A BILL

To amend sections 3513.254 and 3513.255 and to enact	1
section 3513.256 of the Revised Code to permit	2
boards of education and governing boards of	3
educational service centers to adopt, for the	4
purpose of nominating candidates for those boards,	5
procedures for a nonpartisan primary election.	6

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

Section 1. That sections 3513.254 and 3513.255 be amended and   7
section 3513.256 of the Revised Code be enacted to read as   8
follows: 9

Sec. 3513.254. (A) The name of each candidate for member of a   10
city, local, or exempted village board of education ~~or for member~~   11
~~of a governing board of an educational service center described in~~   12
~~section 3311.051 of the Revised Code~~ shall appear on the   13
nonpartisan ballot. Nominating petitions of candidates for member   14
of a board of education of a local or exempted village school   15
district ~~or for member of a governing board of an educational~~   16
~~service center described in section 3311.051 of the Revised Code~~   17
shall be signed by twenty-five qualified electors of the school   18
district ~~or educational service center service area~~. Nominating   19
petitions for candidates for member of a board of education of a   20

city school district having a population of less than twenty   21

thousand, as ascertained by the next preceding federal census,   22

shall be signed by twenty-five qualified electors of the school   23

district. Nominating petitions for candidates for member of a   24

board of education of a city school district having a population   25

of twenty thousand or more but less than fifty thousand, as   26

ascertained by the next preceding federal census, shall be signed   27

by seventy-five qualified electors of the school district.   28

Nominating petitions for candidates for member of a board of   29

education of a city school district having a population of fifty   30

thousand or more but less than one hundred thousand, as   31

ascertained by the next preceding federal census, shall be signed   32

by one hundred fifty qualified electors of the school district.   33

Nominating petitions for candidates for member of a board of   34

education of a city school district having a population of one   35

hundred thousand or more, as ascertained by the next preceding   36

federal census, shall be signed by three hundred qualified   37

electors of the school district.   38

   (B) Nominating petitions shall be filed with the board of   39

elections not later than four p.m. of the seventy-fifth day before   40

the day of the general election, provided that no such petition   41

shall be accepted for filing if it appears to contain signatures   42

aggregating in number more than three times the minimum number of   43

signatures required by this section. A board of elections shall   44

not accept for filing a nominating petition of a person if that   45

person, for the same election, has already filed a declaration of   46

candidacy, a declaration of intent to be a write-in candidate, or   47

a nominating petition, or has become a candidate through party   48

nomination at a primary election or by the filling of a vacancy   49

under section 3513.30 or 3513.31 of the Revised Code for any other   50

position as a member of a city, local, or exempted village board   51

of education or position as a member of a governing board of an   52

educational service center, or for a municipal or township office.   53

When a petition of a candidate has been accepted for filing by a   54

board of elections, the petition shall not be deemed invalid if,   55

upon verification of signatures contained in the petition, the   56

board of elections finds the number of signatures accepted exceeds   57

three times the minimum number of signatures required. A board of   58

elections may discontinue verifying petitions when the number of   59

verified signatures equals the minimum required number of   60

qualified signatures.   61

     (C) This section is subject to section 3513.256 of the   62

Revised Code.   63

     Sec. 3513.255. ~~This section does not apply to candidates for~~   64

~~election to a governing board of an educational service center~~   65

~~described in section 3311.051 of the Revised Code.~~ This section is   66

subject to section 3513.256 of the Revised Code. The name of each   67

candidate for election as a member of a governing board of an   68

educational service center shall appear on the nonpartisan ballot.   69

Each nominating petition shall be signed by fifty qualified   70

electors who reside in one of the following, as applicable: 71

     (A) The school districts over which the educational service   72

center governing board has jurisdiction, in the case of any   73

candidate running for a position on any educational service center   74

governing board other than a governing board established in   75

accordance with section 3311.054 of the Revised Code;   76

     (B) The subdistrict in which the candidate is running, in the   77

case of a position on a governing board of an educational service   78

center established in accordance with section 3311.054 of the   79

Revised Code.   80

     Each nominating petition shall be filed with the board of   81

elections of the county in which the central administrative   82

offices of the educational service center governing board are   83

located not later than four p.m. of the seventy-fifth day before   84
the day of the general election, provided that no such petition   85
shall be accepted for filing if it appears to contain signatures   86
aggregating in number more than three times the minimum number of   87
signatures required by this section. A board of elections shall   88
not accept for filing a nominating petition of a person if that   89
person, for the same election, has already filed a declaration of   90
candidacy, a declaration of intent to be a write-in candidate, or   91
a nominating petition, or has become a candidate through party   92
nomination at a primary election or by the filling of a vacancy   93
under section 3513.30 or 3513.31 of the Revised Code for any other   94
position as a member of a governing board of an educational   95
service center or position as a member of a city, local, or   96
exempted village board of education, or for a municipal or   97
township office. When a petition of a candidate has been accepted   98
for filing by a board of elections, the petition shall not be   99
deemed invalid if, upon verification of signatures contained in   100
the petition, the board of elections finds the number of   101
signatures accepted exceeds three times the minimum signatures   102
required. A board of elections may discontinue verifying petitions   103
when the number of verified signatures equals the minimum required   104
number of qualified signatures.   105

    Sec. 3513.256. (A) Notwithstanding any provision of the   106
Revised Code to the contrary, for the purpose of nominating   107
candidates for a position as a member of the board of education of   108
a city, local, or exempted village school district or a position   109
as a member of a governing board of an educational service center,   110
the board may adopt, by resolution upon a three-fifths majority   111
vote of its total membership, procedures for a nonpartisan primary   112
election. Such procedures shall specify the following: 113

    (1) That the primary election for nominating candidates for a   114
position as a member of that board shall be held on the same day   115

as the primary election for nominating all other candidates for   116

public office in that year;   117

(2) That nominating petitions shall be filed with the board   118

of elections not later than four p.m. of the seventy-fifth day   119

before the day of the primary election;   120

(3) That the primary election shall take place only if the   121

number of candidates for nomination for a position on that board,   122

as verified by the board of elections, is at least one more than   123

two times the number of available positions on that board at the   124

general election;   125

(4) That the number of candidates advancing from the primary   126

election to the general election shall equal two times the number   127

of available positions on that board at the general election.   128

The board shall notify the board of elections upon adoption   129

of a resolution under this division. No such resolution shall   130

apply for a particular election unless the resolution is adopted   131

at least one hundred twenty days prior to the deadline specified   132

in the resolution to become a candidate for nomination at that   133

election. Subject to division (B) of this section, the resolution   134

shall apply to all subsequent nominations for a position as a   135

member of that board.   136

(B) Not earlier than five years after the adoption of a   137

resolution under division (A) of this section, the board of   138

education of a city, local, or exempted village school district or   139

the governing board of an educational service center may rescind   140

that resolution by subsequent resolution upon a three-fifths   141

majority vote of its total membership.   142

The board shall notify the board of elections of any   143

resolution adopted under this division. No such resolution shall   144

apply to a particular election unless the resolution is adopted at   145

least one hundred twenty days prior to the deadline to become a   146

candidate for nomination at that election under the nomination   147

procedures the resolution is rescinding. Subject to division (D)   148

of this section, the requirements of Chapter 3513. of the Revised   149

Code shall apply to all subsequent nominations for a position as a   150

member of that board.   151

(C) Any candidate nominated pursuant to a resolution adopted   152

under division (A) of this section shall appear on the nonpartisan   153

ballot at the general election as prescribed in sections 3505.04,   154

3513.254, and 3513.255 of the Revised Code.   155

(D) Nothing in this section prohibits or shall be construed   156

to prohibit the board of education of a city, local, or exempted   157

village school district or the governing board of an educational   158

service center that has rescinded a resolution under division (B)   159

of this section from subsequently adopting the same or different   160

procedures for a nonpartisan primary election by adopting a   161

resolution under division (A) of this section.   162

Section 2. That existing sections 3513.254 and 3513.255 of   163

the Revised Code are hereby repealed.   164