

**As Reported by the Senate State and Local Government and
Veterans Affairs Committee**

124th General Assembly

Regular Session

2001-2002

Sub. H. B. No. 445

**REPRESENTATIVES Kearns, Trakas, Clancy, Buehrer, Fessler, Cates, Sulzer,
Lendrum, Flowers, McGregor, Otterman, Distel, Coates, Hollister, Latell,
Carano, Niehaus, Britton, Carmichael, Roman, Hagan, Sullivan, Hoops**

A B I L L

To amend sections 107.08, 3501.01, 3501.38, 3501.39, 1
3505.03, 3505.061, 3505.062, 3505.063, 3513.04, 2
3513.041, 3513.05, 3513.23, 3513.251, 3513.253, 3
3513.254, 3513.255, 3513.257, 3513.259, 3513.261, 4
3513.30, 3513.31, 3517.02, 3517.03, and 3519.03 and 5
to enact sections 3513.052 and 3599.09 of the 6
Revised Code to require the Ohio Ballot Board or a 7
group of persons designated by the Board to prepare 8
and file arguments in support of or in opposition 9
to each constitutional amendment proposed by the 10
General Assembly, each constitutional amendment or 11
state law proposed by an initiative petition, and 12
each state law, or section or item of state law, 13
subject to a referendum petition, if the persons 14
designated to prepare those arguments fail to 15
timely prepare and file them; to specify that the 16
positions of the four appointed Board members must 17
be considered vacant if the Board fails to have the 18
missing arguments prepared and filed; to require 19
the Board to certify ballot language and 20
explanations to the Secretary of State at least 80 21
days prior to an election; to specify that an 22

As Reported by the Senate State and Local Government and Veterans Affairs

election to fill an unexpired term of certain 23
judicial offices must be held at the first general 24
election for the office that occurs more than 40 25
days after the governor's appointment to fill the 26
vacant office; to include members of a board of 27
elections in the definition of an "election 28
official" for purposes of statutes relating to 29
elections and political communications; to prohibit 30
a petition from being withdrawn after it is filed 31
in a public office; to require the designation of 32
"Independent" to be printed on a ballot under the 33
name of each nonjudicial candidate who files a 34
nominating petition and requests that designation; 35
to specify that no person may seek to be a 36
candidate for two or more specified offices that 37
will be voted on at the same election; to require a 38
board of elections or the Secretary of State to 39
reject any declaration of candidacy, declaration of 40
intent to be a write-in candidate, or a nominating 41
petition filed by a person who is a candidate for a 42
specified office at the same election; to require a 43
board of elections or the Secretary of State to 44
disqualify any such candidate based on certain 45
criteria; and to remove the requirement that a 46
write-in candidate for the position of 47
committeeperson of a political party controlling 48
committee receive the same number of votes as 49
petition signatures necessary to qualify the person 50
for the printing of the person's name on the ballot 51
in order to win an election by receiving the 52
greatest number of votes cast for the position. 53

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

Section 1. That sections 107.08, 3501.01, 3501.38, 3501.39, 54
3505.03, 3505.061, 3505.062, 3505.063, 3513.04, 3513.041, 3513.05, 55
3513.23, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257, 56
3513.259, 3513.261, 3513.30, 3513.31, 3517.02, 3517.03, and 57
3519.03 be amended and sections 3513.052 and 3599.09 of the 58
Revised Code be enacted to read as follows: 59

Sec. 107.08. The office of a judge is vacant at the 60
expiration of the term of the incumbent when no person has been 61
elected as ~~his~~ the judge's successor. ~~Such~~ The vacancy shall be 62
filled by appointment by the governor. If the appointment is to a 63
court of appeals, court of common pleas, or municipal court, the 64
clerk of the court shall give written notice to the board of 65
elections responsible for conducting elections for that court of 66
the name of the appointee. A successor shall be elected for the 67
unexpired term at the first general election for the office that 68
occurs more than ~~thirty~~ forty days after ~~such~~ the appointment. 69

Sec. 3501.01. As used in the sections of the Revised Code 70
relating to elections and political communications: 71

(A) "General election" means the election held on the first 72
Tuesday after the first Monday in each November. 73

(B) "Regular municipal election" means the election held on 74
the first Tuesday after the first Monday in November in each 75
odd-numbered year. 76

(C) "Regular state election" means the election held on the 77
first Tuesday after the first Monday in November in each 78
even-numbered year. 79

(D) "Special election" means any election other than those 80
elections defined in other divisions of this section. A special 81
election may be held only on the first Tuesday after the first 82

As Reported by the Senate State and Local Government and Veterans Affairs

Monday in February, May, August, or November, or on the day 83
authorized by a particular municipal or county charter for the 84
holding of a primary election, except that in any year in which a 85
presidential primary election is held, no special election shall 86
be held in February or May, except as authorized by a municipal or 87
county charter, but may be held on the first Tuesday after the 88
first Monday in March. 89

(E)(1) "Primary" or "primary election" means an election held 90
for the purpose of nominating persons as candidates of political 91
parties for election to offices, and for the purpose of electing 92
persons as members of the controlling committees of political 93
parties and as delegates and alternates to the conventions of 94
political parties. Primary elections shall be held on the first 95
Tuesday after the first Monday in May of each year except in years 96
in which a presidential primary election is held. 97

(2) "Presidential primary election" means a primary election 98
as defined by division (E)(1) of this section at which an election 99
is held for the purpose of choosing delegates and alternates to 100
the national conventions of the major political parties pursuant 101
to section 3513.12 of the Revised Code. Unless otherwise 102
specified, presidential primary elections are included in 103
references to primary elections. In years in which a presidential 104
primary election is held, all primary elections shall be held on 105
the first Tuesday after the first Monday in March except as 106
otherwise authorized by a municipal or county charter. 107

(F) "Political party" means any group of voters meeting the 108
requirements set forth in section 3517.01 of the Revised Code for 109
the formation and existence of a political party. 110

(1) "Major political party" means any political party 111
organized under the laws of this state whose candidate for 112
governor or nominees for presidential electors received no less 113
than twenty per cent of the total vote cast for such office at the 114

most recent regular state election. 115

(2) "Intermediate political party" means any political party 116
organized under the laws of this state whose candidate for 117
governor or nominees for presidential electors received less than 118
twenty per cent but not less than ten per cent of the total vote 119
cast for such office at the most recent regular state election. 120

(3) "Minor political party" means any political party 121
organized under the laws of this state whose candidate for 122
governor or nominees for presidential electors received less than 123
ten per cent but not less than five per cent of the total vote 124
cast for such office at the most recent regular state election or 125
which has filed with the secretary of state, subsequent to any 126
election in which it received less than five per cent of such 127
vote, a petition signed by qualified electors equal in number to 128
at least one per cent of the total vote cast for such office in 129
the last preceding regular state election, except that a newly 130
formed political party shall be known as a minor political party 131
until the time of the first election for governor or president 132
which occurs not less than twelve months subsequent to the 133
formation of such party, after which election the status of such 134
party shall be determined by the vote for the office of governor 135
or president. 136

(G) "Dominant party in a precinct" or "dominant political 137
party in a precinct" means that political party whose candidate 138
for election to the office of governor at the most recent regular 139
state election at which a governor was elected received more votes 140
than any other person received for election to that office in such 141
precinct at such election. 142

(H) "Candidate" means any qualified person certified in 143
accordance with the provisions of the Revised Code for placement 144
on the official ballot of a primary, general, or special election 145
to be held in this state, or any qualified person who claims to be 146

As Reported by the Senate State and Local Government and Veterans Affairs

a write-in candidate, or who knowingly assents to being
represented as a write-in candidate by another at either a
primary, general, or special election to be held in this state.

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

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

(K) "Party candidate" means any candidate who claims to be a
member of a political party, whose name has been certified on the
office-type ballot at a general or special election through the
filing of a declaration of candidacy and petition of candidate,
and who has won the primary election of the candidate's party for
the public office the candidate seeks or is selected by party
committee in accordance with section 3513.31 of the Revised Code.

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

(M) "Question or issue" means any question or issue certified

As Reported by the Senate State and Local Government and Veterans Affairs

in accordance with the Revised Code for placement on an official	178
ballot at a general or special election to be held in this state.	179
	180
(N) "Elector" or "qualified elector" means a person having	181
the qualifications provided by law to be entitled to vote.	182
(O) "Voter" means an elector who votes at an election.	183
(P) "Voting residence" means that place of residence of an	184
elector which shall determine the precinct in which the elector	185
may vote.	186
(Q) "Precinct" means a district within a county established	187
by the board of elections of such county within which all	188
qualified electors having a voting residence therein may vote at	189
the same polling place.	190
(R) "Polling place" means that place provided for each	191
precinct at which the electors having a voting residence in such	192
precinct may vote.	193
(S) "Board" or "board of elections" means the board of	194
elections appointed in a county pursuant to section 3501.06 of the	195
Revised Code.	196
(T) "Political subdivision" means " <u>a</u> county," " township, "	197
" city, " " village, " or " school district. "	198
(U) "Election officer" or " <u>election</u> official" means any of	199
the following:	200
(1) Secretary of state;	201
(2) Employees of the secretary of state serving in the	202
division of elections in the capacity of attorney, administrative	203
officer, administrative assistant, elections administrator, office	204
manager, or clerical supervisor;	205
(3) Director of a board of elections;	206

As Reported by the Senate State and Local Government and Veterans Affairs

(4) Deputy director of a board of elections;	207
(5) <u>Member of a board of elections;</u>	208
<u>(6)</u> Employees of a board of elections;	209
(6) <u>(7)</u> Precinct polling place judges and clerks;	210
(7) <u>(8)</u> Employees appointed by the boards of elections on a temporary or part-time basis.	211 212
(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.	213 214 215 216 217 218 219
(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.	220 221 222 223
(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health, the department of mental retardation and developmental disabilities, the rehabilitation services commission, and any other agency the secretary of state designates. "Designated	224 225 226 227 228 229 230 231 232 233 234 235 236 237

As Reported by the Senate State and Local Government and Veterans Affairs

agency" does not include public high schools and vocational	238
schools, public libraries, or the office of a county treasurer.	239
(Y) "National Voter Registration Act of 1993" means the	240
"National Voter Registration Act of 1993," 107 Stat. 77, 42	241
U.S.C.A. 1973gg.	242
(Z) "Voting Rights Act of 1965" means the "Voting Rights Act	243
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended.	244
Sec. 3501.38. All declarations of candidacy, nominating	245
petitions, or other petitions presented to or filed with the	246
secretary of state or a board of elections or with any other	247
public office for the purpose of becoming a candidate for any	248
nomination or office or for the holding of an election on any	249
issue shall, in addition to meeting the other specific	250
requirements prescribed in the sections of the Revised Code	251
relating to them, be governed by the following rules:	252
(A) Only electors qualified to vote on the candidacy or issue	253
which is the subject of the petition shall sign a petition. Each	254
signer shall be a registered elector pursuant to section 3503.11	255
of the Revised Code. The facts of qualification shall be	256
determined as of the date when the petition is filed.	257
(B) Signatures shall be affixed in ink. Each signer may also	258
print the signer's name, so as to clearly identify the signer's	259
signature.	260
(C) Each signer shall place on the petition after the	261
signer's name the date of signing and the location of the signer's	262
voting residence, including the street and number if in a	263
municipal corporation or the rural route number, post office	264
address, or township if outside a municipal corporation. The	265
voting address given on the petition shall be the address	266
appearing in the registration records at the board of elections.	267

As Reported by the Senate State and Local Government and Veterans Affairs

(D) No person shall write any name other than the person's own on any petition. No person may authorize another to sign for the person. Where a petition contains the signature of an elector two or more times, only the first signature shall be counted.

(E) On each petition paper, the circulator shall indicate the number of signatures contained on it, and shall sign a statement made under penalty of election falsification that the circulator witnessed the affixing of every signature, that all signers were to the best of the circulator's knowledge and belief qualified to sign, and that every signature is to the best of the circulator's knowledge and belief the signature of the person whose signature it purports to be.

(F) If a circulator knowingly permits an unqualified person to sign a petition paper or permits a person to write a name other than the person's own on a petition paper, that petition paper is invalid; otherwise, the signature of a person not qualified to sign shall be rejected but shall not invalidate the other valid signatures on the paper.

(G) The circulator of a petition may, before filing it in a public office, strike from it any signature the circulator does not wish to present as a part of the petition.

(H) Any signer of a petition may remove the signer's signature from that petition at any time before the petition is filed in a public office by striking the signer's name from the petition; no signature may be removed after the petition is filed in any public office.

(I)(1) No alterations, corrections, or additions may be made to a petition after it is filed in a public office.

(2) No petition may be withdrawn after it is filed in a public office. Nothing in this division prohibits a person from withdrawing as a candidate as otherwise provided by law.

As Reported by the Senate State and Local Government and Veterans Affairs

(J) All declarations of candidacy, nominating petitions, or 299
 other petitions under this section shall be accompanied by the 300
 following statement in boldface capital letters: WHOEVER COMMITS 301
 ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 302

(K) All separate petition papers shall be filed at the same 303
 time, as one instrument. 304

Sec. 3501.39. (A) The secretary of state or a board of 305
 elections shall accept any petition described in section 3501.38 306
 of the Revised Code unless one of the following occurs: 307

(1) A written protest against the petition or candidacy, 308
 naming specific objections, is filed, a hearing is held, and a 309
 determination is made by the election officials with whom the 310
 protest is filed that the petition is invalid, in accordance with 311
 any section of the Revised Code providing a protest procedure. 312

(2) A written protest against the petition or candidacy, 313
 naming specific objections, is filed, a hearing is held, and a 314
 determination is made by the election officials with whom the 315
 protest is filed that the petition violates any requirement 316
 established by law. 317

(3) The candidate's candidacy or the petition violates the 318
 requirements of this chapter, Chapter 3513. of the Revised Code, 319
 or any other requirements established by law. 320

(B) Except as otherwise provided in section 3513.052 of the 321
Revised Code, a board of elections shall not invalidate any 322
 declaration of candidacy or nominating petition under division 323
 (A)(3) of this section after the fiftieth day prior to the 324
 election at which the candidate seeks nomination to office, if the 325
 candidate filed a declaration of candidacy, or election to office, 326
 if the candidate filed a nominating petition. 327

As Reported by the Senate State and Local Government and Veterans Affairs

Sec. 3505.03. On the office type ballot shall be printed the names of all candidates for election to offices, except judicial offices, who were nominated at the most recent primary election as candidates of a political party or who were nominated in accordance with section 3513.02 of the Revised Code, and the names of all candidates for election to offices who were nominated by nominating petitions, except candidates for judicial offices, for member of the state board of education, for member of a board of education, for municipal offices, and for township offices.

The face of ~~such~~ the ballot below the stub shall be substantially in the following form:

"OFFICIAL OFFICE TYPE BALLOT

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

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

The order in which the offices shall be listed on the ballot shall be prescribed by, and certified to each board of elections by, the secretary of state; provided that for state, district, and county offices the order from top to bottom shall be as follows: governor and lieutenant governor, attorney general, auditor of state, secretary of state, treasurer of state, United States senator, representative to congress, state senator, state representative, county commissioner, county auditor, prosecuting attorney, clerk of the court of common pleas, sheriff, county recorder, county treasurer, county engineer, and coroner. The offices of governor and lieutenant governor shall be printed on the ballot in a manner that requires a voter to cast one vote jointly for the candidates who have been nominated by the same political party or petition.

As Reported by the Senate State and Local Government and Veterans Affairs

The names of all candidates for an office shall be arranged 360
in a group under the title of that office, and, except for 361
absentee ballots or when the number of candidates for a particular 362
office is the same as the number of candidates to be elected for 363
that office, shall be rotated from one precinct to another. On 364
absentee ballots, the names of all candidates for an office shall 365
be arranged in a group under the title of that office and shall be 366
so alternated that each name shall appear, insofar as may be 367
reasonably possible, substantially an equal number of times at the 368
beginning, at the end, and in each intermediate place, if any, of 369
the group in which such name belongs, unless the number of 370
candidates for a particular office is the same as the number of 371
candidates to be elected for that office. 372

The method of printing the ballots to meet the rotation 373
requirement of this section shall be as follows: ~~The~~ the least 374
common multiple of the number of names in each of the several 375
groups of candidates shall be used, and the number of changes made 376
in the printer's forms in printing ~~such~~ the ballots shall 377
correspond with ~~such~~ that multiple. The board of elections shall 378
number all precincts in regular serial sequence. In the first 379
precinct, the names of the candidates in each group shall be 380
listed in alphabetical order. In each succeeding precinct, the 381
name in each group ~~which~~ that is listed first in the preceding 382
precinct shall be listed last, and the name of each candidate 383
shall be moved up one place. In each precinct using paper ballots, 384
the printed ballots shall then be assembled in tablets. 385

Under the name of each candidate nominated at a primary 386
election and each candidate certified by a party committee to fill 387
a vacancy under section 3513.31 of the Revised Code shall be 388
printed, in less prominent type face than that in which the 389
candidate's name is printed, the name of the political party by 390
which the candidate was nominated or certified. Under the name of 391

As Reported by the Senate State and Local Government and Veterans Affairs

each nonjudicial candidate appearing on the ballot who filed a 392
nominating petition and requested a ballot designation under 393
section 3513.257 of the Revised Code shall be printed, in less 394
prominent type face than that in which the candidate's name is 395
printed, the designation of "independent." 396

Except as provided in this section, no words, designations, 397
 or emblems descriptive of a candidate or ~~his~~ the candidate's 398
 political affiliation, or indicative of the method by which the 399
 candidate was nominated or certified, shall be printed under or 400
 after a candidate's name ~~which~~ that is printed on the ballot. 401

Sec. 3505.061. (A) The Ohio ballot board, as authorized by 402
 Section 1 of Article XVI, Ohio Constitution, shall consist of the 403
 secretary of state and four appointed members. No more than two of 404
 the appointed members shall be of the same political party. One of 405
 the members shall be appointed by the president of the senate, one 406
 shall be appointed by the ~~minority~~ minority leader of the senate, 407
 one shall be appointed by the speaker of the house of 408
 representatives, and one shall be appointed by the minority leader 409
 of the house of representatives. The appointments shall be made no 410
 later than the last Monday in January in the year in which the 411
 appointments are to be made. If any appointment is not so made, 412
 the secretary of state, acting in place of the person otherwise 413
 required to make the appointment, shall appoint as many qualified 414
 members affiliated with the appropriate political party as are 415
 necessary. 416

(B) The initial appointees to the board shall serve until the 417
 first Monday in February, 1977. Thereafter, terms of office shall 418
 be for four years, each term ending on the first Monday in 419
 February. The term of the secretary of state on the board shall 420
 coincide with ~~his~~ the secretary of state's term of office ~~as~~ 421
~~secretary of state.~~ Each Except as otherwise provided in division 422
(B)(2) of section 3505.063 and division (B)(2) of section 3519.03 423

As Reported by the Senate State and Local Government and Veterans Affairs

of the Revised Code, ~~each~~ appointed member ~~of the board~~ shall hold 424
office from the date of ~~his~~ appointment until the end of the term 425
for which ~~he was~~ appointed. Any Except as otherwise provided in 426
those divisions, any member appointed to fill a vacancy occurring 427
prior to the expiration of the term for which ~~his~~ the member's 428
predecessor was appointed shall hold office for the remainder of 429
~~such that~~ term. Any Except as otherwise provided in those 430
divisions, any member shall continue in office subsequent to the 431
expiration date of ~~his~~ the member's term until ~~his~~ the member's 432
successor takes office, or until a period of sixty days has 433
elapsed, whichever occurs first. Any vacancy occurring on the 434
board shall be filled in the manner provided for original 435
appointments. A member appointed to fill a vacancy shall be of the 436
same political party as that required of the member whom ~~he~~ the 437
member replaces. 438

(C) Members of the board shall serve without compensation but 439
shall be reimbursed for expenses actually and necessarily incurred 440
in the performance of their duties. 441

(D) The secretary of state shall be the ~~chairman~~ chairperson 442
of the board, and ~~he~~ the secretary of state or ~~his~~ the secretary 443
of state's representative shall have a vote equal to that of any 444
other member. The ~~vice-chairman~~ vice-chairperson shall act as 445
~~chairman~~ chairperson in the absence or disability of the ~~chairman~~ 446
chairperson, or during a vacancy in that office. The board shall 447
meet after notice of at least seven days at a time and place 448
determined by the ~~chairman~~ chairperson. At its first meeting, the 449
board shall elect a ~~vice-chairman~~ vice-chairperson from among its 450
members for a term of two years, and it shall adopt rules for its 451
procedures. After the first meeting, the board shall meet at the 452
call of the ~~chairman~~ chairperson or upon the written request of 453
three other members. Three members constitute a quorum. No action 454
shall be taken without the concurrence of three members. 455

As Reported by the Senate State and Local Government and Veterans Affairs

(E) The secretary of state shall provide ~~such~~ technical, 456
 professional, and clerical employees as ~~are~~ necessary for the 457
 board to carry out its duties. 458

Sec. 3505.062. The Ohio ballot board shall do all of the 459
following: 460

(A) Prescribe the ballot language for constitutional 461
 amendments proposed by the general assembly to be printed on the 462
 questions and issues ballot, which language shall properly 463
 identify the substance of the proposal to be voted upon; 464

(B) Prepare an explanation of each constitutional amendment 465
 proposed by the general assembly, which explanation may include 466
 the purpose and effects of the proposed amendment; 467

(C) Certify the ballot language and explanation, if any, to 468
 the secretary of state no later than ~~seventy-five~~ eighty days 469
 before the election at which the proposed question or issue is to 470
 be submitted to the voters; 471

(D) Prepare, or designate a group of persons to prepare, 472
arguments in support of or in opposition to a constitutional 473
amendment proposed by a resolution of the general assembly, a 474
constitutional amendment or state law proposed by initiative 475
petition, or a state law, or section or item of state law, subject 476
to a referendum petition, if the persons otherwise responsible for 477
the preparation of those arguments fail to timely prepare and file 478
them; 479

(E) Direct the means by which the secretary of state shall 480
 disseminate information concerning proposed constitutional 481
 amendments to the voters; 482

~~(E)~~(F) Direct the ~~chairman~~ chairperson to reimburse county 483
 boards of elections for public notice costs associated with 484
 statewide ballot issues, to the extent that the general assembly 485

appropriates money for ~~such~~ that purpose. 486

Sec. 3505.063. (A) When the general assembly adopts a 487
resolution proposing a constitutional amendment, it may, by 488
resolution, designate a group of members who voted in support of 489
the resolution to prepare arguments for the proposed amendment, 490
and a group of members who voted in opposition to the resolution 491
to prepare arguments against the proposed amendment. If no members 492
voted in opposition to the resolution, or if the general assembly 493
chooses not to designate a group of members to prepare arguments 494
for the proposed amendment or chooses not to designate a group of 495
members to prepare arguments against the proposed amendment, the 496
Ohio ballot board ~~may~~ shall ~~prepare the relevant arguments~~ or 497
designate a group of persons to prepare the relevant arguments. 498
All arguments prepared under this division shall be filed with the 499
secretary of state no later than seventy-five days before the date 500
of the election. No argument shall exceed three hundred words. 501

(B)(1) If the group of members of the general assembly or 503
other group of persons designated under division (A) of this 504
section fail to prepare and file their arguments in support of or 505
in opposition to the proposed amendment by the seventy-fifth day 506
before the date of the election, the secretary of state shall 507
notify the Ohio ballot board that those arguments have not been so 508
prepared and filed. The board then shall prepare the missing 509
arguments or designate a group of persons to prepare those 510
arguments. All arguments prepared under this division shall be 511
filed with the secretary of state no later than seventy days 512
before the date of the election. No argument shall exceed three 513
hundred words. 514

(2) If the Ohio ballot board fails to provide for the 515
preparation of missing arguments under division (B)(1) of this 516
section after being notified by the secretary of state that one or 517

As Reported by the Senate State and Local Government and Veterans Affairs

more arguments have not been timely prepared and filed, the 518
positions of the four appointed members of the board shall be 519
considered vacant, and new members shall be appointed in the 520
manner provided for original appointments. 521

(C) The secretary of state shall disseminate information, 522
which may include part or all of the official explanation and 523
arguments concerning proposed amendments, by means of direct mail 524
or other written publication, broadcast, or ~~such~~ other means, or 525
combination of means, as the Ohio ballot board may direct, in 526
order to inform the voters as fully as possible concerning 527
proposed amendments. 528

Sec. 3513.04. Candidates for party nominations to state, 529
district, county, and municipal offices or positions, for which 530
party nominations are provided by law, and for election as members 531
of party controlling committees shall have their names printed on 532
the official primary ballot by filing a declaration of candidacy 533
and paying the fees specified for the office under divisions (A) 534
and (B) of section 3513.10 of the Revised Code, except that the 535
joint candidates for party nomination to the offices of governor 536
and lieutenant governor shall, for the two of them, file one 537
declaration of candidacy. The joint candidates also shall pay the 538
fees specified for the joint candidates under divisions (A) and 539
(B) of section 3513.10 of the Revised Code. 540

The secretary of state shall not accept for filing the 541
declaration of candidacy of a candidate for party nomination to 542
the office of governor unless the declaration of candidacy also 543
shows a joint candidate for the same party's nomination to the 544
office of lieutenant governor, shall not accept for filing the 545
declaration of candidacy of a candidate for party nomination to 546
the office of lieutenant governor unless the declaration of 547
candidacy also shows a joint candidate for the same party's 548

As Reported by the Senate State and Local Government and Veterans Affairs

nomination to the office of governor, and shall not accept for
 filing a declaration of candidacy that shows a candidate for party
 nomination to the office of governor or lieutenant governor who,
~~for the same election, has already been shown as a candidate for~~
~~party nomination to the office of governor or lieutenant governor~~
~~on~~ filed a declaration of candidacy ~~previously filed and accepted~~
~~for the same primary election or a declaration of intent to be a~~
~~write-in candidate, or has become a candidate by the filling of a~~
~~vacancy under section 3513.30 of the Revised Code for any other~~
~~state office or any county office.~~

549
550
551
552
553
554
555
556
557
558

No person who seeks party nomination for an office or
 position at a primary election by declaration of candidacy or by
 declaration of intent to be a write-in candidate and no person who
 is a first choice for president of candidates seeking election as
 delegates and alternates to the national conventions of the
 different major political parties who are chosen by direct vote of
 the electors as provided in this chapter shall be permitted to
 become a candidate by nominating petition or by declaration of
 intent to be a write-in candidate at the following general
 election for any office other than the office of member of the
 state board of education, office of member of a city, local, or
 exempted village board of education, office of member of a
 governing board of an educational service center, or office of
 township trustee.

559
560
561
562
563
564
565
566
567
568
569
570
571
572

Sec. 3513.041. A write-in space shall be provided on the
 ballot for every office, except in an election for which the board
 of elections has received no valid declarations of intent to be a
 write-in candidate under this section. Write-in votes shall not be
 counted for any candidate who has not filed a declaration of
 intent to be a write-in candidate pursuant to this section. A
 qualified person who has filed a declaration of intent may receive
 write-in votes at either a primary or general election. Any

573
574
575
576
577
578
579
580

As Reported by the Senate State and Local Government and Veterans Affairs

candidate, except one whose candidacy is to be submitted to 581
electors throughout the entire state, shall file a declaration of 582
intent to be a write-in candidate before four p.m. of the fiftieth 583
day preceding the election at which such candidacy is to be 584
considered. If the election is to be determined by electors of a 585
county or a district or subdivision within the county, such 586
declaration shall be filed with the board of elections of that 587
county. If the election is to be determined by electors of a 588
subdivision located in more than one county, such declaration 589
shall be filed with the board of elections of the county in which 590
the major portion of the population of such subdivision is 591
located. If the election is to be determined by electors of a 592
district comprised of more than one county but less than all of 593
the counties of the state, such declaration shall be filed with 594
the board of elections of the most populous county in such 595
district. Any candidate for an office to be voted upon by electors 596
throughout the entire state shall file a declaration of intent to 597
be a write-in candidate with the secretary of state before four 598
p.m. of the fiftieth day preceding the election at which such 599
candidacy is to be considered. In addition, candidates for 600
president and vice-president of the United States shall also file 601
with the secretary of state by said fiftieth day a slate of 602
presidential electors sufficient in number to satisfy the 603
requirements of the United States constitution. 604

A board of elections shall not accept for filing the 605
declaration of intent to be a write-in candidate of a person 606
seeking to become a candidate if that person, for the same 607
election, has already filed a declaration of candidacy, a 608
declaration of intent to be a write-in candidate, or a nominating 609
petition, or has become a candidate through party nomination at a 610
primary election or by the filling of a vacancy under section 611
3513.30 or 3513.31 of the Revised Code, for any state or county 612
office, if the declaration of intent to be a write-in candidate is 613

As Reported by the Senate State and Local Government and Veterans Affairs

for a state or county office, or for any municipal or township office, for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center, if the declaration of intent to be a write-in candidate is for a municipal or township office, or for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center.

No person shall file a declaration of intent to be a write-in candidate for 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. No person shall file a declaration of intent to be a write-in candidate 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. No person shall file a declaration of intent to be a write-in candidate for the office of governor or lieutenant governor if the person has previously filed a declaration of intent to be a write-in candidate to the office of governor or lieutenant governor at the same primary or general election. A write-in vote for the two candidates who file such a declaration shall be counted as a vote for them as joint candidates for the offices of governor and lieutenant governor.

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

As Reported by the Senate State and Local Government and Veterans Affairs

the office of governor or lieutenant governor if that person, for 646
the same election, has already ~~been shown, on~~ filed a declaration 647
of candidacy, a declaration of intent ~~previously filed and~~ 648
~~accepted for the same primary or general election~~ to be a write-in 649
~~candidate, or a nominating petition, to be a write-in candidate to~~ 650
~~the office of governor or lieutenant governor~~ or has become a 651
candidate through party nomination at a primary election or by the 652
filling of a vacancy under section 3513.30 or 3513.31 of the 653
Revised Code, for any other state office or any county office. 654

Protests against the candidacy of any person filing a 655
declaration of intent to be a write-in candidate may be filed by 656
any qualified elector who is eligible to vote in the election at 657
which the candidacy is to be considered. The protest shall be in 658
writing and shall be filed not later than four p.m. of the 659
forty-fifth day before the day of the election. The protest shall 660
be filed with the board of elections with which the declaration of 661
intent to be a write-in candidate was filed. Upon the filing of 662
the protest, the board with which it is filed shall promptly fix 663
the time for hearing it and shall proceed in regard to the hearing 664
in the same manner as for hearings set for protests filed under 665
section 3513.05 of the Revised Code. At the time fixed, the board 666
shall hear the protest and determine the validity or invalidity of 667
the declaration of intent to be a write-in candidate. If the board 668
finds that the candidate is not an elector of the state, district, 669
county, or political subdivision in which the candidate seeks 670
election to office or has not fully complied with the requirements 671
of Title XXXV of the Revised Code in regard to the candidate's 672
candidacy, the candidate's declaration of intent to be a write-in 673
candidate shall be determined to be invalid and shall be rejected; 674
otherwise, it shall be determined to be valid. The determination 675
of the board is final. 676

The secretary of state shall prescribe the form of the 677

As Reported by the Senate State and Local Government and Veterans Affairs

declaration of intent to be a write-in candidate. 678

Sec. 3513.05. Each person desiring to become a candidate for 679
 a party nomination or for election to an office or position to be 680
 voted for at a primary election, except persons desiring to become 681
 joint candidates for the offices of governor and lieutenant 682
 governor and except as otherwise provided in section 3513.051 of 683
 the Revised Code, shall, not later than four p.m. of the 684
 seventy-fifth day before the day of the primary election, or if 685
 the primary election is a presidential primary election, not later 686
 than four p.m. of the sixtieth day before the day of the 687
 presidential primary election, file a declaration of candidacy and 688
 petition and pay the fees required under divisions (A) and (B) of 689
 section 3513.10 of the Revised Code. The declaration of candidacy 690
 and all separate petition papers shall be filed at the same time 691
 as one instrument. When the offices are to be voted for at a 692
 primary election, persons desiring to become joint candidates for 693
 the offices of governor and lieutenant governor shall, not later 694
 than four p.m. of the seventy-fifth day before the day of the 695
 primary election, comply with section 3513.04 of the Revised Code. 696
 The prospective joint candidates' declaration of candidacy and all 697
 separate petition papers of candidacies shall be filed at the same 698
 time as one instrument. The secretary of state or a board of 699
 elections shall not accept for filing a declaration of candidacy
 and petition of a person seeking to become a candidate if that 701
 person, for the same election, has already filed a declaration of 702
 candidacy or a declaration of intent to be a write-in candidate,
 or has become a candidate by the filling of a vacancy under 704
 section 3513.30 of the Revised Code for any state or county 705
 office, if the declaration of candidacy is for a state or county 706
 office, or for any municipal or township office, if the 707
 declaration of candidacy is for a municipal or township office. 708

If the declaration of candidacy declares a candidacy which is 709

As Reported by the Senate State and Local Government and Veterans Affairs

to be submitted to electors throughout the entire state, the
petition, including a petition for joint candidates for the
offices of governor and lieutenant governor, shall be signed by at
least one thousand qualified electors who are members of the same
political party as the candidate or joint candidates, and the
declaration of candidacy and petition shall be filed with the
secretary of state; provided that the secretary of state shall not
accept or file any such petition appearing on its face to contain
signatures of more than three thousand electors.

Except as otherwise provided in this paragraph, if the
declaration of candidacy is of one that is to be submitted only to
electors within a district, political subdivision, or portion
thereof, the petition shall be signed by not less than fifty
qualified electors who are members of the same political party as
the political party of which the candidate is a member. If the
declaration of candidacy is for party nomination as a candidate
for member of the legislative authority of a municipal corporation
elected by ward, the petition shall be signed by not less than
twenty-five qualified electors who are members of the political
party of which the candidate is a member.

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

As Reported by the Senate State and Local Government and Veterans Affairs

If the declaration of candidacy declares a candidacy for party nomination or for election as a candidate of an intermediate or minor party, the minimum number of signatures on such petition is one-half the minimum number provided in this section, except that, when the candidacy is one for election as a member of the state central committee or the county central committee of a political party, the minimum number shall be the same for an intermediate or minor party as for a major party.

If a declaration of candidacy is one for election as a member of the state central committee or the county central committee of a political party, the petition shall be signed by five qualified electors of the district, county, ward, township, or precinct within which electors may vote for such candidate. The electors signing such petition shall be members of the same political party as the political party of which the candidate is a member.

For purposes of signing or circulating a petition of candidacy for party nomination or election, an elector is considered to be a member of a political party if the elector voted in that party's primary election within the preceding two calendar years, or if the elector did not vote in any other party's primary election within the preceding two calendar years.

If the declaration of candidacy is of one that is to be submitted only to electors within a county, or within a district or subdivision or part thereof smaller than a county, the petition shall be filed with the board of elections of the county. If the declaration of candidacy is of one that is to be submitted only to electors of a district or subdivision or part thereof that is situated in more than one county, the petition shall be filed with the board of elections of the county within which the major portion of the population thereof, as ascertained by the next preceding federal census, is located.

A petition shall consist of separate petition papers, each of

As Reported by the Senate State and Local Government and Veterans Affairs

which shall contain signatures of electors of only one county. 774
Petitions or separate petition papers containing signatures of 775
electors of more than one county shall not thereby be declared 776
invalid. In case petitions or separate petition papers containing 777
signatures of electors of more than one county are filed, the 778
board shall determine the county from which the majority of 779
signatures came, and only signatures from such county shall be 780
counted. Signatures from any other county shall be invalid. 781

Each separate petition paper shall be circulated by one 782
person only, who shall be the candidate or a joint candidate or a 783
member of the same political party as the candidates, and each 784
separate petition paper shall be governed by the rules set forth 785
in section 3501.38 of the Revised Code. 786

The secretary of state shall promptly transmit to each board 787
such separate petition papers of each petition accompanying a 788
declaration of candidacy filed with the secretary of state as 789
purport to contain signatures of electors of the county of such 790
board. The board of the most populous county of a district shall 791
promptly transmit to each board within such district such separate 792
petition papers of each petition accompanying a declaration of 793
candidacy filed with it as purport to contain signatures of 794
electors of the county of each such board. The board of a county 795
within which the major portion of the population of a subdivision, 796
situated in more than one county, is located, shall promptly 797
transmit to the board of each other county within which a portion 798
of such subdivision is located such separate petition papers of 799
each petition accompanying a declaration of candidacy filed with 800
it as purport to contain signatures of electors of the portion of 801
such subdivision in the county of each such board. 802

All petition papers so transmitted to a board and all 803
petitions accompanying declarations of candidacy filed with such 804
board shall, under proper regulations, be open to public 805

As Reported by the Senate State and Local Government and Veterans Affairs

inspection until four p.m. of the seventieth day before the day of 806
the next primary election, or if that next primary election is a 807
presidential primary election, the fifty-fifth day before that 808
presidential primary election. Each board shall, not later than 809
the sixty-eighth day before the day of such primary election, or 810
if the primary election is a presidential primary election, not 811
later than the fifty-third day before such presidential primary 812
election, examine and determine the validity or invalidity of the 813
signatures on the petition papers so transmitted to or filed with 814
it and shall return to the secretary of state all petition papers 815
transmitted to it by the secretary of state, together with its 816
certification of its determination as to the validity or 817
invalidity of signatures thereon, and shall return to each other 818
board all petition papers transmitted to it by such board, 819
together with its certification of its determination as to the 820
validity or invalidity of the signatures thereon. All other 821
matters affecting the validity or invalidity of such petition 822
papers shall be determined by the secretary of state or the board 823
with whom such petition papers were filed. 824

Protests against the candidacy of any person filing a 825
declaration of candidacy for party nomination or for election to 826
an office or position, as provided in this section, may be filed 827
by any qualified elector who is a member of the same political 828
party as the candidate and who is eligible to vote at the primary 829
election for the candidate whose declaration of candidacy the 830
elector objects to, or by the controlling committee of such party. 831
Such protest must be in writing, and must be filed not later than 832
four p.m. of the sixty-fourth day before the day of the primary 833
election, or if the primary election is a presidential primary 834
election, not later than four p.m. of the forty-ninth day before 835
the day of the presidential primary election. Such protest shall 836
be filed with the election officials with whom the declaration of 837

As Reported by the Senate State and Local Government and Veterans Affairs

candidacy and petition was filed. Upon the filing of such protest, 838
the election officials with whom it is filed shall promptly fix 839
the time for hearing it, and shall forthwith mail notice of the 840
filing of such protest and the time fixed for hearing to the 841
person whose candidacy is so protested. They shall also forthwith 842
mail notice of the time fixed for such hearing to the person who 843
filed the protest. At the time fixed, such election officials 844
shall hear the protest and determine the validity or invalidity of 845
the declaration of candidacy and petition. If they find that such 846
candidate is not an elector of the state, district, county, or 847
political subdivision in which the candidate seeks a party 848
nomination or election to an office or position, or has not fully 849
complied with this chapter, the candidate's declaration of 850
candidacy and petition shall be determined to be invalid and shall 851
be rejected, otherwise it shall be determined to be valid. Such 852
determination shall be final. 853

A protest against the candidacy of any persons filing a 854
declaration of candidacy for joint party nomination to the offices 855
of governor and lieutenant governor shall be filed, heard, and 856
determined in the same manner as a protest against the candidacy 857
of any person filing a declaration of candidacy singly. 858

The secretary of state shall, on the sixtieth day before the 859
day of a primary election, or if the primary election is a 860
presidential primary election, on the forty-fifth day before the 861
day of the presidential primary election, certify to each board in 862
the state the forms of the official ballots to be used at such 863
primary election, together with the names of the candidates to be 864
printed thereon whose nomination or election is to be determined 865
by electors throughout the entire state and who filed valid 866
declarations of candidacy and petitions. 867

The board of the most populous county in a district comprised 868
of more than one county but less than all of the counties of the 869

As Reported by the Senate State and Local Government and Veterans Affairs

state shall on the sixtieth day before the day of a primary election, or if the primary election is a presidential primary election, on the forty-fifth day before the day of a presidential primary election, certify to the board of each county in the district the names of the candidates to be printed on the official ballots to be used at such primary election, whose nomination or election is to be determined only by electors within such district and who filed valid declarations of candidacy and petitions.

The board of a county within which the major portion of the population of a subdivision smaller than the county and situated in more than one county is located shall, on the sixtieth day before the day of a primary election, or if the primary election is a presidential primary election, on the forty-fifth day before the day of a presidential primary election, certify to the board of each county in which a portion of such subdivision is located the names of the candidates to be printed on the official ballots to be used at such primary election, whose nomination or election is to be determined only by electors within such subdivision and who filed valid declarations of candidacy and petitions.

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

- (1) Two or more state offices;
- (2) Two or more county offices;
- (3) A state office and a county office;
- (4) Any combination of two or more municipal or township

As Reported by the Senate State and Local Government and Veterans Affairs

offices, positions as a member of a city, local, or exempted 900
village board of education, or positions as a member of a 901
governing board of an educational service center. 902

(B) The secretary of state or a board of elections shall not 903
accept for filing a declaration of candidacy and petition, a 904
declaration of intent to be a write-in candidate, or a nominating 905
petition of a person seeking to become a candidate if that person, 906
for the same election, has already filed a declaration of 907
candidacy, a declaration of intent to be a write-in candidate, or 908
a nominating petition, or has become a candidate through party 909
nomination at a primary election or by the filling of a vacancy 910
under section 3513.30 or 3513.31 of the Revised Code for: 911

(1) Any state or county office, if the declaration of 912
candidacy, declaration of intent to be a write-in candidate, or 913
nominating petition is for a state or county office; 914

(2) Any municipal or township office, or for member of a 915
city, local, or exempted village board of education, or for member 916
of a governing board of an educational service center, if the 917
declaration of candidacy, declaration of intent to be a write-in 918
candidate, or nominating petition is for a municipal or township 919
office, or for member of a city, local, or exempted village board 920
of education, or for member of a governing board of an educational 921
service center. 922

(C)(1) If the secretary of state determines, before the day 923
of the primary election, that a person is seeking nomination to 924
more than one office at that election in violation of division (A) 925
of this section, the secretary of state shall do one of the 926
following: 927

(a) If each office or the district for each office for which 928
the person is seeking nomination is wholly within a single county, 929
the secretary of state shall notify the board of elections of that 930

As Reported by the Senate State and Local Government and Veterans Affairs

county. The board then shall determine the date on which the person first sought to become a candidate for each of those offices by filing a declaration of candidacy or a declaration of intent to be a write-in candidate or by the filling of a vacancy under section 3513.30 of the Revised Code. The board shall vote promptly to disqualify that person as a candidate for each office for which the person sought to become a candidate after the date on which the person first sought to become a candidate for any of those offices. If the board determines that the person sought to become a candidate for more than one of those offices on the same date, the board shall vote promptly to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks nomination, according to the ballot order prescribed under section 3505.03 of the Revised Code.

931
932
933
934
935
936
937
938
939
940
941
942
943
944
945

(b) If one or more of the offices for which the person is seeking nomination is a state office or an office with a district larger than a single county, the secretary of state shall determine the date on which the person first sought to become a candidate for each of those offices by filing a declaration of candidacy or a declaration of intent to be a write-in candidate or by the filling of a vacancy under section 3513.30 of the Revised Code. The secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office for which the person sought to become a candidate after the date on which the person first sought to become a candidate for any of those offices. If the secretary of state determines that the person sought to become a candidate for more than one of those offices on the same date, the secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each

946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962

As Reported by the Senate State and Local Government and Veterans Affairs

office that would be listed on the ballot below the highest office for which that person seeks nomination, according to the ballot order prescribed under section 3505.03 of the Revised Code. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state.

963
964
965
966
967
968

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

969
970
971
972

(a) If each office or the district for each office for which the person is seeking nomination is wholly within that county, the board shall determine the date on which the person first sought to become a candidate for each of those offices by filing a declaration of candidacy or a declaration of intent to be a write-in candidate or by the filling of a vacancy under section 3513.30 of the Revised Code. The board shall vote promptly to disqualify that person as a candidate for each office for which the person sought to become a candidate after the date on which the person first sought to become a candidate for any of those offices. If the board determines that the person sought to become a candidate for more than one of those offices on the same date, the board shall vote promptly to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks nomination, according to the ballot order prescribed under section 3505.03 of the Revised Code.

973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989

(b) If one or more of the offices for which the person is seeking nomination is a state office or an office with a district larger than a single county, the board shall notify the secretary of state. The secretary of state then shall determine the date on which the person first sought to become a candidate for each of

990
991
992
993
994

As Reported by the Senate State and Local Government and Veterans Affairs

those offices by filing a declaration of candidacy or a 995
declaration of intent to be a write-in candidate or by the filling 996
of a vacancy under section 3513.30 of the Revised Code. The 997
secretary of state shall order the board of elections of each 998
county in which the person is seeking to appear on the ballot to 999
disqualify that person as a candidate for each office for which 1000
the person sought to become a candidate after the date on which 1001
the person first sought to become a candidate for any of those 1002
offices. If the secretary of state determines that the person 1003
sought to become a candidate for more than one of those offices on 1004
the same date, the secretary of state shall order the board of 1005
elections of each county in which the person is seeking to appear 1006
on the ballot to disqualify that person as a candidate for each 1007
office that would be listed on the ballot below the highest office 1008
for which that person seeks nomination, according to the ballot 1009
order prescribed under section 3505.03 of the Revised Code. Each 1010
board of elections so notified shall vote promptly to disqualify 1011
the person as a candidate in accordance with the order of the 1012
secretary of state. 1013

(D)(1) If the secretary of state determines, after the day of 1014
the primary election and before the day of the general election, 1015
that a person is seeking election to more than one office at that 1016
election in violation of division (A) of this section, the 1017
secretary of state shall do one of the following: 1018

(a) If each office or the district for each office for which 1019
the person is seeking election is wholly within a single county, 1020
the secretary of state shall notify the board of elections of that 1021
county. The board then shall determine the offices for which the 1022
person seeks to appear as a candidate on the ballot. The board 1023
shall vote promptly to disqualify that person as a candidate for 1024
each office that would be listed on the ballot below the highest 1025
office for which that person seeks election, according to the 1026

As Reported by the Senate State and Local Government and Veterans Affairs

ballot order prescribed under section 3505.03 of the Revised Code. 1027
If the person sought nomination at a primary election and has not 1028
yet been issued a certificate of nomination, the board shall not 1029
issue that certificate for that person for any office that would 1030
be listed on the ballot below the highest office for which that 1031
person seeks election, according to the ballot order prescribed 1032
under section 3505.03 of the Revised Code. 1033

(b) If one or more of the offices for which the person is 1034
seeking election is a state office or an office with a district 1035
larger than a single county, the secretary of state shall promptly 1036
investigate and determine the offices for which the person seeks 1037
to appear as a candidate on the ballot. The secretary of state 1038
shall order the board of elections of each county in which the 1039
person is seeking to appear on the ballot to disqualify that 1040
person as a candidate for each office that would be listed on the 1041
ballot below the highest office for which that person seeks 1042
election, according to the ballot order prescribed under section 1043
3505.03 of the Revised Code. Each board of elections so notified 1044
shall vote promptly to disqualify the person as a candidate in 1045
accordance with the order of the secretary of state. If the person 1046
sought nomination at a primary election and has not yet been 1047
issued a certificate of nomination, the board shall not issue that 1048
certificate for that person for any office that would be listed on 1049
the ballot below the highest office for which that person seeks 1050
election, according to the ballot order prescribed under section 1051
3505.03 of the Revised Code. 1052

(2) If a board of elections determines, after the day of the 1053
primary election and before the day of the general election, that 1054
a person is seeking election to more than one office at that 1055
election in violation of division (A) of this section, the board 1056
of elections shall do one of the following: 1057

(a) If each office or the district for each office for which 1058

As Reported by the Senate State and Local Government and Veterans Affairs

the person is seeking election is wholly within that county, the board shall determine the offices for which the person seeks to appear as a candidate on the ballot. The board shall vote promptly to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code.

(b) If one or more of the offices for which the person is seeking election is a state office or an office with a district larger than a single county, the board shall notify the secretary of state. The secretary of state promptly shall investigate and determine the offices for which the person seeks to appear as a candidate on the ballot. The secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised

As Reported by the Senate State and Local Government and Veterans Affairs

<u>Code.</u>	1091
<u>(E) When a person is disqualified as a candidate under</u>	1092
<u>division (C) or (D) of this section, that person's name shall not</u>	1093
<u>appear on the ballots for any office for which that person has</u>	1094
<u>been disqualified as a candidate. If the ballots have already been</u>	1095
<u>prepared, the board of elections shall remove the name of the</u>	1096
<u>disqualified candidate from the ballots to the extent practicable</u>	1097
<u>in the time remaining before the election and according to the</u>	1098
<u>directions of the secretary of state. If the name is not removed</u>	1099
<u>from the ballots before the day of the election, the votes for the</u>	1100
<u>disqualified candidate are void and shall not be counted.</u>	1101
<u>(F) Any vacancy created by the disqualification of a person</u>	1102
<u>as a candidate under division (C) or (D) of this section may be</u>	1103
<u>filled in the manner provided for in sections 3513.30 and 3513.31</u>	1104
<u>of the Revised Code.</u>	1105
<u>(G) Nothing in this section or section 3513.04, 3513.041,</u>	1106
<u>3513.05, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257,</u>	1107
<u>3513.259, or 3513.261 of the Revised Code prohibits, and the</u>	1108
<u>secretary of state or a board of elections shall not disqualify, a</u>	1109
<u>person from being a candidate to fill a vacant office as otherwise</u>	1110
<u>provided by law.</u>	1111
<u>(H) Nothing in this section or section 3513.04, 3513.041,</u>	1112
<u>3513.05, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257,</u>	1113
<u>3513.259, or 3513.261 of the Revised Code prohibits, and the</u>	1114
<u>secretary of state or a board of elections shall not disqualify, a</u>	1115
<u>person from being a candidate for an office, if that person timely</u>	1116
<u>withdraws as a candidate for any offices specified in division (A)</u>	1117
<u>of this section for which that person first sought to become a</u>	1118
<u>candidate by filing a declaration of candidacy and petition, a</u>	1119
<u>declaration of intent to be a write-in candidate, or a nominating</u>	1120
<u>petition, by party nomination in a primary election, or by the</u>	1121
<u>filling of a vacancy under section 3513.30 or 3513.31 of the</u>	1122

As Reported by the Senate State and Local Government and Veterans Affairs

<u>Revised Code.</u>	1123
<u>(I) As used in this section:</u>	1124
<u>(1) "State office" means the offices of governor, lieutenant</u>	1125
<u>governor, secretary of state, auditor of state, treasurer of</u>	1126
<u>state, attorney general, member of the state board of education,</u>	1127
<u>member of the general assembly, chief justice of the supreme</u>	1128
<u>court, and justice of the supreme court.</u>	1129
<u>(2) "Timely withdraws" means either of the following:</u>	1130
<u>(a) Withdrawing as a candidate before the applicable deadline</u>	1131
<u>for filing a declaration of candidacy, declaration of intent to be</u>	1132
<u>a write-in candidate, or nominating petition for the subsequent</u>	1133
<u>office for which the person is seeking to become a candidate;</u>	1134
<u>(b) Withdrawing as a candidate before the applicable deadline</u>	1135
<u>for the filling of a vacancy under section 3513.30 or 3513.31 of</u>	1136
<u>the Revised Code, if the person is seeking to become a candidate</u>	1137
<u>for a subsequent office under either of those sections.</u>	1138
Sec. 3513.23. (A) If an elector voting at a primary election	1139
writes in a blank space provided therefor <u>for that purpose</u> on the	1140
ballot of one political party under the title of an office for	1141
which a nomination is to be made the name of a person other than	1142
the persons whose names are printed on the ballot as candidates	1143
for such the <u>the</u> nomination, and if such that <u>that</u> elector records the vote	1144
in the manner provided on the ballot next to the name written,	1145
such that <u>that</u> ballot shall be counted as a vote for the nomination of	1146
the person whose name is <u>so</u> written thereon if that person has	1147
filed a declaration of intent to be a write-in candidate under	1148
section 3513.041 of the Revised Code, but in.	1149
<u>(B) In</u> no event shall a person, whose name is written on a	1150
primary election ballot, be nominated as a candidate for election	1151
to an office if the name of no person living on the day of such	1152

As Reported by the Senate State and Local Government and Veterans Affairs

that primary election is printed on ~~such~~ the ballot as a candidate 1153
 for ~~such~~ that nomination, unless the total number of votes cast 1154
 for the person whose name is written on the ballot is not less 1155
 than that number of petition signatures that would have been 1156
 required for the printing of the person's name on the primary 1157
 ballot pursuant to section 3513.05 of the Revised Code. 1158

Sec. 3513.251. Nominations of candidates for election as 1159
 officers of a municipal corporation having a population of less 1160
 than two thousand as ascertained by the next preceding federal 1161
 census shall be made only by nominating petition and their 1162
 election shall occur only in nonpartisan elections, unless a 1163
 majority of the electors of such municipal corporation have 1164
 petitioned for a primary election. Nominations of candidates for 1165
 election as officers of a municipal corporation having a 1166
 population of two thousand or more shall be made either by primary 1167
 election in conjunction with a partisan general election or by 1168
 nominating petition in conjunction with a nonpartisan general 1169
 election, as determined under section 3513.01 of the Revised Code. 1170

The nominating petitions of nonpartisan candidates for 1171
 election as officers of a municipal corporation having a 1172
 population of less than two thousand, as ascertained by the most 1173
 recent federal census, shall be signed by not less than ten 1174
 qualified electors of the municipal corporation. Any nominating 1175
 petition filed under this section shall be filed with the board of 1176
 elections not later than four p.m. of the seventy-fifth day before 1177
 the day of the general election, provided that no such nominating 1178
 petition shall be accepted for filing if it appears to contain 1179
 signatures aggregating in number more than three times the minimum 1180
 number of signatures required by this section. A board of 1181
elections shall not accept for filing a nominating petition of a 1182
person if that person, for the same election, has already filed a 1183
declaration of candidacy, a declaration of intent to be a write-in 1184

As Reported by the Senate State and Local Government and Veterans Affairs

candidate, or a nominating petition, or has become a candidate 1185
through party nomination at a primary election or by the filling 1186
of a vacancy under section 3513.30 or 3513.31 of the Revised Code 1187
for any other municipal office, or for a township office, for 1188
member of a city, local, or exempted village board of education, 1189
or for member of a governing board of an educational service 1190
center. When a petition of a candidate has been accepted for 1191
filing by a board of elections, the petition shall not be deemed 1192
invalid if, upon verification of signatures contained in the 1193
petition, the board of elections finds the number of signatures 1194
accepted exceeds three times the minimum number of signatures 1195
required. A board of elections may discontinue verifying 1196
signatures when the number of verified signatures on a petition 1197
equals the minimum required number of qualified signatures. 1198

Nomination of nonpartisan candidates for election as officers 1199
of a municipal corporation having a population of two thousand or 1200
more, as ascertained by the next preceding federal census, shall 1201
be made only by nominating petition. Nominating petitions of 1202
nonpartisan candidates for election as officers of a municipal 1203
corporation having a population of two thousand or more but less 1204
than five thousand, as ascertained by the next preceding federal 1205
census, shall be signed by not less than fifty qualified electors 1206
of the municipal corporation or ward thereof in the case of the 1207
nominating petition of a candidate for election as councilman from 1208
such ward. Nominating petitions of nonpartisan candidates for 1209
election as officers of a municipal corporation having a 1210
population of five thousand or more, as ascertained by the next 1211
preceding federal census, shall be signed by not less than fifty 1212
qualified electors of the municipal corporation or ward thereof in 1213
the case of the nominating petition of a candidate for election as 1214
~~councilman~~ councilperson from such ward. 1215

Sec. 3513.253. Nominations of candidates for election as 1216

As Reported by the Senate State and Local Government and Veterans Affairs

officers of a township shall be made only by nominating petitions, 1217
 unless a majority of the electors of such township have petitioned 1218
 for a primary election. The nominating petitions of nonpartisan 1219
 candidates for township trustee and township clerk shall be signed 1220
 by not less than twenty-five qualified electors of the township. 1221
 Such petition shall be filed with the board of elections not later 1222
 than four p.m. of the seventy-fifth day before the day of the 1223
 general election, provided that no such nominating petition shall 1224
 be accepted for filing if it appears to contain signatures 1225
 aggregating in number more than three times the minimum number of 1226
 signatures required by this section. A board of elections shall 1227
not accept for filing a nominating petition of a person if that 1228
person, for the same election, has already filed a declaration of 1229
candidacy, a declaration of intent to be a write-in candidate, or 1230
a nominating petition, or has become a candidate through party 1231
nomination at a primary election or by the filling of a vacancy 1232
under section 3513.30 or 3513.31 of the Revised Code for any other 1233
township office, or for a municipal office, for member of a city, 1234
local, or exempted village board of education, or for member of a 1235
governing board of an educational service center. When a petition 1236
 of a candidate has been accepted for filing by a board of 1237
 elections, the petition shall not be deemed invalid if, upon 1238
 verification of signatures contained in the petition, the board of 1239
 elections finds the number of signatures accepted exceeds three 1240
 times the minimum number of signatures required. A board of 1241
 elections may discontinue verifying signatures when the number of 1242
 verified signatures on a petition equals the minimum required 1243
 number of qualified signatures. 1244

Sec. 3513.254. The name of each candidate for member of a 1245
 city, local, or exempted village board of education or for member 1246
 of a governing board of an educational service center described in 1247
 section 3311.051 of the Revised Code shall appear on the 1248

As Reported by the Senate State and Local Government and Veterans Affairs

nonpartisan ballot. Nominating petitions of candidates for member 1249
 of a board of education of a local or exempted village school 1250
 district or for member of a governing board of an educational 1251
 service center described in section 3311.051 of the Revised Code 1252
 shall be signed by twenty-five qualified electors of the school 1253
 district or educational service center service area. Nominating 1254
 petitions for candidates for member of a board of education of a 1255
 city school district having a population of less than twenty 1256
 thousand, as ascertained by the next preceding federal census, 1257
 shall be signed by twenty-five qualified electors of the school 1258
 district. Nominating petitions for candidates for member of a 1259
 board of education of a city school district having a population 1260
 of twenty thousand or more but less than fifty thousand, as 1261
 ascertained by the next preceding federal census, shall be signed 1262
 by seventy-five qualified electors of the school district. 1263
 Nominating petitions for candidates for member of a board of 1264
 education of a city school district having a population of fifty 1265
 thousand or more but less than one hundred thousand, as 1266
 ascertained by the next preceding federal census, shall be signed 1267
 by one hundred fifty qualified electors of the school district. 1268
 Nominating petitions for candidates for member of a board of 1269
 education of a city school district having a population of one 1270
 hundred thousand or more, as ascertained by the next preceding 1271
 federal census, shall be signed by three hundred qualified 1272
 electors of the school district. ~~Nominating~~ 1273

Nominating petitions shall be filed with the board of 1274
 elections not later than four p.m. of the seventy-fifth day before 1275
 the day of the general election, provided that no such petition 1276
 shall be accepted for filing if it appears to contain signatures 1277
 aggregating in number more than three times the minimum number of 1278
 signatures required by this section. A board of elections shall 1279
not accept for filing a nominating petition of a person if that 1280
person, for the same election, has already filed a declaration of 1281

As Reported by the Senate State and Local Government and Veterans Affairs

candidacy, a declaration of intent to be a write-in candidate, or 1282
a nominating petition, or has become a candidate through party 1283
nomination at a primary election or by the filling of a vacancy 1284
under section 3513.30 or 3513.31 of the Revised Code for any other 1285
position as a member of a city, local, or exempted village board 1286
of education or position as a member of a governing board of an 1287
educational service center, or for a municipal or township office. 1288

When a petition of a candidate has been accepted for filing by a 1289
board of elections, the petition shall not be deemed invalid if, 1290
upon verification of signatures contained in the petition, the 1291
board of elections finds the number of signatures accepted exceeds 1292
three times the minimum number of signatures required. A board of 1293
elections may discontinue verifying petitions when the number of 1294
verified signatures equals the minimum required number of 1295
qualified signatures. 1296

Sec. 3513.255. This section does not apply to candidates for 1297
election to a governing board of an educational service center 1298
described in section 3311.051 of the Revised Code. The name of 1299
each candidate for election as a member of a governing board of an 1300
educational service center shall appear on the nonpartisan ballot. 1301
Each nominating petition shall be signed by fifty qualified 1302
electors who reside in one of the following, as applicable: 1303

(A) The school districts over which the educational service 1304
center governing board has jurisdiction, in the case of any 1305
candidate running for a position on any educational service center 1306
governing board other than a governing board established in 1307
accordance with section 3311.054 of the Revised Code; 1308

(B) The subdistrict in which the candidate is running, in the 1309
case of a position on a governing board of an educational service 1310
center established in accordance with section 3311.054 of the 1311
Revised Code. 1312

As Reported by the Senate State and Local Government and Veterans Affairs

Each nominating petition shall be filed with the board of elections of the county in which the central administrative offices of the educational service center governing board are located not later than four p.m. of the seventy-fifth day before the day of the general election, provided that no such petition shall be accepted for filing if it appears to contain signatures aggregating in number more than three times the minimum number of signatures required by this section. A board of elections shall not accept for filing a nominating petition of a person 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 position as a member of a governing board of an educational service center or position as a member of a city, local, or exempted village board of education, or for a municipal or township office. When a petition of a candidate has been accepted for filing by a board of elections, the petition shall not be deemed invalid if, upon verification of signatures contained in the petition, the board of elections finds the number of signatures accepted exceeds three times the minimum signatures required. A board of elections may discontinue verifying petitions when the number of verified signatures equals the minimum required number of qualified signatures.

Sec. 3513.257. Each person desiring to become an independent candidate for an office for which candidates may be nominated at a primary election, except persons desiring to become independent joint candidates for the offices of governor and lieutenant governor and for the offices of president and vice-president of the United States, shall file no later than four p.m. of the day before the day of the primary election immediately preceding the

As Reported by the Senate State and Local Government and Veterans Affairs

general election at which such candidacy is to be voted for by the voters, a statement of candidacy and nominating petition as provided in section 3513.261 of the Revised Code. Persons desiring to become independent joint candidates for the offices of governor and lieutenant governor shall file, not later than four p.m. of the day before the day of the primary election, one statement of candidacy and one nominating petition for the two of them. Persons desiring to become independent joint candidates for the offices of president and vice-president of the United States shall file, not later than four p.m. of the seventy-fifth day before the day of the general election at which the president and vice-president are to be elected, one statement of candidacy and one nominating petition for the two of them. The prospective independent joint candidates' statement of candidacy shall be filed with the nominating petition as one instrument.

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

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

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

(B) If the candidacy is to be voted on by electors in any district, political subdivision, or part thereof in which less than five thousand electors voted for the office of governor at

As Reported by the Senate State and Local Government and Veterans Affairs

the most recent election for that office, the nominating petition 1377
 shall contain signatures of not less than twenty-five qualified 1378
 electors of the district, political subdivision, or part thereof, 1379
 or a number of qualified signatures equal to at least five per 1380
 cent of that vote, if this number is less than twenty-five. 1381

(C) If the candidacy is to be voted on by electors in any 1382
 district, political subdivision, or part thereof in which five 1383
 thousand or more electors voted for the office of governor at the 1384
 most recent election for that office, the nominating petition 1385
 shall contain a number of signatures equal to at least one per 1386
 cent of those electors. 1387

All nominating petitions of candidates for offices to be 1388
 voted on by electors throughout the entire state shall be filed in 1389
 the office of the secretary of state. No nominating petition for 1390
 the offices of president and vice-president of the United States 1391
 shall be accepted for filing unless there is submitted to the 1392
 secretary of state, at the time of filing the petition, a slate of 1393
 presidential electors sufficient in number to satisfy the 1394
 requirement of the United States Constitution. The secretary of 1395
 state shall not accept for filing the statement of candidacy of a 1396
 person who desires to be an independent candidate for the office 1397
 of governor unless it also shows the joint candidacy of a person 1398
 who desires to be an independent candidate for the office of 1399
 lieutenant governor, shall not accept for filing the statement of 1400
 candidacy of a person who desires to be an independent candidate 1401
 for the office of lieutenant governor unless it also shows the 1402
 joint candidacy of a person who desires to be an independent 1403
 candidate for the office of governor, and shall not accept for 1404
 filing the statement of candidacy of a person who desires to be an 1405
 independent candidate to the office of governor or lieutenant 1406
 governor who, for the same election, has already ~~been shown as an~~ 1407
~~independent candidate for governor or lieutenant governor on filed~~ 1408

As Reported by the Senate State and Local Government and Veterans Affairs

a declaration of candidacy, a declaration of intent to be a 1409
write-in candidate, or a statement of candidacy previously filed 1410
and accepted during the filing period preceding the same primary 1411
election, or has become a candidate by the filling of a vacancy 1412
under section 3513.30 of the Revised Code for any other state 1413
office or any county office. 1414

Nominating petitions of candidates for offices to be voted on 1415
 by electors within a district or political subdivision comprised 1416
 of more than one county but less than all counties of the state 1417
 shall be filed with the boards of elections of that county or part 1418
 of a county within the district or political subdivision which had 1419
 a population greater than that of any other county or part of a 1420
 county within the district or political subdivision according to 1421
 the last federal decennial census. 1422

Nominating petitions for offices to be voted on by electors 1423
 within a county or district smaller than a county shall be filed 1424
 with the board of elections for such county. 1425

No petition other than the petition of a candidate whose 1426
 candidacy is to be considered by electors throughout the entire 1427
 state shall be accepted for filing if it appears on its face to 1428
 contain more than three times the minimum required number of 1429
 signatures. A board of elections shall not accept for filing a 1430
nominating petition of a person seeking to become a candidate if 1431
that person, for the same election, has already filed a 1432
declaration of candidacy, a declaration of intent to be a write-in 1433
candidate, or a nominating petition, or has become a candidate by 1434
the filling of a vacancy under section 3513.30 of the Revised Code 1435
for any state or county office, if the nominating petition is for 1436
a state or county office, or for any municipal or township office, 1437
for member of a city, local, or exempted village board of 1438
education, or for member of a governing board of an educational 1439
service center, if the nominating petition is for a municipal or 1440

As Reported by the Senate State and Local Government and Veterans Affairs

township office, or for member of a city, local, or exempted 1441
village board of education, or for member of a governing board of 1442
an educational service center. When a petition of a candidate has 1443
been accepted for filing by a board of elections, the petition 1444
shall not be deemed invalid if, upon verification of signatures 1445
contained in the petition, the board of elections finds the number 1446
of signatures accepted exceeds three times the minimum number of 1447
signatures required. A board of elections may discontinue 1448
verifying signatures when the number of verified signatures on a 1449
petition equals the minimum required number of qualified 1450
signatures. 1451

Any nonjudicial candidate who files a nominating petition may 1452
request, at the time of filing, that the candidate be designated 1453
on the ballot as an independent. 1454

The purpose of establishing a filing deadline for independent 1455
candidates prior to the primary election immediately preceding the 1456
general election at which the candidacy is to be voted on by the 1457
voters is to recognize that the state has a substantial and 1458
compelling interest in protecting its electoral process by 1459
encouraging political stability, ensuring that the winner of the 1460
election will represent a majority of the community, providing the 1461
electorate with an understandable ballot, and enhancing voter 1462
education, thus fostering informed and educated expressions of the 1463
popular will in a general election. The filing deadline for 1464
independent candidates required in this section prevents 1465
splintered parties and unrestrained factionalism, avoids political 1466
fragmentation, and maintains the integrity of the ballot. The 1467
deadline, one day prior to the primary election, is the least 1468
drastic or restrictive means of protecting these state interests. 1469
The general assembly finds that the filing deadline for 1470
independent candidates in primary elections required in this 1471
section is reasonably related to the state's purpose of ensuring 1472

As Reported by the Senate State and Local Government and Veterans Affairs

fair and honest elections while leaving unimpaired the political, 1473
 voting, and associational rights secured by the first and 1474
 fourteenth amendments to the United States Constitution. 1475

Sec. 3513.259. Nominations of candidates for the office of 1476
 member of the state board of education shall be made only by 1477
 nominating petition. The nominating petition of a candidate for 1478
 the office of member of the state board of education shall be 1479
 signed by not less than one hundred qualified electors. 1480

No such nominating petition shall be accepted for filing if 1481
 it appears on its face to contain signatures aggregating in number 1482
 more than three times the minimum number of signatures required by 1483
 this section. A board of elections shall not accept for filing a 1484
nominating petition of a person if that person, for the same 1485
election, has already filed a declaration of candidacy, a 1486
declaration of intent to be a write-in candidate, or a nominating 1487
petition, or has become a candidate through party nomination at a 1488
primary election or by the filling of a vacancy under section 1489
3513.30 or 3513.31 of the Revised Code, to be a candidate for any 1490
other state office or any county office. When a petition of a 1491
 candidate has been accepted for filing by a board of elections, 1492
 the petition shall not be deemed invalid if, upon verification of 1493
 signatures contained in the petition, the board of elections finds 1494
 the number of signatures accepted exceeds three times the minimum 1495
 number of signatures required. A board of elections may 1496
 discontinue verifying signatures when the number of verified 1497
 signatures equals the minimum required number of signatures. Such 1498
 petition shall be filed with the board of elections of the most 1499
 populous county in such district not later than four p.m. of the 1500
 seventy-fifth day before the day of the general election at which 1501
 state board of education members are elected. 1502

Each nominating petition shall be signed by qualified 1503

As Reported by the Senate State and Local Government and Veterans Affairs

electors residing in the district in which the candidate
designated therein would be a candidate for election to the office
of member of the state board of education. Each candidate shall be
a qualified elector residing in the district in which ~~he~~ the
candidate seeks election to such office.

As the word "district" is used in this section, it refers to
a district created under section 3301.01 of the Revised Code.

Sec. 3513.261. A nominating petition may consist of one or
more separate petition papers, each of which shall be
substantially in the form prescribed in this section. If the
petition consists of more than one separate petition paper, the
statement of candidacy of the candidate or joint candidates named
need be signed by the candidate or joint candidates on only one of
such separate petition papers, but the statement of candidacy so
signed shall be copied on each other separate petition paper
before the signatures of electors are placed on it. Each
nominating petition containing signatures of electors of more than
one county shall consist of separate petition papers each of which
shall contain signatures of electors of only one county; provided
that petitions containing signatures of electors of more than one
county shall not thereby be declared invalid. In case petitions
containing signatures of electors of more than one county are
filed, the board of elections shall determine the county from
which the majority of the signatures came, and only signatures
from this county shall be counted. Signatures from any other
county shall be invalid.

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

At the time of filing a nominating petition, the candidate
designated in the nominating petition, and joint candidates for
governor and lieutenant governor, shall pay to the election

As Reported by the Senate State and Local Government and Veterans Affairs

officials with whom it is filed the fees specified for the office 1535
under divisions (A) and (B) of section 3513.10 of the Revised 1536
Code. The fees shall be disposed of by those election officials in 1537
the manner that is provided in section 3513.10 of the Revised Code 1538
for the disposition of other fees, and in no case shall a fee 1539
required under that section be returned to a candidate. 1540

Candidates or joint candidates whose names are written on the 1541
ballot, and who are elected, shall pay the same fees under section 1542
3513.10 of the Revised Code that candidates who file nominating 1543
petitions pay. Payment of these fees shall be a condition 1544
precedent to the granting of their certificates of election. 1545

Each nominating petition shall contain a statement of 1546
candidacy that shall be signed by the candidate or joint 1547
candidates named in it. Such statement of candidacy shall contain 1548
a declaration made under penalty of election falsification that 1549
the candidate desires to be a candidate for the office named in 1550
it, and that the candidate is an elector qualified to vote for the 1551
office the candidate seeks. 1552

The form of the nominating petition and statement of 1553
candidacy shall be substantially as follows: 1554

"STATEMENT OF CANDIDACY 1555

I, (Name of candidate), 1556
the undersigned, hereby declare under penalty of election 1557
falsification that my voting residence is in 1558
..... Precinct of the (Township) or 1559
(Ward and City, or Village) in the county of Ohio; 1560
that my post-office address is 1561
(Street and Number, if any, or Rural Route and Number) of the 1562
..... (City, Village, or post office) of 1563
....., Ohio; and that I am a qualified elector in 1564
the precinct in which my voting residence is located. I hereby 1565
declare that I desire to be a candidate for election to the office 1566

As Reported by the Senate State and Local Government and Veterans Affairs

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	
.....	1580
.....	1581
.....	1582
.....	1583
.....	1584
.....	1585

NOMINATING PETITION 1586

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. 1597

Street 1599
Address 1600
or R.F.D. 1601
(Must use 1602
address on 1603
file with City, 1604
the board of Village or Date of 1605
Signature elections) Township Ward Precinct County Signing 1606

..... 1608
..... 1609
..... 1610
....., declares under penalty of election 1611
falsification that such person is a qualified elector of the state 1612
of Ohio and resides at the address appearing below such person's 1613
signature hereto; that such person is the circulator of the 1614
foregoing petition paper containing signatures; 1615
that such person witnessed the affixing of every signature; that 1616
all signers were to the best of such person's knowledge and belief 1617
qualified to sign; and that every signature is to the best of such 1618
person's knowledge and belief the signature of the person whose 1619
signature it purports to be. 1620

..... 1621
(Signature of circulator) 1622
..... 1623
(Address) 1624

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 1625
OF THE FIFTH DEGREE." 1626

The secretary of state shall prescribe a form of nominating 1627

As Reported by the Senate State and Local Government and Veterans Affairs

petition for a group of candidates for the office of member of a 1628
board of education, township office, and offices of municipal 1629
corporations of under two thousand population. 1630

The secretary of state shall prescribe a form of statement of 1631
candidacy and nominating petition, which shall be substantially 1632
similar to the form of statement of candidacy and nominating 1633
petition set forth in this section, that will be suitable for 1634
joint candidates for the offices of governor and lieutenant 1635
governor. 1636

If such petition nominates a candidate whose election is to 1637
be determined by the electors of a county or a district or 1638
subdivision within the county, it shall be filed with the board of 1639
such county. If the petition nominates a candidate whose election 1640
is to be determined by the voters of a subdivision located in more 1641
than one county, it shall be filed with the board of the county in 1642
which the major portion of the population of such subdivision is 1643
located. 1644

If the petition nominates a candidate whose election is to be 1645
determined by the electors of a district comprised of more than 1646
one county but less than all of the counties of the state, it 1647
shall be filed with the board of elections of the most populous 1648
county in such district. If the petition nominates a candidate 1649
whose election is to be determined by the electors of the state at 1650
large, it shall be filed with the secretary of state. 1651

The secretary of state or a board of elections shall not 1652
accept for filing a nominating petition of a person seeking to 1653
become a candidate if that person, for the same election, has 1654
already filed a declaration of candidacy, a declaration of intent 1655
to be a write-in candidate, or a nominating petition, or has 1656
become a candidate through party nomination at a primary election 1657
or by the filling of a vacancy under section 3513.30 or 3513.31 of 1658
the Revised Code for any state or county office, if the nominating 1659

As Reported by the Senate State and Local Government and Veterans Affairs

petition is for a state or county office, or for any municipal or township office, for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center, if the nominating petition is for a municipal or township office, or for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center.

Sec. 3513.30. (A)(1) Where only one valid declaration of candidacy is filed for nomination as a candidate of a political party for an office and such 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 or, 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) ~~through~~ to (E) of section 3513.31 of the Revised Code for the filling of similar vacancies created by withdrawals or disqualifications under section 3513.052

As Reported by the Senate State and Local Government and Veterans Affairs

of the Revised Code after the primary election, except that the 1690
certification required under that section may not be filed with 1691
the secretary of state, or with a board of the most populous 1692
county of a district, or with the board of a county in which the 1693
major portion of the population of a subdivision is located, later 1694
than four p.m. of the tenth day before the day of such primary 1695
election, or with any other board later than four p.m. of the 1696
fifth day before the day of such primary election. 1697

(3) If only one valid declaration of candidacy is filed for 1698
nomination as a candidate of a political party for an office and 1699
that candidate dies on or after the tenth day before the day of 1700
the primary election, that candidate is considered to have 1701
received the nomination of that candidate's political party at 1702
that primary election, and, for purposes of filling the vacancy so 1703
created, that candidate's death shall be treated as if that 1704
candidate died on the day after the day of the primary election. 1705

(B) Any person filing a declaration of candidacy may withdraw 1706
as such candidate at any time prior to the primary election, or, 1707
if the primary election is a presidential primary election, at any 1708
time prior to the fiftieth day before the presidential primary 1709
election. The withdrawal shall be effected and the statement of 1710
withdrawal shall be filed in accordance with the procedures 1711
prescribed in division (D) of this section for the withdrawal of 1712
persons nominated in a primary election or by nominating petition. 1713

(C) A person who is the first choice for president of the 1715
United States by a candidate for delegate or alternate to a 1716
national convention of a political party may withdraw consent for 1717
the selection of the person as such first choice no later than 1718
four p.m. of the thirtieth day before the day of the presidential 1719
primary election. Withdrawal of consent shall be for the entire 1720
slate of candidates for delegates and alternates who named such 1721

As Reported by the Senate State and Local Government and Veterans Affairs

person as their presidential first choice and shall constitute 1722
withdrawal from the primary election by such delegates and 1723
alternates. The withdrawal shall be made in writing and delivered 1724
to the secretary of state. The boards of elections shall remove 1725
both the name of the withdrawn first choice and the names of such 1726
withdrawn candidates from the ballots to the extent practicable in 1727
the time remaining before the election and according to the 1728
directions of the secretary of state. If such names are not 1729
removed from all ballots before the day of the election, the votes 1730
for the withdrawn first choice or candidates are void and shall 1731
not be counted. 1732

(D) Any person nominated in a primary election or by 1733
nominating petition as a candidate for election at the next 1734
general election may withdraw as such candidate at any time prior 1735
to the general election. Such withdrawal may be effected by the 1736
filing of a written statement by such candidate announcing the 1737
candidate's withdrawal and requesting that the candidate's name 1738
not be printed on the ballots. If such candidate's declaration of 1739
candidacy or nominating petition was filed with the secretary of 1740
state, the candidate's statement of withdrawal shall be addressed 1741
to and filed with the secretary of state. If such candidate's 1742
declaration of candidacy or nominating petition was filed with a 1743
board of elections, the candidate's statement of withdrawal shall 1744
be addressed to, and filed with such board. 1745

(E) When a person withdraws under division (B) or (D) of this 1746
section, the board of elections shall remove the name of the 1747
withdrawn candidate from the ballots to the extent practicable in 1748
the time remaining before the election and according to the 1749
directions of the secretary of state. If the name is not removed 1750
from all ballots before the day of the election, the votes for the 1751
withdrawn candidate are void and shall not be counted. 1752

As Reported by the Senate State and Local Government and Veterans Affairs

Sec. 3513.31. (A) If a person nominated in a primary election 1753
as a candidate for election at the next general election, whose 1754
candidacy is to be submitted to the electors of the entire state, 1755
withdraws as that candidate or is disqualified as that candidate 1756
under section 3513.052 of the Revised Code, the vacancy in the 1757
party nomination so created may be filled by the state central 1758
committee of the major political party that made the nomination at 1759
the primary election, if the committee's chairperson and secretary 1760
certify the name of the person selected to fill the vacancy by the 1761
time specified in this division, at a meeting called for that 1762
purpose. The meeting shall be called by the chairperson of that 1763
committee, who shall give each member of the committee at least 1764
two days' notice of the time, place, and purpose of the meeting. 1765
If a majority of the members of the committee are present at the 1766
meeting, a majority of those present may select a person to fill 1767
the vacancy. The chairperson and secretary of the meeting shall 1768
certify in writing and under oath to the secretary of state, not 1769
later than the seventy-sixth day before the day of the general 1770
election, the name of the person selected to fill the vacancy. The 1771
certification must be accompanied by the written acceptance of the 1772
nomination by the person whose name is certified. A vacancy that 1773
may be filled by an intermediate or minor political party shall be 1774
filled in accordance with the party's rules by authorized 1775
officials of the party. Certification must be made as in the 1776
manner provided for a major political party. 1777

(B) If a person nominated in a primary election as a party 1779
candidate for election at the next general election, whose 1780
candidacy is to be submitted to the electors of a district 1781
comprised of more than one county but less than all of the 1782
counties of the state, withdraws as that candidate or is 1783
disqualified as that candidate under section 3513.052 of the 1784

As Reported by the Senate State and Local Government and Veterans Affairs

Revised Code, the vacancy in the party nomination so created may 1785
be filled by a district committee of the major political party 1786
that made the nomination at the primary election, if the 1787
committee's chairperson and secretary certify the name of the 1788
person selected to fill the vacancy by the time specified in this 1789
division, at a meeting called for that purpose. The district 1790
committee shall consist of the chairperson and secretary of the 1791
county central committee of such political party in each county in 1792
the district. The district committee shall be called by the 1793
chairperson of the county central committee of such political 1794
party of the most populous county in the district, who shall give 1795
each member of the district committee at least two days' notice of 1796
the time, place, and purpose of the meeting. If a majority of the 1797
members of the district committee are present at the district 1798
committee meeting, a majority of those present may select a person 1799
to fill the vacancy. The chairperson and secretary of the meeting 1800
shall certify in writing and under oath to the board of elections 1801
of the most populous county in the district, not later than four 1802
p.m. of the seventy-sixth day before the day of the general 1803
election, the name of the person selected to fill the vacancy. The 1804
certification must be accompanied by the written acceptance of the 1805
nomination by the person whose name is certified. A vacancy that 1806
may be filled by an intermediate or minor political party shall be 1807
filled in accordance with the party's rules by authorized 1808
officials of the party. Certification must be made as in the 1809
manner provided for a major political party. 1810

(C) If a person nominated in a primary election as a party 1811
candidate for election at the next general election, whose 1812
candidacy is to be submitted to the electors of a county, 1813
withdraws as that candidate or is disqualified as that candidate 1814
under section 3513.052 of the Revised Code, the vacancy in the 1815
party nomination so created may be filled by the county central 1816
committee of the major political party that made the nomination at 1817

As Reported by the Senate State and Local Government and Veterans Affairs

the primary election, or by the county executive committee if so 1818
authorized, if the committee's chairperson and secretary certify 1819
the name of the person selected to fill the vacancy by the time 1820
specified in this division, at a meeting called for that purpose. 1821
The meeting shall be called by the chairperson of that committee, 1822
who shall give each member of the committee at least two days' 1823
notice of the time, place, and purpose of the meeting. If a 1824
majority of the members of the committee are present at the 1825
meeting, a majority of those present may select a person to fill 1826
the vacancy. The chairperson and secretary of the meeting shall 1827
certify in writing and under oath to the board of that county, not 1828
later than four p.m. of the seventy-sixth day before the day of 1829
the general election, the name of the person selected to fill the 1830
vacancy. The certification must be accompanied by the written 1831
acceptance of the nomination by the person whose name is 1832
certified. A vacancy that may be filled by an intermediate or 1833
minor political party shall be filled in accordance with the 1834
party's rules by authorized officials of the party. Certification 1835
must be made as in the manner provided for a major political 1836
party. 1837

(D) If a person nominated in a primary election as a party 1838
candidate for election at the next general election, whose 1839
candidacy is to be submitted to the electors of a district within 1840
a county, withdraws as that candidate or is disqualified as that 1841
candidate under section 3513.052 of the Revised Code, the vacancy 1842
in the party nomination so created may be filled by a district 1843
committee consisting of those members of the county central 1844
committee or, if so authorized, those members of the county 1845
executive committee in that county of the major political party 1846
that made the nomination at the primary election who represent the 1847
precincts or the wards and townships within the district, if the 1848
committee's chairperson and secretary certify the name of the 1849
person selected to fill the vacancy by the time specified in this 1850

As Reported by the Senate State and Local Government and Veterans Affairs

division, at a meeting called for that purpose. The district 1851
committee meeting shall be called by the chairperson of the county 1852
central committee or executive committee, as appropriate, who 1853
shall give each member of the district committee at least two 1854
days' notice of the time, place, and purpose of the meeting. If a 1855
majority of the members of the district committee are present at 1856
the district committee meeting, a majority of those present may 1857
select a person to fill the vacancy. The chairperson and secretary 1858
of the district committee meeting shall certify in writing and 1859
under oath to the board of the county, not later than four p.m. of 1860
the seventy-sixth day before the day of the general election, the 1861
name of the person selected to fill the vacancy. The certification 1862
must be accompanied by the written acceptance of the nomination by 1863
the person whose name is certified. A vacancy that may be filled 1864
by an intermediate or minor political party shall be filled in 1865
accordance with the party's rules by authorized officials of the 1866
party. Certification must be made as in the manner provided for a 1867
major political party. 1868

(E) If a person nominated in a primary election as a party 1869
candidate for election at the next general election, whose 1870
candidacy is to be submitted to the electors of a subdivision 1871
within a county, withdraws as that candidate or is disqualified as 1872
that candidate under section 3513.052 of the Revised Code, the 1873
vacancy in the party nomination so created may be filled by a 1874
subdivision committee consisting of those members of the county 1875
central committee or, if so authorized, those members of the 1876
county executive committee in that county of the major political 1877
party that made the nomination at that primary election who 1878
represent the precincts or the wards and townships within that 1879
subdivision, if the committee's chairperson and secretary certify 1880
the name of the person selected to fill the vacancy by the time 1881
specified in this division, at a meeting called for that purpose. 1882

As Reported by the Senate State and Local Government and Veterans Affairs

The subdivision committee meeting shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the subdivision committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the subdivision committee are present at the subdivision committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the subdivision committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the seventy-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 that may be filled by an intermediate or minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made in the manner provided for a major political party.

(F) If a person nominated by petition as an independent or nonpartisan candidate for election at the next general election withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy so created may be filled by a majority of the committee of five, as designated on the candidate's nominating petition, if a member of that committee certifies in writing and under oath to the election officials with whom the candidate filed the candidate's nominating petition, not later than the seventy-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification shall be accompanied by the written acceptance of the nomination by the person whose name is certified and shall be made in the manner provided for a major political party.

As Reported by the Senate State and Local Government and Veterans Affairs

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

(H) If a person nominated by petition as an independent or nonpartisan candidate for election at the next general election dies prior to the tenth day before the day of that general election, the vacancy so created may be filled by a majority of the committee of five designated in the nominating petition to represent the candidate named in it. To fill the vacancy a member of the committee shall, not later than four p.m. of the fifth day before the day of the general election, file with the election officials with whom the petition nominating the person was filed, a certificate signed and sworn to under oath by a majority of the members, designating the person they select to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is so certified.

(I) If a person holding an elective office dies or resigns subsequent to the one-hundredth day before the day of a primary election and prior to the seventy-sixth day before the day of the next general election, and if, under the laws of this state, a person may be elected at that general election to fill the unexpired term of the person who has died or resigned, the

As Reported by the Senate State and Local Government and Veterans Affairs

appropriate committee of each political party, acting as in the
case of a vacancy in a party nomination, as provided in divisions
(A) to (D) of this section, may select a person as the party
candidate for election for such unexpired term at that general
election, and certify the person's name to the appropriate
election official not later than four p.m. on the seventy-sixth
day before the day of that general election, or on the tenth day
following the day on which the vacancy occurs, whichever is later.
When the vacancy occurs on or subsequent to the seventy-sixth day
and six or more days prior to the fortieth day before the general
election, the appropriate committee may select a person as the
party candidate and certify the person's name, as provided in the
preceding sentence, not later than four p.m. on the tenth day
following the day on which the vacancy occurs. When the vacancy
occurs fewer than six days before the fortieth day before the
general election, the deadline for filing shall be four p.m. on
the thirty-sixth day before the general election. Thereupon the
name shall be printed as the party candidate under proper titles
and in the proper place on the proper ballots for use at the
election. If a person has been nominated in a primary election,
the authorized committee of that political party shall not select
and certify a person as the party candidate.

(J) Each person desiring to become an independent candidate
to fill the unexpired term shall file a statement of candidacy and
nominating petition, as provided in section 3513.261 of the
Revised Code, with the appropriate election official not later
than four p.m. on the tenth day following the day on which the
vacancy occurs, provided that when the vacancy occurs fewer than
six days before the fortieth day before the general election, the
deadline for filing shall be four p.m. on the thirty-sixth day
before the general election. The nominating petition shall contain
at least seven hundred fifty signatures and no more than one

As Reported by the Senate State and Local Government and Veterans Affairs

thousand five hundred signatures of qualified electors of the
 district, political subdivision, or portion of a political
 subdivision in which the office is to be voted upon, or the amount
 provided for in section 3513.257 of the Revised Code, whichever is
 less.

(K) When a person nominated as a candidate by a political
 party in a primary election or by nominating petition for an
 elective office for which candidates are nominated at a party
 primary election withdraws ~~or~~, dies, or is disqualified under
section 3513.052 of the Revised Code prior to the general
 election, the appropriate committee of any other major political
 party or committee of five that has not nominated a candidate for
 that office, or whose nominee as a candidate for that office has
 withdrawn ~~or~~, died, or been disqualified without the vacancy so
 created having been filled, may, acting as in the case of a
 vacancy in a party nomination or nomination by petition as
 provided in divisions (A) to (F) of this section, whichever is
 appropriate, select a person as a candidate of that party or of
 that committee of five for election to the office.

Sec. 3517.02. All members of controlling committees of a
 major or intermediate political party shall be elected by direct
 vote of the members of the party, except as otherwise provided in
 section 3517.05 of the Revised Code. Their names shall be placed
 upon the official ballot, and, notwithstanding division (B) of
section 3513.23 of the Revised Code, the persons receiving the
 highest number of votes for ~~committeemen~~ committeepersons shall be
 the members of ~~such~~ those controlling committees. Each member of
~~such~~ a controlling committee shall be a resident and qualified
 elector of the district, ward, or precinct ~~which he~~ that the
member is elected to represent. All members of controlling
 committees of a minor political party shall be determined in
 accordance with party rules.

As Reported by the Senate State and Local Government and Veterans Affairs

Each political party shall file with the office of the secretary of state a copy of its constitution and bylaws, if any, within thirty days of adoption or amendment. Each ~~such~~ party shall also file with the office of the secretary of state a list of members of its controlling committees, and other party officials within thirty days of their election or appointment.

Sec. 3517.03. The controlling committees of each major political party or organization shall be a state central committee consisting of two members, one a man and one a woman, representing either each congressional district in the state or each senatorial district in the state, as the outgoing committee determines; a county central committee consisting of one member from each election precinct in the county, or of one member from each ward in each city and from each township in the county, as the outgoing committee determines; and such district, city, township, or other committees as the rules of the party provide.

All the members of such committees shall be members of the party and shall be elected for terms of either two or four years, as determined by party rules, by direct vote at the primary held in an even-numbered year. ~~Candidates~~ Except as otherwise provided in section 3517.02 of the Revised Code, candidates for election as state central committee members shall be elected at primaries in the same manner as provided in sections 3513.01 to 3513.32 of the Revised Code, for the nomination of candidates for office in a county. Candidates for election as members of the county central committee shall be elected at primaries in the same manner as provided in ~~such those~~ sections for the nomination of candidates for county offices, except as otherwise provided in ~~section sections~~ 3513.051 and 3517.02 of the ~~of the~~ Revised Code.

Each major party controlling committee shall elect an executive committee ~~which that~~ shall have ~~such the~~ powers ~~as are~~

As Reported by the Senate State and Local Government and Veterans Affairs

granted to it by the party controlling committee, and ~~as are~~ 2042
 provided to it by law. When a judicial, senatorial, or 2043
 congressional district is comprised of more than one county, the 2044
 chairperson and secretary of the county central committee from 2045
 each county in ~~such that~~ district shall constitute the judicial, 2046
 senatorial, or congressional committee of ~~such the~~ district. When 2047
 a judicial, senatorial, or congressional district is included 2048
 within a county, the county central committee shall constitute the 2049
 judicial, senatorial, or congressional committee of ~~such the~~ 2050
 district. 2051

The controlling committee of each intermediate political 2052
 party or organization shall be a state central committee 2053
 consisting of two members, one a man and one a woman, from each 2054
 congressional district in the state. All members of ~~such the~~ 2055
 committee shall be members of the party and shall be elected by 2056
 direct vote at the primary held in the even-numbered years. 2057
~~Candidates~~ Except as otherwise provided in section 3517.02 of the 2058
Revised Code, candidates for election shall be elected at the 2059
 primary in the same manner as provided in sections 3513.01 to 2060
 3513.32 of the Revised Code. An intermediate political party may 2061
 have such other party organization as its rules provide. Each 2062
 intermediate party shall file the names and addresses of its 2063
 officers with the secretary of state. 2064

A minor political party may elect controlling committees at a 2065
 primary election in the even-numbered year by filing a plan for 2066
 party organization with the secretary of state on or before the 2067
 ninetieth day before the day of the primary election. ~~Such The~~ 2068
 plan shall specify which offices are to be elected and provide the 2069
 procedure for qualification of candidates for ~~such those~~ offices. 2070
 Candidates to be elected pursuant to ~~such the~~ plan shall be 2071
~~required to be~~ designated and qualified on or before the ninetieth 2072
 day before the day of the election. Such parties may, in lieu of 2073

As Reported by the Senate State and Local Government and Veterans Affairs

electing a controlling committee or other officials, choose such 2074
 committee or other officials in accordance with party rules. Each 2075
 such party shall file the names and addresses of members of its 2076
 controlling committee and party officers with the secretary of 2077
 state. 2078

Sec. 3519.03. (A) The committee named in a initiative 2079
 petition may prepare the argument or explanation, or both, in 2080
 favor of the measure proposed, and the committee named in a 2081
 referendum petition may prepare the argument or explanation, or 2082
 both, against any law, or section, or item of law. The persons who 2083
 prepare the argument or explanation, or both, in opposition to the 2084
 initiated proposal, or the argument or explanation, or both, in 2085
 favor of the measure to be referred shall be named by the general 2086
 assembly, if it is in session, ~~and if not in session, then~~ or by 2087
 the governor, if the general assembly is not in session. Such 2088
 argument or explanation, or both, shall not exceed three hundred 2089
 words, and shall be filed with the secretary of state at least 2090
 seventy-five days prior to the date of the election at which the 2091
 measure is to be voted upon. 2092

(B)(1) If the committee named in an initiative petition, the 2093
committee named in a referendum petition, or other persons 2094
designated under division (A) of this section fail to prepare and 2095
file their arguments or explanations by the seventy-fifth day 2096
before the date of the election, the secretary of state shall 2097
notify the Ohio ballot board that those arguments or explanations 2098
have not been so prepared and filed. The board then shall prepare 2099
the missing arguments or explanations or designate a group of 2100
persons to prepare those arguments or explanations. All arguments 2101
or explanations prepared under this division shall be filed with 2102
the secretary of state no later than seventy days before the date 2103
of the election. No argument or explanation shall exceed three 2104
hundred words. 2105

As Reported by the Senate State and Local Government and Veterans Affairs

(2) If the Ohio ballot board fails to provide for the preparation of missing arguments or explanations under division (B)(1) of this section after being notified by the secretary of state that one or more arguments or explanations have not been timely prepared and filed, the positions of the four appointed members of the board shall be considered vacant, and new members shall be appointed in the manner provided for original appointments.

Sec. 3599.09. Whoever knowingly violates division (A) of section 3513.052 is guilty of seeking nomination or election to more than one prohibited office at the same election and shall be fined not more than five hundred dollars.

Section 2. That existing sections 107.08, 3501.01, 3501.38, 3501.39, 3505.03, 3505.061, 3505.062, 3505.063, 3513.04, 3513.041, 3513.05, 3513.23, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257, 3513.259, 3513.261, 3513.30, 3513.31, 3517.02, 3517.03, and 3519.03 of the Revised Code are hereby repealed.

Section 3. Sections 3513.255 and 3513.259 of the Revised Code are presented in this act as composites of the sections as amended by both Am. Sub. H.B. 99 and Am. Sub. H.B. 117 of the 121st General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composites are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act.

Section 4. Sections 1, 2, and 3 of this act shall take effect January 1, 2003.