permitted to vote a provisional ballot under 3214
section 3505.181 of the Revised Code. 3215

Sec. 3513.22. (A) Not earlier than the fifth day or later 3216
than the fifteenth day after a primary election, the board of 3217
elections shall begin to canvass the election returns from the 3218
precincts in which electors were entitled to vote at that 3219
election and shall continue the canvass daily until it is 3220
completed. 3221

The board shall complete the canvass not later than the 3222
twenty-first day after the day of the election. Eighty-one days 3223
after the day of the election, the canvass of election returns 3224
shall be deemed final, and no amendments to the canvass may be 3225
made after that date. The secretary of state may specify an 3226
earlier date upon which the canvass of election returns shall be 3227
deemed final, and after which amendments to the final canvass 3228

may not be made, if so required by federal law. 3229

(B) The county executive committee of each political party 3230
~~that participated in the election,~~ and each committee designated 3231
in a petition to represent the petitioners pursuant to which a 3232
question or issue was submitted at the election, may designate a 3233
qualified elector who may be present at and may observe the 3234
making of the canvass. Each person for whom votes were cast in 3235
the election may also be present at and observe the making of 3236
the canvass. 3237

(C) When the canvass of the election returns from all of 3238
the precincts in the county in which electors were entitled to 3239
vote at the election has been completed, the board shall 3240
determine and declare the results of the elections determined by 3241
the electors of the county or of a district or subdivision 3242
within the county. If more than the number of persons to be 3243
nominated for or elected to an office received the largest and 3244
an equal number of votes, the tie shall be resolved by lot by 3245
the chairperson of the board in the presence of a majority of 3246
the members of the board. The declaration shall be in writing 3247
and shall be signed by at least a majority of the members of the 3248
board. It shall bear the date of the day upon which it is made, 3249
and a copy of it shall be posted by the board in a conspicuous 3250
place in its office. The board shall keep the copy posted for a 3251
period of at least five days. 3252

The board shall promptly certify abstracts of the results 3253
of the elections within its county upon forms the secretary of 3254
state prescribes. One certified copy of each abstract shall be 3255
kept in the office of the board, and one certified copy of each 3256
abstract shall promptly be sent to the secretary of state. The 3257
board shall also promptly send a certified copy of that part of 3258

an abstract that pertains to an election in which only electors 3259
of a district comprised of more than one county but less than 3260
all of the counties of the state voted to the board of the most 3261
populous county in the district. It shall also promptly send a 3262
certified copy of that part of an abstract that pertains to an 3263
election in which only electors of a subdivision located partly 3264
within the county voted to the board of the county in which the 3265
major portion of the population of the subdivision is located. 3266

If, after certifying and sending abstracts and parts of 3267
abstracts, a board finds that any abstract or part of any 3268
abstract is incorrect, it shall promptly prepare, certify, and 3269
send a corrected abstract or part of an abstract to take the 3270
place of each incorrect abstract or part of an abstract 3271
previously certified and sent. 3272

(D) (1) When certified copies of abstracts are received by 3273
the secretary of state, the secretary of state shall canvass 3274
those abstracts and determine and declare the results of all 3275
elections in which electors throughout the entire state voted. 3276
If more than the number of persons to be nominated for or 3277
elected to an office received the largest and an equal number of 3278
votes, the tie shall be resolved by lot by the secretary of 3279
state in the presence of the governor, the auditor of state, and 3280
the attorney general, who at the request of the secretary of 3281
state shall assemble to witness the drawing of the lot. The 3282
declaration of results by the secretary of state shall be in 3283
writing and shall be signed by the secretary of state. It shall 3284
bear the date of the day upon which it is made, and a copy of it 3285
shall be posted by the secretary of state in a conspicuous place 3286
in the secretary of state's office. The secretary of state shall 3287
keep the copy posted for a period of at least five days. 3288

(2) When certified copies of parts of abstracts are 3289
received by the board of the most populous county in a district 3290
from the boards of all of the counties in the district, the 3291
board receiving those abstracts shall canvass them and determine 3292
and declare the results of the elections in which only electors 3293
of the district voted. If more than the number of persons to be 3294
nominated for or elected to an office received the largest and 3295
equal number of votes, the tie shall be resolved by lot by the 3296
chairperson of the board in the presence of a majority of the 3297
members of the board. The declaration of results by the board 3298
shall be in writing and shall be signed by at least a majority 3299
of the members of the board. It shall bear the date of the day 3300
upon which it is made, and a copy of it shall be posted by the 3301
board in a conspicuous place in its office. The board shall keep 3302
the copy posted for a period of at least five days. 3303

(3) When certified copies of parts of abstracts are 3304
received by the board of a county in which the major portion of 3305
the population of a subdivision located in more than one county 3306
is located from the boards of each county in which other 3307
portions of that subdivision are located, the board receiving 3308
those abstracts shall canvass them and determine and declare the 3309
results of the elections in which only electors of that 3310
subdivision voted. If more than the number of persons to be 3311
nominated for or elected to an office received the largest and 3312
an equal number of votes, the tie shall be resolved by lot by 3313
the chairperson of the board in the presence of a majority of 3314
the members of the board. The declaration of results by the 3315
board shall be in writing and shall be signed by at least a 3316
majority of the members of the board. It shall bear the date of 3317
the day upon which it is made, and a copy of it shall be posted 3318
by the board in a conspicuous place in its office. The board 3319

shall keep the copy posted for a period of at least five days. 3320

(E) Election officials, who are required to declare the 3321
results of primary elections, shall issue to each person 3322
declared nominated for or elected to an office, an appropriate 3323
certificate of nomination or election, provided that the boards 3324
required to determine and declare the results of the elections 3325
for candidates for nomination to the office of representative to 3326
congress from a congressional district shall, in lieu of issuing 3327
a certificate of nomination, certify to the secretary of state 3328
the names of the candidates nominated, and the secretary of 3329
state, upon receipt of that certification, shall issue a 3330
certificate of nomination to each person whose name is so 3331
certified. Certificates of nomination or election issued by 3332
boards to candidates and certifications to the secretary of 3333
state shall not be issued before the expiration of the time 3334
within which applications for recounts of votes may be filed or 3335
before recounts of votes, which have been applied for, are 3336
completed. 3337

Sec. 3513.23. (A) If an elector voting at a primary 3338
election writes in a blank space provided for that purpose on 3339
the ballot ~~of one political party~~ under the title of an office 3340
for which a nomination is to be made the name of a person other 3341
than the persons whose names are printed on the ballot as 3342
candidates for the nomination, and if that elector records the 3343
vote in the manner provided on the ballot next to the name 3344
written, that ballot shall be counted as a vote for the 3345
nomination of the person whose name is so written if that person 3346
has filed a declaration of intent to be a write-in candidate 3347
under section 3513.041 of the Revised Code. 3348

(B) In no event shall a person whose name is written on a 3349

primary election ballot be nominated as a candidate for election 3350
to an office if the name of no person living on the day of that 3351
primary election is printed on the ballot as a candidate for 3352
that nomination, unless the total number of votes cast for the 3353
person whose name is written on the ballot is not less than that 3354
number of petition signatures that would have been required for 3355
the printing of the person's name on the primary ballot pursuant 3356
to section 3513.05 of the Revised Code. 3357

Sec. 3513.24. When members of party committees are elected 3358
at a party primary election, the returns shall be made and 3359
canvassed in the same manner as for the election of state, 3360
district, and county offices. The election authorities shall 3361
issue and deliver to each person who is elected a certificate of 3362
~~his~~ election. A list of such party ~~committeemen~~ committeepersons 3363
who are chosen shall be filed and kept in the office of the 3364
secretary of state and the board of elections for a period of 3365
two years. 3366

Sec. 3513.254. (A) The name of each candidate for member 3367
of a city, local, or exempted village board of education shall 3368
appear on the nonpartisan ballot. Nominating petitions of 3369
candidates for member of a board of education of a local or 3370
exempted village school district shall be signed by twenty-five 3371
qualified electors of the school district. Nominating petitions 3372
for candidates for member of a board of education of a city 3373
school district having a population of less than twenty 3374
thousand, as ascertained by the next preceding federal census, 3375
shall be signed by twenty-five qualified electors of the school 3376
district. Nominating petitions for candidates for member of a 3377
board of education of a city school district having a population 3378
of twenty thousand or more but less than fifty thousand, as 3379
ascertained by the next preceding federal census, shall be 3380

signed by seventy-five qualified electors of the school 3381
district. Nominating petitions for candidates for member of a 3382
board of education of a city school district having a population 3383
of fifty thousand or more but less than one hundred thousand, as 3384
ascertained by the next preceding federal census, shall be 3385
signed by one hundred fifty qualified electors of the school 3386
district. Nominating petitions for candidates for member of a 3387
board of education of a city school district having a population 3388
of one hundred thousand or more, as ascertained by the next 3389
preceding federal census, shall be signed by three hundred 3390
qualified electors of the school district. 3391

(B) Nominating petitions shall be filed with the board of 3392
elections not later than four p.m. of the ninetieth day before 3393
the day of the general election, provided that no such petition 3394
shall be accepted for filing if it appears to contain signatures 3395
aggregating in number more than three times the minimum number 3396
of signatures required by this section. A board of elections 3397
shall not accept for filing a nominating petition of a person if 3398
that person, for the same election, has already filed a 3399
declaration of candidacy, a declaration of intent to be a write- 3400
in candidate, or a nominating petition, or has become a 3401
candidate through party nomination at a primary election or by 3402
the filling of a vacancy under section 3513.30 or 3513.31 of the 3403
Revised Code for any other position as a member of a city, 3404
local, or exempted village board of education or position as a 3405
member of a governing board of an educational service center, or 3406
for a municipal or township office. When a petition of a 3407
candidate has been accepted for filing by a board of elections, 3408
the petition shall not be deemed invalid if, upon verification 3409
of signatures contained in the petition, the board of elections 3410
finds the number of signatures accepted exceeds three times the 3411

minimum number of signatures required. A board of elections may 3412
discontinue verifying petitions when the number of verified 3413
signatures equals the minimum required number of qualified 3414
signatures. 3415

~~(C) This section is subject to section 3513.256 of the~~ 3416
~~Revised Code.~~ 3417

Sec. 3513.255. ~~This section is subject to section 3513.256~~ 3418
~~of the Revised Code.~~ The name of each candidate for election as 3419
a member of a governing board of an educational service center 3420
shall appear on the nonpartisan ballot. Each nominating petition 3421
shall be signed by fifty qualified electors who reside in one of 3422
the following, as applicable: 3423

(A) The school districts over which the educational 3424
service center governing board has jurisdiction, in the case of 3425
any candidate running for a position on any educational service 3426
center governing board other than a governing board established 3427
in accordance with section 3311.054 of the Revised Code; 3428

(B) The subdistrict in which the candidate is running, in 3429
the case of a position on a governing board of an educational 3430
service center established in accordance with section 3311.054 3431
of the Revised Code. 3432

Each nominating petition shall be filed with the board of 3433
elections of the county in which the central administrative 3434
offices of the educational service center governing board are 3435
located not later than four p.m. of the ninetieth day before the 3436
day of the general election, provided that no such petition 3437
shall be accepted for filing if it appears to contain signatures 3438
aggregating in number more than three times the minimum number 3439
of signatures required by this section. A board of elections 3440

shall not accept for filing a nominating petition of a person if 3441
that person, for the same election, has already filed a 3442
declaration of candidacy, a declaration of intent to be a write- 3443
in candidate, or a nominating petition, or has become a 3444
candidate through party nomination at a primary election or by 3445
the filling of a vacancy under section 3513.30 or 3513.31 of the 3446
Revised Code for any other position as a member of a governing 3447
board of an educational service center or position as a member 3448
of a city, local, or exempted village board of education, or for 3449
a municipal or township office. When a petition of a candidate 3450
has been accepted for filing by a board of elections, the 3451
petition shall not be deemed invalid if, upon verification of 3452
signatures contained in the petition, the board of elections 3453
finds the number of signatures accepted exceeds three times the 3454
minimum signatures required. A board of elections may 3455
discontinue verifying petitions when the number of verified 3456
signatures equals the minimum required number of qualified 3457
signatures. 3458

Sec. 3513.257. Each person desiring to become an 3459
independent candidate for an office for which candidates may be 3460
nominated at a party primary election, except persons desiring 3461
to become independent joint candidates ~~for the offices of~~ 3462
~~governor and lieutenant governor and for the offices of~~ 3463
president and vice-president of the United States, shall file no 3464
later than four p.m. of the day before the day of the primary 3465
election immediately preceding the general election at which 3466
such candidacy is to be voted for by the voters, a statement of 3467
candidacy and nominating petition as provided in section 3468
3513.261 of the Revised Code. ~~Persons desiring to become~~ 3469
~~independent joint candidates for the offices of governor and~~ 3470
~~lieutenant governor shall file, not later than four p.m. of the~~ 3471

~~day before the day of the primary election, one statement of~~ 3472
~~candidacy and one nominating petition for the two of them.~~ 3473
Persons desiring to become independent joint candidates for the 3474
offices of president and vice-president of the United States 3475
shall file, not later than four p.m. of the ninetieth day before 3476
the day of the general election at which the president and vice- 3477
president are to be elected, one statement of candidacy and one 3478
nominating petition for the two of them. The prospective 3479
independent joint candidates' statement of candidacy shall be 3480
filed with the nominating petition as one instrument. 3481

The statement of candidacy and separate petition papers of 3482
each candidate or pair of joint candidates shall be filed at the 3483
same time as one instrument. 3484

The nominating petition shall contain signatures of 3485
qualified electors of the district, political subdivision, or 3486
portion of a political subdivision in which the candidacy is to 3487
be voted on in an amount to be determined as follows: 3488

(A) If the candidacy is to be voted on by electors 3489
throughout the entire state, the nominating petition, ~~including~~ 3490
~~the nominating petition of independent joint candidates for the~~ 3491
~~offices of governor and lieutenant governor,~~ shall be signed by 3492
no less than five thousand qualified electors, provided that no 3493
petition shall be accepted for filing if it purports to contain 3494
more than fifteen thousand signatures. 3495

(B) If the candidacy is to be voted on by electors in any 3496
district, political subdivision, or part thereof in which less 3497
than five thousand electors voted for the office of governor at 3498
the most recent election for that office, the nominating 3499
petition shall contain signatures of not less than twenty-five 3500
qualified electors of the district, political subdivision, or 3501

part thereof, or a number of qualified signatures equal to at 3502
least five per cent of that vote, if this number is less than 3503
twenty-five. 3504

(C) If the candidacy is to be voted on by electors in any 3505
district, political subdivision, or part thereof in which five 3506
thousand or more electors voted for the office of governor at 3507
the most recent election for that office, the nominating 3508
petition shall contain a number of signatures equal to at least 3509
one per cent of those electors. 3510

All nominating petitions of candidates for offices to be 3511
voted on by electors throughout the entire state shall be filed 3512
in the office of the secretary of state. No nominating petition 3513
for the offices of president and vice-president of the United 3514
States shall be accepted for filing unless there is submitted to 3515
the secretary of state, at the time of filing the petition, a 3516
slate of presidential electors sufficient in number to satisfy 3517
the requirement of the United States Constitution. ~~The secretary~~ 3518
~~of state shall not accept for filing the statement of candidacy~~ 3519
~~of a person who desires to be an independent candidate for the~~ 3520
~~office of governor unless it also shows the joint candidacy of a~~ 3521
~~person who desires to be an independent candidate for the office~~ 3522
~~of lieutenant governor, shall not accept for filing the~~ 3523
~~statement of candidacy of a person who desires to be an~~ 3524
~~independent candidate for the office of lieutenant governor~~ 3525
~~unless it also shows the joint candidacy of a person who desires~~ 3526
~~to be an independent candidate for the office of governor, and~~ 3527
~~shall not accept for filing the statement of candidacy of a~~ 3528
~~person who desires to be an independent candidate to the office~~ 3529
~~of governor or lieutenant governor who, for the same election,~~ 3530
~~has already filed a declaration of candidacy, a declaration of~~ 3531
~~intent to be a write-in candidate, or a statement of candidacy,~~ 3532

~~or has become a candidate by the filling of a vacancy under~~ 3533
~~section 3513.30 of the Revised Code for any other state office~~ 3534
~~or any federal or county office.~~ 3535

Nominating petitions of candidates for offices to be voted 3536
on by electors within a district or political subdivision 3537
comprised of more than one county but less than all counties of 3538
the state shall be filed with the boards of elections of that 3539
county or part of a county within the district or political 3540
subdivision which had a population greater than that of any 3541
other county or part of a county within the district or 3542
political subdivision according to the last federal decennial 3543
census. 3544

Nominating petitions for offices to be voted on by 3545
electors within a county or district smaller than a county shall 3546
be filed with the board of elections for such county. 3547

No petition other than the petition of a candidate whose 3548
candidacy is to be considered by electors throughout the entire 3549
state shall be accepted for filing if it appears on its face to 3550
contain more than three times the minimum required number of 3551
signatures. A board of elections shall not accept for filing a 3552
nominating petition of a person seeking to become a candidate if 3553
that person, for the same election, has already filed a 3554
declaration of candidacy, a declaration of intent to be a write- 3555
in candidate, or a nominating petition, or has become a 3556
candidate by the filling of a vacancy under section 3513.30 of 3557
the Revised Code for any federal, state, or county office, if 3558
the nominating petition is for a state or county office, or for 3559
any municipal or township office, for member of a city, local, 3560
or exempted village board of education, or for member of a 3561
governing board of an educational service center, if the 3562

nominating petition is for a municipal or township office, or 3563
for member of a city, local, or exempted village board of 3564
education, or for member of a governing board of an educational 3565
service center. When a petition of a candidate has been accepted 3566
for filing by a board of elections, the petition shall not be 3567
deemed invalid if, upon verification of signatures contained in 3568
the petition, the board of elections finds the number of 3569
signatures accepted exceeds three times the minimum number of 3570
signatures required. A board of elections may discontinue 3571
verifying signatures when the number of verified signatures on a 3572
petition equals the minimum required number of qualified 3573
signatures. 3574

Any candidate, ~~other than a candidate for judge of a~~ 3575
~~municipal court, county court, or court of common pleas, for a~~ 3576
partisan office who files a nominating petition may request, at 3577
the time of filing, that the candidate be designated on the 3578
ballot as a nonparty candidate or as an other-party candidate, 3579
or may request that the candidate's name be placed on the ballot 3580
without any designation. Any such candidate who fails to request 3581
a designation either as a nonparty candidate or as an other- 3582
party candidate shall have the candidate's name placed on the 3583
ballot without any designation. 3584

The purpose of establishing a filing deadline for 3585
independent candidates prior to the primary election immediately 3586
preceding the general election at which the candidacy is to be 3587
voted on by the voters is to recognize that the state has a 3588
substantial and compelling interest in protecting its electoral 3589
process by encouraging political stability, ensuring that the 3590
winner of the election will represent a majority of the 3591
community, providing the electorate with an understandable 3592
ballot, and enhancing voter education, thus fostering informed 3593

and educated expressions of the popular will in a general 3594
election. The filing deadline for independent candidates 3595
required in this section prevents splintered parties and 3596
unrestrained factionalism, avoids political fragmentation, and 3597
maintains the integrity of the ballot. The deadline, one day 3598
prior to the primary election, is the least drastic or 3599
restrictive means of protecting these state interests. The 3600
general assembly finds that the filing deadline for independent 3601
candidates in primary elections required in this section is 3602
reasonably related to the state's purpose of ensuring fair and 3603
honest elections while leaving unimpaired the political, voting, 3604
and associational rights secured by the first and fourteenth 3605
amendments to the United States Constitution. 3606

Sec. 3513.261. A nominating petition may consist of one or 3607
more separate petition papers, each of which shall be 3608
substantially in the form prescribed in this section. If the 3609
petition consists of more than one separate petition paper, the 3610
statement of candidacy of the candidate or joint candidates 3611
named need be signed by the candidate or joint candidates on 3612
only one of such separate petition papers, but the statement of 3613
candidacy so signed shall be copied on each other separate 3614
petition paper before the signatures of electors are placed on 3615
it. Each nominating petition containing signatures of electors 3616
of more than one county shall consist of separate petition 3617
papers each of which shall contain signatures of electors of 3618
only one county; provided that petitions containing signatures 3619
of electors of more than one county shall not thereby be 3620
declared invalid. In case petitions containing signatures of 3621
electors of more than one county are filed, the board of 3622
elections shall determine the county from which the majority of 3623
the signatures came, and only signatures from this county shall 3624

be counted. Signatures from any other county shall be invalid. 3625

All signatures on nominating petitions shall be written in 3626
ink or indelible pencil. 3627

At the time of filing a nominating petition, the candidate 3628
designated in the nominating petition, ~~and joint candidates for~~ 3629
~~governor and lieutenant governor,~~ shall pay to the election 3630
officials with whom it is filed the fees specified for the 3631
office under divisions (A) and (B) of section 3513.10 of the 3632
Revised Code, if applicable. The fees shall be disposed of by 3633
those election officials in the manner that is provided in 3634
section 3513.10 of the Revised Code for the disposition of other 3635
fees, and in no case shall a fee required under that section be 3636
returned to a candidate. 3637

Candidates or joint candidates whose names are written on 3638
the ballot, and who are elected, shall pay the same fees under 3639
section 3513.10 of the Revised Code that candidates who file 3640
nominating petitions pay. Payment of these fees shall be a 3641
condition precedent to the granting of their certificates of 3642
election. 3643

Each nominating petition shall contain a statement of 3644
candidacy that shall be signed by the candidate or joint 3645
candidates named in it or by an attorney in fact acting pursuant 3646
to section 3501.382 of the Revised Code. Such statement of 3647
candidacy shall contain a declaration made under penalty of 3648
election falsification that the candidate desires to be a 3649
candidate for the office named in it, and that the candidate is 3650
an elector qualified to vote for the office the candidate seeks. 3651

The form of the nominating petition and statement of 3652
candidacy shall be substantially as follows: 3653

"STATEMENT OF CANDIDACY

I, _____ (Name of
candidate), the undersigned, hereby declare under penalty of
election falsification that my voting residence is in
_____ Precinct of the
_____ (Township) or (Ward and City, or
Village) in the county of _____ Ohio; that my post-
office address is _____ (Street and
Number, if any, or Rural Route and Number) of the
_____ (City, Village, or post office)
of _____, Ohio; and that I am a qualified elector
in the precinct in which my voting residence is located. I
hereby declare that I desire to be a candidate for election to
the office of _____ in the _____
(State, District, County, City, Village, Township, or School
District) for the _____ (Full
term or unexpired term ending _____) at the General
Election to be held on the _____ day of _____, _____

I further declare that I am an elector qualified to vote
for the office I seek. Dated this _____ day of _____,

(Signature of candidate)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A
FELONY OF THE FIFTH DEGREE.

I, _____, hereby constitute
the persons named below a committee to represent me:

Name	Residence
------	-----------

3682
3683
3684
3685
3686

NOMINATING PETITION

We, the undersigned, qualified electors of the state of
Ohio, whose voting residence is in the County, City, Village,
Ward, Township or Precinct set opposite our names, hereby
nominate _____ as a candidate for election to the
office of _____ in the
_____ (State, District, County, City,
Village, Township, or School District) for the _____
(Full term or unexpired term ending _____) to be
voted for at the general election next hereafter to be held, and
certify that this person is, in our opinion, well qualified to
perform the duties of the office or position to which the person
desires to be elected.

3687
3688
3689
3690
3691
3692
3693
3694
3695
3696
3697
3698
3699
3700

	1	2	3	4	5	6	7
A		Street					
B		Address					
C		or R.F.D.					
D		(Must use					
E		address on	City,				

F file with Village

G the board of or Date of

H Signature elections) Township Ward Precinct County Signing

_____ 3701

_____ 3702

_____ 3703

_____, declares under penalty of election 3704

falsification that such person is a qualified elector of the 3705

state of Ohio and resides at the address appearing below such 3706

person's signature hereto; that such person is the circulator of 3707

the foregoing petition paper containing _____ 3708

signatures; that such person witnessed the affixing of every 3709

signature; that all signers were to the best of such person's 3710

knowledge and belief qualified to sign; and that every signature 3711

is to the best of such person's knowledge and belief the 3712

signature of the person whose signature it purports to be or of 3713

an attorney in fact acting pursuant to section 3501.382 of the 3714

Revised Code. 3715

_____ 3716

(Signature of circulator) 3717

_____ 3718

(Address of circulator's 3719

permanent residence 3720

in this state) 3721

_____ 3722

(If petition is for a statewide 3723
candidate, the name and address 3724
of person employing circulator 3725
to circulate petition, if any) 3726

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 3727
FELONY OF THE FIFTH DEGREE." 3728

The secretary of state shall prescribe a form of 3729
nominating petition for a group of candidates for the office of 3730
member of a board of education, township office, and offices of 3731
municipal corporations of under two thousand population. 3732

~~The secretary of state shall prescribe a form of statement 3733
of candidacy and nominating petition, which shall be 3734
substantially similar to the form of statement of candidacy and 3735
nominating petition set forth in this section, that will be 3736
suitable for joint candidates for the offices of governor and 3737
lieutenant governor. 3738~~

If such petition nominates a candidate whose election is 3739
to be determined by the electors of a county or a district or 3740
subdivision within the county, it shall be filed with the board 3741
of such county. If the petition nominates a candidate whose 3742
election is to be determined by the voters of a subdivision 3743
located in more than one county, it shall be filed with the 3744
board of the county in which the major portion of the population 3745
of such subdivision is located. 3746

If the petition nominates a candidate whose election is to 3747
be determined by the electors of a district comprised of more 3748
than one county but less than all of the counties of the state, 3749
it shall be filed with the board of elections of the most 3750

populous county in such district. If the petition nominates a 3751
candidate whose election is to be determined by the electors of 3752
the state at large, it shall be filed with the secretary of 3753
state. 3754

The secretary of state or a board of elections shall not 3755
accept for filing a nominating petition of a person seeking to 3756
become a candidate if that person, for the same election, has 3757
already filed a declaration of candidacy, a declaration of 3758
intent to be a write-in candidate, or a nominating petition, or 3759
has become a candidate through party nomination at a primary 3760
election or by the filling of a vacancy under section 3513.30 or 3761
3513.31 of the Revised Code for any federal, state, or county 3762
office, if the nominating petition is for a state or county 3763
office, or for any municipal or township office, for member of a 3764
city, local, or exempted village board of education, or for 3765
member of a governing board of an educational service center, if 3766
the nominating petition is for a municipal or township office, 3767
or for member of a city, local, or exempted village board of 3768
education, or for member of a governing board of an educational 3769
service center. 3770

Sec. 3513.263. The nominating petitions of all candidates 3771
~~required to be filed before four p.m. of the ninetieth day~~ 3772
~~before the day of the general election,~~ shall be processed as 3773
follows: 3774

If such petition is filed with the secretary of state, the 3775
secretary of state shall promptly transmit to each board such 3776
separate petition papers as purports to contain signatures of 3777
electors of the county of such board. 3778

If such petition is filed with the board of a county in 3779
which the major portion of the population of a subdivision is 3780

located, such board shall promptly transmit to the board of each 3781
county in which other portions of such subdivision are located 3782
such separate petition papers of the petition as purport to 3783
contain signatures of electors of such county. 3784

All petition papers so transmitted to a board of 3785
elections, and all nominating petitions filed with a board of 3786
elections shall, under proper regulation, be open to public 3787
inspection until four p.m. of the eightieth day before the day 3788
of such general election. Each board shall, not later than the 3789
seventy-eighth day before the day of such general election 3790
examine and determine the sufficiency of the signatures on the 3791
petition papers transmitted to or filed with it and the validity 3792
or invalidity of petitions filed with it, and shall return to 3793
each other board all petition papers transmitted to it by such 3794
other board, together with its certification of its 3795
determination as to the validity or invalidity of signatures 3796
thereon. A signature on a nominating petition is not valid if it 3797
is dated more than one year before the date the nominating 3798
petition was filed. All other matters affecting the validity or 3799
invalidity of such petition papers shall be determined by the 3800
board with whom such petition papers were filed. 3801

Written protests against such nominating petitions may be 3802
filed by any qualified elector eligible to vote for the 3803
candidate whose nominating petition the elector objects to, not 3804
later than the seventy-fourth day before the general election. 3805
Such protests shall be filed with the election officials with 3806
whom the nominating petition was filed. Upon the filing of such 3807
protests, the election officials with whom it is filed shall 3808
promptly fix the time and place for hearing it, and shall 3809
forthwith mail notice of the filing of such protest and the time 3810
and place for hearing it to the person whose nomination is 3811

protested. They shall also forthwith mail notice of the time and
place fixed for the hearing to the person who filed the protest.
At the time and place fixed, such election officials shall hear
the protest and determine the validity or invalidity of the
petition. Such determination shall be final.

Sec. 3513.30. (A) (1) If only one valid declaration of
candidacy is filed for nomination as a candidate of a political
party for an office and that candidate dies prior to the tenth
day before the primary election, both of the following may
occur:

(a) The political party whose candidate died may fill the
vacancy so created as provided in division (A) (2) of this
section.

(b) Any major political party other than the one whose
candidate died may select a candidate as provided in division
(A) (2) of this section under either of the following
circumstances:

(i) No person has filed a valid declaration of candidacy
for nomination as that party's candidate at the primary
election.

(ii) Only one person has filed a valid declaration of
candidacy for nomination as that party's candidate at the
primary election, that person has withdrawn, died, or been
disqualified under section 3513.052 of the Revised Code, and the
vacancy so created has not been filled.

(2) A vacancy may be filled under division (A) (1) (a) and a
selection may be made under division (A) (1) (b) of this section
by the appropriate committee of the political party in the same
manner as provided in divisions (A) to (E) of section 3513.31 of

the Revised Code for the filling of similar vacancies created by 3841
withdrawals or disqualifications under section 3513.052 of the 3842
Revised Code after the primary election, except that the 3843
certification required under that section may not be filed with 3844
the secretary of state, or with a board of the most populous 3845
county of a district, or with the board of a county in which the 3846
major portion of the population of a subdivision is located, 3847
later than four p.m. of the tenth day before the day of such 3848
primary election, or with any other board later than four p.m. 3849
of the fifth day before the day of such primary election. 3850

(3) If only one valid declaration of candidacy is filed 3851
for nomination as a candidate of a political party for an office 3852
and that candidate dies on or after the tenth day before the day 3853
of the primary election, that candidate is considered to have 3854
received the nomination of that candidate's political party at 3855
that primary election, and, for purposes of filling the vacancy 3856
so created, that candidate's death shall be treated as if that 3857
candidate died on the day after the day of the primary election. 3858

(4) If only one valid declaration of candidacy is filed 3859
for nomination as a candidate for a voter-nominated office or as 3860
a candidate in a nonpartisan primary and that candidate dies on 3861
or before the day of the primary election, that candidate is 3862
considered to have received the nomination at that primary 3863
election, and, for purposes of filling the vacancy so created, 3864
that candidate's death shall be treated as if that candidate 3865
died on the day after the day of the primary election. 3866

(B) Any person filing a declaration of candidacy may 3867
withdraw as such candidate at any time prior to the primary 3868
election. The withdrawal shall be effected and the statement of 3869
withdrawal shall be filed in accordance with the procedures 3870

prescribed in division (D) of this section for the withdrawal of 3871
persons nominated in a primary election or by nominating 3872
petition. 3873

(C) A person who is the first choice for president of the 3874
United States by a candidate for delegate or alternate to a 3875
national convention of a political party may withdraw consent 3876
for the selection of the person as such first choice no later 3877
than four p.m. of the fortieth day before the day of the 3878
presidential primary election. Withdrawal of consent shall be 3879
for the entire slate of candidates for delegates and alternates 3880
who named such person as their presidential first choice and 3881
shall constitute withdrawal from the primary election by such 3882
delegates and alternates. The withdrawal shall be made in 3883
writing and delivered to the secretary of state. If the 3884
withdrawal is delivered to the secretary of state on or before 3885
the seventieth day before the day of the primary election, the 3886
boards of elections shall remove both the name of the withdrawn 3887
first choice and the names of such withdrawn candidates from the 3888
ballots according to the directions of the secretary of state. 3889
If the withdrawal is delivered to the secretary of state after 3890
the seventieth day before the day of the primary election, the 3891
board of elections shall not remove the name of the withdrawn 3892
first choice and the names of the withdrawn candidates from the 3893
ballots. The board of elections shall post a notice at each 3894
polling location on the day of the primary election, and shall 3895
enclose with each absent voter's ballot given or mailed after 3896
the candidate withdraws, a notice that votes for the withdrawn 3897
first choice or the withdrawn candidates will be void and will 3898
not be counted. If such names are not removed from all ballots 3899
before the day of the election, the votes for the withdrawn 3900
first choice or the withdrawn candidates are void and shall not 3901

be counted.

3902

(D) Any person nominated in a primary election or by
nominating petition as a candidate for election at the next
general election may withdraw as such candidate at any time
prior to the general election. Such withdrawal may be effected
by the filing of a written statement by such candidate
announcing the candidate's withdrawal and requesting that the
candidate's name not be printed on the ballots. If such
candidate's declaration of candidacy or nominating petition was
filed with the secretary of state, the candidate's statement of
withdrawal shall be addressed to and filed with the secretary of
state. If such candidate's declaration of candidacy or
nominating petition was filed with a board of elections, the
candidate's statement of withdrawal shall be addressed to and
filed with such board.

3903
3904
3905
3906
3907
3908
3909
3910
3911
3912
3913
3914
3915
3916

(E) When a person withdraws under division (B) or (D) of
this section on or before the seventieth day before the day of
the primary election or the general election, the board of
elections shall remove the name of the withdrawn candidate from
the ballots according to the directions of the secretary of
state. When a person withdraws under division (B) or (D) of this
section after the seventieth day before the day of the primary
election or the general election, the board of elections shall
not remove the name of the withdrawn candidate from the ballots.
The board of elections shall post a notice at each polling place
on the day of the election, and shall enclose with each absent
voter's ballot given or mailed after the candidate withdraws, a
notice that votes for the withdrawn candidate will be void and
will not be counted. If the name is not removed from all ballots
before the day of the election, the votes for the withdrawn
candidate are void and shall not be counted.

3917
3918
3919
3920
3921
3922
3923
3924
3925
3926
3927
3928
3929
3930
3931
3932

Sec. 3513.31. (A) If a person nominated in a party primary 3933
election as a candidate for election at the next general 3934
election, whose candidacy is to be submitted to the electors of 3935
the entire state, withdraws as that candidate or is disqualified 3936
as that candidate under section 3513.052 of the Revised Code, 3937
the vacancy in the party nomination so created may be filled by 3938
the state central committee of the major political party that 3939
made the nomination at the primary election, if the committee's 3940
chairperson and secretary certify the name of the person 3941
selected to fill the vacancy by the time specified in this 3942
division, at a meeting called for that purpose. The meeting 3943
shall be called by the chairperson of that committee, who shall 3944
give each member of the committee at least two days' notice of 3945
the time, place, and purpose of the meeting. If a majority of 3946
the members of the committee are present at the meeting, a 3947
majority of those present may select a person to fill the 3948
vacancy. The chairperson and secretary of the meeting shall 3949
certify in writing and under oath to the secretary of state, not 3950
later than the eighty-sixth day before the day of the general 3951
election, the name of the person selected to fill the vacancy. 3952
The certification must be accompanied by the written acceptance 3953
of the nomination by the person whose name is certified. A 3954
vacancy in a party nomination that may be filled by a minor 3955
political party shall be filled in accordance with the party's 3956
rules by authorized officials of the party. Certification must 3957
be made as in the manner provided for a major political party. 3958

(B) If a person nominated in a party primary election as a 3959
~~party~~-candidate for election at the next general election, whose 3960
candidacy is to be submitted to the electors of a district 3961
comprised of more than one county but less than all of the 3962
counties of the state, withdraws as that candidate or is 3963

disqualified as that candidate under section 3513.052 of the
Revised Code, the vacancy in the party nomination so created may
be filled by a district committee of the major political party
that made the nomination at the primary election, if the
committee's chairperson and secretary certify the name of the
person selected to fill the vacancy by the time specified in
this division, at a meeting called for that purpose. The
district committee shall consist of the chairperson and
secretary of the county central committee of such political
party in each county in the district. The district committee
shall be called by the chairperson of the county central
committee of such political party of the most populous county in
the district, who shall give each member of the district
committee at least two days' notice of the time, place, and
purpose of the meeting. If a majority of the members of the
district committee are present at the district committee
meeting, a majority of those present may select a person to fill
the vacancy. The chairperson and secretary of the meeting shall
certify in writing and under oath to the board of elections of
the most populous county in the district, not later than four
p.m. of the eighty-sixth day before the day of the general
election, the name of the person selected to fill the vacancy.
The certification must be accompanied by the written acceptance
of the nomination by the person whose name is certified. A
vacancy in a party nomination that may be filled by a minor
political party shall be filled in accordance with the party's
rules by authorized officials of the party. Certification must
be made as in the manner provided for a major political party.

(C) If a person nominated in a party primary election as a
~~party~~-candidate for election at the next general election, whose
candidacy is to be submitted to the electors of a county,

withdraws as that candidate or is disqualified as that candidate 3995
under section 3513.052 of the Revised Code, the vacancy in the 3996
party nomination so created may be filled by the county central 3997
committee of the major political party that made the nomination 3998
at the primary election, or by the county executive committee if 3999
so authorized, if the committee's chairperson and secretary 4000
certify the name of the person selected to fill the vacancy by 4001
the time specified in this division, at a meeting called for 4002
that purpose. The meeting shall be called by the chairperson of 4003
that committee, who shall give each member of the committee at 4004
least two days' notice of the time, place, and purpose of the 4005
meeting. If a majority of the members of the committee are 4006
present at the meeting, a majority of those present may select a 4007
person to fill the vacancy. The chairperson and secretary of the 4008
meeting shall certify in writing and under oath to the board of 4009
that county, not later than four p.m. of the eighty-sixth day 4010
before the day of the general election, the name of the person 4011
selected to fill the vacancy. The certification must be 4012
accompanied by the written acceptance of the nomination by the 4013
person whose name is certified. A vacancy in a party nomination 4014
that may be filled by a minor political party shall be filled in 4015
accordance with the party's rules by authorized officials of the 4016
party. Certification must be made as in the manner provided for 4017
a major political party. 4018

(D) If a person nominated in a party primary election as a 4019
~~party~~ candidate for election at the next general election, whose 4020
candidacy is to be submitted to the electors of a district 4021
within a county, withdraws as that candidate or is disqualified 4022
as that candidate under section 3513.052 of the Revised Code, 4023
the vacancy in the party nomination so created may be filled by 4024
a district committee consisting of those members of the county 4025

central committee or, if so authorized, those members of the 4026
county executive committee in that county of the major political 4027
party that made the nomination at the primary election who 4028
represent the precincts or the wards and townships within the 4029
district, if the committee's chairperson and secretary certify 4030
the name of the person selected to fill the vacancy by the time 4031
specified in this division, at a meeting called for that 4032
purpose. The district committee meeting shall be called by the 4033
chairperson of the county central committee or executive 4034
committee, as appropriate, who shall give each member of the 4035
district committee at least two days' notice of the time, place, 4036
and purpose of the meeting. If a majority of the members of the 4037
district committee are present at the district committee 4038
meeting, a majority of those present may select a person to fill 4039
the vacancy. The chairperson and secretary of the district 4040
committee meeting shall certify in writing and under oath to the 4041
board of the county, not later than four p.m. of the eighty- 4042
sixth day before the day of the general election, the name of 4043
the person selected to fill the vacancy. The certification must 4044
be accompanied by the written acceptance of the nomination by 4045
the person whose name is certified. A vacancy in a party 4046
nomination that may be filled by a minor political party shall 4047
be filled in accordance with the party's rules by authorized 4048
officials of the party. Certification must be made as in the 4049
manner provided for a major political party. 4050

(E) If a person nominated in a party primary election as a 4051
~~party~~ candidate for election at the next general election, whose 4052
candidacy is to be submitted to the electors of a subdivision 4053
within a county, withdraws as that candidate or is disqualified 4054
as that candidate under section 3513.052 of the Revised Code, 4055
the vacancy in the party nomination so created may be filled by 4056

a subdivision committee consisting of those members of the 4057
county central committee or, if so authorized, those members of 4058
the county executive committee in that county of the major 4059
political party that made the nomination at that primary 4060
election who represent the precincts or the wards and townships 4061
within that subdivision, if the committee's chairperson and 4062
secretary certify the name of the person selected to fill the 4063
vacancy by the time specified in this division, at a meeting 4064
called for that purpose. 4065

The subdivision committee meeting shall be called by the 4066
chairperson of the county central committee or executive 4067
committee, as appropriate, who shall give each member of the 4068
subdivision committee at least two days' notice of the time, 4069
place, and purpose of the meeting. If a majority of the members 4070
of the subdivision committee are present at the subdivision 4071
committee meeting, a majority of those present may select a 4072
person to fill the vacancy. The chairperson and secretary of the 4073
subdivision committee meeting shall certify in writing and under 4074
oath to the board of the county, not later than four p.m. of the 4075
eighty-sixth day before the day of the general election, the 4076
name of the person selected to fill the vacancy. The 4077
certification must be accompanied by the written acceptance of 4078
the nomination by the person whose name is certified. A vacancy 4079
in a party nomination that may be filled by a minor political 4080
party shall be filled in accordance with the party's rules by 4081
authorized officials of the party. Certification must be made in 4082
the manner provided for a major political party. 4083

(F) If a person nominated by petition as an independent or 4084
nonpartisan candidate, or by primary election as a candidate for 4085
a voter-nominated office, for election at the next general 4086
election withdraws as that candidate or is disqualified as that 4087

candidate under section 3513.052 of the Revised Code, the 4088
vacancy so created may be filled by a majority of the committee 4089
of five, as designated on the candidate's nominating petition or 4090
declaration of candidacy, if a member of that committee 4091
certifies in writing and under oath to the election officials 4092
with whom the candidate filed the candidate's nominating 4093
petition or declaration of candidacy, not later than the eighty- 4094
sixth day before the day of the general election, the name of 4095
the person selected to fill the vacancy. The certification shall 4096
be accompanied by the written acceptance of the nomination by 4097
the person whose name is certified and shall be made in the 4098
manner provided for a major political party. 4099

(G) If a person nominated in a party primary election or 4100
nominated by petition under section 3517.012 of the Revised Code 4101
as a party candidate for election at the next general election 4102
dies, the vacancy so created may be filled by the same committee 4103
in the same manner as provided in this section for the filling 4104
of similar vacancies created by withdrawals or disqualifications 4105
under section 3513.052 of the Revised Code, except that the 4106
certification, when filling a vacancy created by death, may not 4107
be filed with the secretary of state, or with a board of the 4108
most populous county of a district, or with the board of a 4109
county in which the major portion of the population of a 4110
subdivision is located, later than four p.m. of the tenth day 4111
before the day of such general election, or with any other board 4112
later than four p.m. of the fifth day before the day of such 4113
general election. 4114

(H) If a person nominated by petition as an independent or 4115
nonpartisan candidate, or by primary election as a candidate for 4116
a voter-nominated office, for election at the next general 4117
election dies prior to the tenth day before the day of that 4118

general election, the vacancy so created may be filled by a 4119
majority of the committee of five designated in the nominating 4120
petition or declaration of candidacy to represent the candidate 4121
named in it. To fill the vacancy a member of the committee 4122
shall, not later than four p.m. of the fifth day before the day 4123
of the general election, file with the election officials with 4124
whom the petition nominating the person was filed, a certificate 4125
signed and sworn to under oath by a majority of the members, 4126
designating the person they select to fill the vacancy. The 4127
certification must be accompanied by the written acceptance of 4128
the nomination by the person whose name is so certified. 4129

(I) If a person holding an elective partisan office dies 4130
or resigns subsequent to the one hundred fifteenth day before 4131
the day of a primary election and prior to the eighty-sixth day 4132
before the day of the next general election, and if, under the 4133
laws of this state, a person may be elected at that general 4134
election to fill the unexpired term of the person who has died 4135
or resigned, the appropriate committee of each political party, 4136
acting as in the case of a vacancy in a party nomination, as 4137
provided in divisions (A) to (D) of this section, may select a 4138
person as the party candidate for election for such unexpired 4139
term at that general election, and certify the person's name to 4140
the appropriate election official not later than four p.m. on 4141
the eighty-sixth day before the day of that general election, or 4142
on the tenth day following the day on which the vacancy occurs, 4143
whichever is later. When the vacancy occurs on or subsequent to 4144
the eighty-sixth day and six or more days prior to the fortieth 4145
day before the general election, the appropriate committee may 4146
select a person as the party candidate and certify the person's 4147
name, as provided in the preceding sentence, not later than four 4148
p.m. on the tenth day following the day on which the vacancy 4149

occurs. When the vacancy occurs fewer than six days before the 4150
fortieth day before the general election, the deadline for 4151
filing shall be four p.m. on the thirty-sixth day before the 4152
general election. Thereupon the name shall be printed as the 4153
party candidate under proper titles and in the proper place on 4154
the proper ballots for use at the election. If a person has been 4155
nominated in a primary election or nominated by petition under 4156
section 3517.012 of the Revised Code, the authorized committee 4157
of that political party shall not select and certify a person as 4158
the party candidate. 4159

(J) Each person desiring to become an independent 4160
candidate to fill the unexpired term shall file a statement of 4161
candidacy and nominating petition, as provided in section 4162
3513.261 of the Revised Code, with the appropriate election 4163
official not later than four p.m. on the tenth day following the 4164
day on which the vacancy occurs, provided that when the vacancy 4165
occurs fewer than six days before the fifty-sixth day before the 4166
general election, the deadline for filing shall be four p.m. on 4167
the fiftieth day before the general election. The nominating 4168
petition shall contain at least seven hundred fifty signatures 4169
and no more than one thousand five hundred signatures of 4170
qualified electors of the district, political subdivision, or 4171
portion of a political subdivision in which the office is to be 4172
voted upon, or the amount provided for in section 3513.257 of 4173
the Revised Code, whichever is less. 4174

(K) When a person nominated as a candidate by a political 4175
party in a primary election or by nominating petition for an 4176
elective office for which candidates are nominated at a party 4177
primary election withdraws, dies, or is disqualified under 4178
section 3513.052 of the Revised Code prior to the general 4179
election, the appropriate committee of any other major political 4180

party or committee of five that has not nominated a candidate 4181
for that office, or whose nominee as a candidate for that office 4182
has withdrawn, died, or been disqualified without the vacancy so 4183
created having been filled, may, acting as in the case of a 4184
vacancy in a party nomination or nomination by petition as 4185
provided in divisions (A) to (F) of this section, whichever is 4186
appropriate, select a person as a candidate of that party or of 4187
that committee of five for election to the office. 4188

(L) If a person nominated for election to a voter- 4189
nominated office at the next general election withdraws as that 4190
candidate or is disqualified as that candidate under section 4191
3513.052 of the Revised Code, the vacancy so created may be 4192
filled by a majority of the committee of five, as designated on 4193
the candidate's declaration of candidacy, if a member of that 4194
committee certifies in writing and under oath to the election 4195
officials with whom the candidate filed the candidate's 4196
declaration of candidacy, not later than the eighty-sixth day 4197
before the day of the general election, the name of the person 4198
selected to fill the vacancy. The certification shall be 4199
accompanied by the written acceptance of the nomination by the 4200
person whose name is certified. 4201

(M) If a person nominated for election to a voter- 4202
nominated office at the next general election dies, the vacancy 4203
so created may be filled by the same committee in the same 4204
manner as provided in this section for the filling of similar 4205
vacancies created by withdrawals or disqualifications under 4206
section 3513.052 of the Revised Code, except that the 4207
certification, when filling a vacancy created by death, may not 4208
be filed with the secretary of state, or with a board of the 4209
most populous county of a district, or with the board of a 4210
county in which the major portion of the population of a 4211

subdivision is located, later than four p.m. of the tenth day 4212
before the day of such general election, or with any other board 4213
later than four p.m. of the fifth day before the day of such 4214
general election. 4215

(N) If a person holding a voter-nominated office dies or 4216
resigns subsequent to the one hundred fifteenth day before the 4217
day of a primary election and prior to the eighty-sixth day 4218
before the day of the next general election, and if, under the 4219
laws of this state, a person may be elected at that general 4220
election to fill the unexpired term of the person who has died 4221
or resigned, each person desiring to become a candidate to fill 4222
the unexpired term shall file a statement of candidacy and 4223
nominating petition, as provided in section 3513.261 of the 4224
Revised Code, with the appropriate election official not later 4225
than four p.m. on the tenth day following the day on which the 4226
vacancy occurs, provided that when the vacancy occurs fewer than 4227
six days before the fifty-sixth day before the general election, 4228
the deadline for filing shall be four p.m. on the fiftieth day 4229
before the general election. The nominating petition shall 4230
contain signatures of qualified electors of the district, 4231
political subdivision, or portion of a political subdivision in 4232
which the office is to be voted upon equal to the applicable 4233
amount provided for in section 3513.05 of the Revised Code. 4234

(O) When a person nominated as a candidate for a voter- 4235
nominated office in a primary election withdraws, dies, or is 4236
disqualified under section 3513.052 of the Revised Code prior to 4237
the general election, a committee of five whose nominee as a 4238
candidate for that office has withdrawn, died, or been 4239
disqualified without the vacancy so created having been filled, 4240
may, acting as in the case of a vacancy in a nomination as 4241
provided in division (L) or (M) of this section, whichever is 4242

appropriate, select a person as a candidate of that committee of 4243
five for election to the office. 4244

Sec. 3513.311. (A) If a candidate for lieutenant governor 4245
dies, withdraws, or is disqualified as a candidate prior to the 4246
seventieth day before the day of a primary election, the vacancy 4247
on the ballot shall be filled by appointment by the joint 4248
candidate for the office of governor. Such candidate for 4249
governor shall certify in writing and under oath to the 4250
secretary of state not later than the sixty-fifth day before the 4251
day of such election the name and residence address of the 4252
person selected to fill such vacancy. 4253

(B) If a candidate for governor dies, withdraws, or is 4254
disqualified as a candidate prior to the seventieth day before 4255
the day of a primary election, the vacancy on the ballot shall 4256
be filled by appointment by the joint candidate for the office 4257
of lieutenant governor. Such candidate for lieutenant governor 4258
shall certify in writing and under oath to the secretary of 4259
state not later than the sixty-fifth day before the day of such 4260
election the name and residence address of the person selected 4261
to fill such vacancy. 4262

(C) If a candidate for the office of lieutenant governor 4263
dies on or after the seventieth day, but prior to the tenth day, 4264
before a primary election, the vacancy so created shall be 4265
filled by appointment by the joint candidate for the office of 4266
governor. Such candidate for governor shall certify in writing 4267
and under oath to the secretary of state not later than the 4268
fifth day before the day of such election the name and residence 4269
address of the person selected to fill such vacancy. 4270

(D) If a candidate for the office of governor dies on or 4271
after the seventieth day, but prior to the tenth day, before a 4272

primary election, the vacancy so created shall be filled by 4273
appointment by the joint candidate for the office of lieutenant 4274
governor. Such candidate for lieutenant governor shall certify 4275
in writing and under oath to the secretary of state not later 4276
than the fifth day before the day of such election the name and 4277
residence address of the person selected to fill such vacancy. 4278

(E) If a person nominated in a primary election ~~or~~ 4279
~~nominated by petition under section 3517.012 of the Revised Code~~ 4280
as a candidate for election to the office of governor or 4281
lieutenant governor at the next general election withdraws as 4282
such candidate prior to the ninetieth day before the day of the 4283
general election or dies prior to the tenth day before the day 4284
of such general election, the vacancy so created shall be filled 4285
in the manner provided for by section 3513.31 of the Revised 4286
Code. 4287

~~(F) If a person nominated by petition as an independent~~ 4288
~~candidate for election to the office of governor or lieutenant~~ 4289
~~governor withdraws as such candidate prior to the ninetieth day~~ 4290
~~before the day of the general election or dies prior to the~~ 4291
~~tenth day before the day of such general election, the vacancy~~ 4292
~~so created shall be filled by the candidates' committee in the~~ 4293
~~manner provided for, as in the case of death, by section 3513.31~~ 4294
~~of the Revised Code, except that, in the case of withdrawal of~~ 4295
~~candidacy, the name and residence address of the replacement~~ 4296
~~candidate shall be certified in writing and under oath to the~~ 4297
~~secretary of state not later than the eighty-sixth day before~~ 4298
~~the day of the general election.~~ 4299

~~(G)~~ If the vacancy in a joint candidacy for governor and 4300
lieutenant governor can be filled in accordance with this 4301
section and is not so filled, the joint candidacy which has not 4302

been vacated shall be invalidated and shall not be presented for 4303
election. 4304

~~(H)~~(G) Any replacement candidate appointed or selected 4305
pursuant to this section shall be one who has the qualifications 4306
of an elector. 4307

Sec. 3513.32. When a special election is found necessary 4308
to fill a vacancy, the date of the primary election shall be 4309
fixed at the same time and in the same manner as that of the 4310
election, by the authority calling such special election. The 4311
primary election shall be held at least fifteen days prior to 4312
the time fixed for such special election. Declaration of 4313
candidacy and certificates for such primary shall be filed and 4314
fees shall be paid at least ten days before the date for holding 4315
such primary election. 4316

A primary election preceding a special election to fill a 4317
vacancy in an office shall be eliminated ~~if no valid declaration~~ 4318
~~of candidacy is filed for such office, or if the number of~~ 4319
~~persons filing such valid declarations of candidacy as~~ 4320
~~candidates of one political party does not exceed three times~~ 4321
the number of candidates ~~which such political party is entitled~~ 4322
~~to nominate~~ to be nominated for election to such office. 4323

Sec. 3513.33. At the time a person files a declaration of 4324
candidacy, or nominating petition, ~~or declaration of intent to~~ 4325
~~be otherwise becomes a write-in~~ candidate, the secretary of 4326
state or the board of elections shall furnish that person with a 4327
copy of section 3517.21 of the Revised Code. Each person who 4328
receives the copy shall acknowledge its receipt in writing. 4329

Sec. 3515.04. At the time and place fixed for making a 4330
recount, the board of elections, in the presence of all 4331

observers who may be in attendance, shall open the sealed 4332
containers containing the ballots to be recounted, and shall 4333
recount them. Ballots shall be handled only by the members of 4334
the board or by the director or other employees of the board. 4335
Observers shall be permitted to see the ballots, but they shall 4336
not be permitted to touch them, and the board shall not permit 4337
the counting or tabulation of votes shown on the ballots for any 4338
nomination, or for election to any office or position, or upon 4339
any question or issue, other than the votes shown on such 4340
ballots for the nomination, election, question, or issue 4341
concerning which a recount of ballots was applied for. 4342

Notwithstanding any provision of this section to the 4343
contrary, if the recount is made in relation to a nomination for 4344
candidacy for or election to a voter-nominated office, the board 4345
shall recount the indications of preference cast for all of the 4346
pairings of candidates. 4347

At any time before the ballots from all of the precincts 4348
listed in an application for the recount or involved in a 4349
recount pursuant to section 3515.011 of the Revised Code have 4350
been recounted, the applicant or declared losing candidate or 4351
nominee or each of the declared losing candidates or nominees 4352
entitled to file a request prior to the commencement of a 4353
recount, as provided in section 3515.03 of the Revised Code, may 4354
file with the board a written request to stop the recount and 4355
not recount the ballots from the precincts so listed that have 4356
not been recounted prior to the time of the request. If, upon 4357
the request, the board finds that results of the votes in the 4358
precincts recounted, if substituted for the results of the votes 4359
in those precincts as shown in the abstract of the votes in 4360
those precincts, would not cause the applicant, if a person for 4361
whom votes were cast for nomination or election, to be declared 4362

nominated or elected or if an election upon a question or issue 4363
would not cause a result contrary to the result as declared 4364
prior to such recount, it shall grant the request and shall not 4365
recount the ballots of the precincts listed in the application 4366
for recount that have not been recounted prior to that time. If 4367
the board finds otherwise, it shall deny the request and shall 4368
continue to recount ballots until the ballots from all of the 4369
precincts listed in the application for recount have been 4370
recounted; provided that, if the request is denied, it may be 4371
renewed from time to time. Upon any such renewal, the board 4372
shall consider and act upon the request in the same manner as 4373
provided in this section in connection with an original request. 4374

Sec. 3517.012. (A) (1) When a party formation petition 4375
meeting the requirements of section 3517.01 of the Revised Code 4376
declaring the intention to organize a political party is filed 4377
with the secretary of state, the new party comes into legal 4378
existence on the date of filing and is entitled to nominate 4379
candidates for partisan offices to appear on the ballot at the 4380
general election held in even-numbered years that occurs more 4381
than one hundred twenty-five days after the date of filing. 4382

(2) (a) Upon receiving a party formation petition filed 4383
under division (A) (1) of this section, the secretary of state 4384
shall promptly transmit to each board of elections the separate 4385
petition papers that purport to contain signatures of electors 4386
of that board's county. 4387

(b) Not later than the one hundred eighteenth day before 4388
the day of the general election, each board shall examine and 4389
determine the sufficiency of the signatures on the petition 4390
papers and shall return them to the secretary of state, together 4391
with the board's certification of its determination as to the 4392

validity or invalidity of the signatures on the petition. 4393

(c) Any qualified elector may file a written protest 4394
against the petition with the secretary of state not later than 4395
the one hundred fourteenth day before the day of the general 4396
election. Any such protest shall be resolved in the manner 4397
specified under section 3501.39 of the Revised Code. 4398

(d) Not later than the ninety-fifth day before the day of 4399
the general election, the secretary of state shall determine 4400
whether the party formation petition is sufficient and shall 4401
notify the committee designated in the petition of that 4402
determination. 4403

(B) (1) Not later than one hundred ten days before the day 4404
of that general election and not earlier than the day the 4405
applicable party formation petition is filed, each candidate or 4406
pair of joint candidates for partisan office wishing to appear 4407
on the ballot at the general election as the nominee or nominees 4408
of the party that filed the party formation petition shall file 4409
a nominating petition, on a form prescribed by the secretary of 4410
state, that includes the name of the political party that 4411
submitted the party formation petition. Except as otherwise 4412
provided in this section and sections 3505.03, 3505.08, 3505.10, 4413
3506.11, 3513.31, 3513.311, and 3513.312 of the Revised Code, 4414
the provisions of the Revised Code concerning independent 4415
candidates who file nominating petitions apply to candidates who 4416
file nominating petitions under this section. 4417

(2) (a) If the candidacy is to be submitted to electors 4418
throughout the entire state, the nominating petition, ~~including~~ 4419
~~a petition for joint candidates for the offices of governor and~~ 4420
~~lieutenant governor~~, shall be signed by at least fifty qualified 4421
electors who have not voted as a member of a different political 4422

party at any primary election within the current year or the 4423
immediately preceding two calendar years. 4424

(b) Except as otherwise provided in this division, if the 4425
candidacy is to be submitted only to electors within a district, 4426
political subdivision, or portion thereof, the nominating 4427
petition shall be signed by not less than five qualified 4428
electors who have not voted as a member of a different political 4429
party at any primary election within the current year or the 4430
immediately preceding two calendar years. 4431

(3) (a) Each board of elections that is responsible to 4432
verify signatures on the nominating petition shall examine and 4433
determine the sufficiency of those signatures not later than the 4434
one hundred fifth day before the day of the general election ~~and~~ 4435
~~shall be resolved as specified in that section.~~ 4436

(b) Written protests against the petition may be filed in 4437
the manner specified under section 3513.263 of the Revised Code 4438
not later than the one hundredth day before the general election 4439
and shall be resolved as specified in that section. 4440

(c) Not later than the ninety-fifth day before the day of 4441
the general election, the secretary of state or the board of 4442
elections, as applicable, shall determine whether the nominating 4443
petition is sufficient and shall notify the candidate and the 4444
committee designated in the party formation petition of that 4445
determination. 4446

(C) (1) After being notified that the political party has 4447
submitted a sufficient party formation petition under division 4448
(A) of this section, the committee designated in a party 4449
formation petition shall, not later than the seventy-fifth day 4450
before the day of the general election, certify to the secretary 4451

of state a slate of candidates consisting of candidates ~~or joint~~ 4452
~~candidates~~ who submitted sufficient nominating petitions under 4453
division (B) of this section. The slate certifying the 4454
candidates shall be on a form prescribed by the secretary of 4455
state ~~and,~~ signed by all of the individuals of the committee 4456
designated in the party formation petition, and made in 4457
accordance with section 3505.10 of the Revised Code if 4458
applicable. In no event shall the slate of candidates include 4459
more than one candidate for any public office ~~or more than one~~ 4460
~~set of joint candidates for the offices of governor and~~ 4461
~~lieutenant governor.~~ The names of the candidates ~~or joint~~ 4462
~~candidates so certified~~ shall appear on the ballot at the 4463
general election as that party's nominees for those offices. ~~For~~ 4464
~~purposes of this division, "joint candidates" means the joint~~ 4465
~~candidates for the offices of governor and lieutenant governor.~~ 4466

(2) If a candidate's nominating petition is insufficient 4467
or if the committee does not certify the candidate's name under 4468
division (C)(1) of this section, the candidate shall not appear 4469
on the ballot in the general election. 4470

(3) If a party formation petition is insufficient, no 4471
candidate shall appear on the ballot in the general election as 4472
that political party's nominee, regardless of whether any 4473
candidate's nominating petition is sufficient. 4474

Sec. 3517.016. At the first party primary election held by 4475
a newly formed political party meeting the requirements of 4476
sections 3517.011 and 3517.012 of the Revised Code, any 4477
qualified elector who desires to vote the new party party's 4478
primary ballot is not subject to section 3513.19 of the Revised 4479
Code and shall be allowed to vote the new party party's primary 4480
ballot regardless of prior political party affiliation. 4481

Section 2. That existing sections 111.27, 3501.01, 4482
3505.03, 3505.04, 3505.08, 3505.10, 3505.23, 3505.27, 3505.33, 4483
3505.34, 3505.35, 3505.36, 3505.37, 3506.11, 3509.03, 3509.04, 4484
3511.02, 3511.05, 3513.01, 3513.04, 3513.041, 3513.05, 3513.052, 4485
3513.07, 3513.08, 3513.12, 3513.121, 3513.13, 3513.14, 3513.15, 4486
3513.18, 3513.19, 3513.191, 3513.20, 3513.22, 3513.23, 3513.24, 4487
3513.254, 3513.255, 3513.257, 3513.261, 3513.263, 3513.30, 4488
3513.31, 3513.311, 3513.32, 3513.33, 3515.04, 3517.012, and 4489
3517.016 of the Revised Code are hereby repealed. 4490

Section 3. That sections 3513.16, 3513.256, 3513.28, 4491
3513.301, and 3513.312 of the Revised Code are hereby repealed. 4492

Section 4. The General Assembly, applying the principle 4493
stated in division (B) of section 1.52 of the Revised Code that 4494
amendments are to be harmonized if reasonably capable of 4495
simultaneous operation, finds that the following sections, 4496
presented in this act as composites of the sections as amended 4497
by the acts indicated, are the resulting versions of the 4498
sections in effect prior to the effective date of the sections 4499
as presented in this act: 4500

Section 3501.01 of the Revised Code as amended by H.B. 96, 4501
S.B. 63, and S.B. 293 all of the 136th General Assembly. 4502

Section 3505.08 of the Revised Code as amended by both 4503
S.B. 109 and S.B. 193 of the 130th General Assembly. 4504