

As Introduced

**130th General Assembly
Regular Session
2013-2014**

S. B. No. 193

Senator Seitz

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A B I L L

To amend sections 3501.01, 3501.07, 3505.03, 3505.08, 1
3505.10, 3506.11, 3513.01, 3513.04, 3513.05, 2
3513.31, 3513.311, 3513.312, 3517.01, 3517.012, 3
3517.02, 3517.03, 4503.03, and 5747.29 and to 4
repeal section 3517.015 of the Revised Code to 5
eliminate intermediate political parties and to 6
revise the processes for determining political 7
party status and for establishing new political 8
parties. 9

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

Section 1. That sections 3501.01, 3501.07, 3505.03, 3505.08, 10
3505.10, 3506.11, 3513.01, 3513.04, 3513.05, 3513.31, 3513.311, 11
3513.312, 3517.01, 3517.012, 3517.02, 3517.03, 4503.03, and 12
5747.29 of the Revised Code be amended to read as follows: 13

Sec. 3501.01. As used in the sections of the Revised Code 14
relating to elections and political communications: 15

(A) "General election" means the election held on the first 16
Tuesday after the first Monday in each November. 17

(B) "Regular municipal election" means the election held on 18
the first Tuesday after the first Monday in November in each 19
odd-numbered year. 20

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

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

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

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

(F) "Political party" means any group of voters meeting the

requirements set forth in section 3517.01 of the Revised Code for 53
the formation and existence of a political party. 54

(1) "Major political party" means any political party 55
organized under the laws of this state whose candidate for 56
governor or nominees for presidential electors received ~~no~~ not 57
less than twenty per cent of the total vote cast for such office 58
at the most recent regular state election. 59

~~(2) "Intermediate political party" means any political party 60
organized under the laws of this state whose candidate for 61
governor or nominees for presidential electors received less than 62
twenty per cent but not less than ten per cent of the total vote 63
cast for such office at the most recent regular state election. 64~~

~~(3) "Minor political party" means any political party 65
organized under the laws of this state whose candidate for 66
governor or nominees for presidential electors received less than 67
~~ten~~ twenty per cent but not less than ~~five~~ three per cent of the 68
total vote cast for such office at the most recent regular state 69
election or which has filed with the secretary of state, 70
subsequent to any election in which it received less than ~~five~~ 71
three per cent of such vote, a petition ~~signed by qualified~~ 72
~~electors equal in number to at least one per cent of the total~~ 73
~~vote cast for such office in the last preceding regular state~~ 74
~~election, except that a~~ that meets the requirements of section 75
3517.01 of the Revised Code. A newly formed political party shall 76
be known as a minor political party until the time of the first 77
election for governor or president which occurs not less than 78
twelve months subsequent to the formation of such party, after 79
which election the status of such party shall be determined by the 80
vote for the office of governor or president. 81~~

(G) "Dominant party in a precinct" or "dominant political 82
party in a precinct" means that political party whose candidate 83
for election to the office of governor at the most recent regular 84

state election at which a governor was elected received more votes 85
than any other person received for election to that office in such 86
precinct at such election. 87

(H) "Candidate" means any qualified person certified in 88
accordance with the provisions of the Revised Code for placement 89
on the official ballot of a primary, general, or special election 90
to be held in this state, or any qualified person who claims to be 91
a write-in candidate, or who knowingly assents to being 92
represented as a write-in candidate by another at either a 93
primary, general, or special election to be held in this state. 94

(I) "Independent candidate" means any candidate who claims 95
not to be affiliated with a political party, and whose name has 96
been certified on the office-type ballot at a general or special 97
election through the filing of a statement of candidacy and 98
nominating petition, as prescribed in section 3513.257 of the 99
Revised Code. 100

(J) "Nonpartisan candidate" means any candidate whose name is 101
required, pursuant to section 3505.04 of the Revised Code, to be 102
listed on the nonpartisan ballot, including all candidates for 103
judicial office, for member of any board of education, for 104
municipal or township offices in which primary elections are not 105
held for nominating candidates by political parties, and for 106
offices of municipal corporations having charters that provide for 107
separate ballots for elections for these offices. 108

(K) "Party candidate" means any candidate who claims to be a 109
member of a political party, ~~whose name~~ and who has been certified 110
to appear on the office-type ballot at a general or special 111
election ~~through the filing of a declaration of candidacy and~~ 112
~~petition of candidate, and who~~ as the nominee of a political party 113
because the candidate has won the primary election of the 114
candidate's party for the public office the candidate seeks, has 115
been nominated under section 3517.012, or is selected by party 116

committee in accordance with section 3513.31 of the Revised Code.	117
(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.	118 119 120 121 122 123
(M) "Question or issue" means any question or issue certified in accordance with the Revised Code for placement on an official ballot at a general or special election to be held in this state.	124 125 126
(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.	127 128
(O) "Voter" means an elector who votes at an election.	129
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	130 131 132
(Q) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence therein may vote at the same polling place.	133 134 135 136
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	137 138 139
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	140 141 142
(T) "Political subdivision" means a county, township, city, village, or school district.	143 144
(U) "Election officer" or "election official" means any of the following:	145 146

(1) Secretary of state;	147
(2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor;	148 149 150 151
(3) Director of a board of elections;	152
(4) Deputy director of a board of elections;	153
(5) Member of a board of elections;	154
(6) Employees of a board of elections;	155
(7) Precinct polling place judges;	156
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	157 158
(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.	159 160 161 162 163 164 165
(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.	166 167 168 169
(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	170 171 172 173 174 175 176

program designed and administered by the secretary of state for 177
registering voters, including the department of job and family 178
services, the program administered under section 3701.132 of the 179
Revised Code by the department of health, the department of mental 180
health and addiction services, the department of developmental 181
disabilities, the opportunities for Ohioans with disabilities 182
agency, and any other agency the secretary of state designates. 183
"Designated agency" does not include public high schools and 184
vocational schools, public libraries, or the office of a county 185
treasurer. 186

(Y) "National Voter Registration Act of 1993" means the 187
"National Voter Registration Act of 1993," 107 Stat. 77, 42 188
U.S.C.A. 1973gg. 189

(Z) "Voting Rights Act of 1965" means the "Voting Rights Act 190
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 191

(AA) "Photo identification" means a document that meets each 192
of the following requirements: 193

(1) It shows the name of the individual to whom it was 194
issued, which shall conform to the name in the poll list or 195
signature pollbook. 196

(2) It shows the current address of the individual to whom it 197
was issued, which shall conform to the address in the poll list or 198
signature pollbook, except for a driver's license or a state 199
identification card issued under section 4507.50 of the Revised 200
Code, which may show either the current or former address of the 201
individual to whom it was issued, regardless of whether that 202
address conforms to the address in the poll list or signature 203
pollbook. 204

(3) It shows a photograph of the individual to whom it was 205
issued. 206

(4) It includes an expiration date that has not passed. 207

(5) It was issued by the government of the United States or 208
this state. 209

Sec. 3501.07. At a meeting held not more than sixty nor less 210
than fifteen days before the expiration date of the term of office 211
of a member of the board of elections, or within fifteen days 212
after a vacancy occurs in the board, the county executive 213
committee of the major political party entitled to the appointment 214
may make and file a recommendation with the secretary of state for 215
the appointment of a qualified elector. The secretary of state 216
shall appoint such elector, unless ~~he~~ the secretary of state has 217
reason to believe that the elector would not be a competent member 218
of such board. In such cases the secretary of state shall so state 219
in writing to the ~~chairman~~ chairperson of such county executive 220
committee, with the reasons therefor, and such committee may 221
either recommend another elector or may apply for a writ of 222
mandamus to the supreme court to compel the secretary of state to 223
appoint the elector so recommended. In such action the burden of 224
proof to show the qualifications of the person so recommended 225
shall be on the committee making the recommendation. If no such 226
recommendation is made, the secretary of state shall make the 227
appointment. 228

If a vacancy on the board of elections is to be filled by a 229
minor ~~or an intermediate~~ political party, authorized officials of 230
that party may within fifteen days after the vacancy occurs 231
recommend a qualified person to the secretary of state for 232
appointment to such vacancy. 233

Sec. 3505.03. On the office type ballot shall be printed the 234
names of all candidates for election to offices, except judicial 235
offices, who were nominated at the most recent primary election as 236
candidates of a political party or who were nominated in 237
accordance with section 3513.02 of the Revised Code, and the names 238

of all candidates for election to offices who were nominated by 239
nominating petitions, except candidates for judicial offices, for 240
member of the state board of education, for member of a board of 241
education, for municipal offices, and for township offices. 242

The face of the ballot below the stub shall be substantially 243
in the following form: 244

"OFFICIAL OFFICE TYPE BALLOT 245

(A) To vote for a candidate record your vote in the manner 246
provided next to the name of such candidate. 247

(B) If you tear, soil, deface, or erroneously mark this 248
ballot, return it to the precinct election officers or, if you 249
cannot return it, notify the precinct election officers, and 250
obtain another ballot." 251

The order in which the offices shall be listed on the ballot 252
shall be prescribed by, and certified to each board of elections 253
by, the secretary of state; provided that for state, district, and 254
county offices the order from top to bottom shall be as follows: 255
governor and lieutenant governor, attorney general, auditor of 256
state, secretary of state, treasurer of state, United States 257
senator, representative to congress, state senator, state 258
representative, county commissioner, county auditor, prosecuting 259
attorney, clerk of the court of common pleas, sheriff, county 260
recorder, county treasurer, county engineer, and coroner. The 261
offices of governor and lieutenant governor shall be printed on 262
the ballot in a manner that requires a voter to cast one vote 263
jointly for the candidates who have been nominated by the same 264
political party or petition. 265

The names of all candidates for an office shall be arranged 266
in a group under the title of that office, and, except for 267
absentee ballots or when the number of candidates for a particular 268
office is the same as the number of candidates to be elected for 269

that office, shall be rotated from one precinct to another. On 270
absentee ballots, the names of all candidates for an office shall 271
be arranged in a group under the title of that office and shall be 272
so alternated that each name shall appear, insofar as may be 273
reasonably possible, substantially an equal number of times at the 274
beginning, at the end, and in each intermediate place, if any, of 275
the group in which such name belongs, unless the number of 276
candidates for a particular office is the same as the number of 277
candidates to be elected for that office. 278

The method of printing the ballots to meet the rotation 279
requirement of this section shall be as follows: the least common 280
multiple of the number of names in each of the several groups of 281
candidates shall be used, and the number of changes made in the 282
printer's forms in printing the ballots shall correspond with that 283
multiple. The board of elections shall number all precincts in 284
regular serial sequence. In the first precinct, the names of the 285
candidates in each group shall be listed in alphabetical order. In 286
each succeeding precinct, the name in each group that is listed 287
first in the preceding precinct shall be listed last, and the name 288
of each candidate shall be moved up one place. In each precinct 289
using paper ballots, the printed ballots shall then be assembled 290
in tablets. 291

Under the name of each candidate nominated at a primary 292
election ~~and each candidate, nominated by petition under section~~ 293
3517.012 of the Revised Code, or certified by a party committee to 294
fill a vacancy under section 3513.31 of the Revised Code shall be 295
printed, in less prominent type face than that in which the 296
candidate's name is printed, the name of the political party by 297
which the candidate was nominated or certified. Under the name of 298
each candidate appearing on the ballot who filed a nominating 299
petition and requested a ballot designation as a nonparty 300
candidate under section 3513.257 of the Revised Code shall be 301

printed, in less prominent type face than that in which the 302
candidate's name is printed, the designation of "nonparty 303
candidate." Under the name of each candidate appearing on the 304
ballot who filed a nominating petition and requested a ballot 305
designation as an other-party candidate under section 3513.257 of 306
the Revised Code shall be printed, in less prominent type face 307
than that in which the candidate's name is printed, the 308
designation of "other-party candidate." No designation shall 309
appear under the name of a candidate appearing on the ballot who 310
filed a nominating petition and requested that no ballot 311
designation appear under the candidate's name under section 312
3513.257 of the Revised Code, or who filed a nominating petition 313
and failed to request a ballot designation either as a nonparty 314
candidate or as an other-party candidate under that section. 315

Except as provided in this section, no words, designations, 316
or emblems descriptive of a candidate or the candidate's political 317
affiliation, or indicative of the method by which the candidate 318
was nominated or certified, shall be printed under or after a 319
candidate's name that is printed on the ballot. 320

Sec. 3505.08. (A) Ballots shall be provided by the board of 321
elections for all general and special elections. The ballots shall 322
be printed with black ink on No. 2 white book paper fifty pounds 323
in weight per ream assuming such ream to consist of five hundred 324
sheets of such paper twenty-five by thirty-eight inches in size. 325
Each ballot shall have attached at the top two stubs, each of the 326
width of the ballot and not less than one-half inch in length, 327
except that, if the board of elections has an alternate method to 328
account for the ballots that the secretary of state has 329
authorized, each ballot may have only one stub that shall be the 330
width of the ballot and not less than one-half inch in length. In 331
the case of ballots with two stubs, the stubs shall be separated 332
from the ballot and from each other by perforated lines. The top 333

stub shall be known as Stub B and shall have printed on its face 334
"Stub B." The other stub shall be known as Stub A and shall have 335
printed on its face "Stub A." Each stub shall also have printed on 336
its face "Consecutive Number" 337

Each ballot of each kind of ballot provided for use in each 338
precinct shall be numbered consecutively beginning with number 1 339
by printing such number upon both of the stubs attached to the 340
ballot. On ballots bearing the names of candidates, each 341
candidate's name shall be printed in twelve point boldface upper 342
case type in an enclosed rectangular space, and an enclosed blank 343
rectangular space shall be provided at the left of the candidate's 344
name. The name of the political party of a candidate nominated at 345
a primary election, nominated by petition under section 3517.012 346
of the Revised Code, or certified by a party committee shall be 347
printed in ten point lightface upper and lower case type and shall 348
be separated by a two point blank space. The name of each 349
candidate shall be indented one space within the enclosed 350
rectangular space, and the name of the political party shall be 351
indented two spaces within the enclosed rectangular space. 352

The title of each office on the ballots shall be printed in 353
twelve point boldface upper and lower case type in a separate 354
enclosed rectangular space. A four point rule shall separate the 355
name of a candidate or a group of candidates for the same office 356
from the title of the office next appearing below on the ballot; a 357
two point rule shall separate the title of the office from the 358
names of candidates; and a one point rule shall separate names of 359
candidates. Headings shall be printed in display Roman type. When 360
the names of several candidates are grouped together as candidates 361
for the same office, there shall be printed on the ballots 362
immediately below the title of the office and within the separate 363
rectangular space in which the title is printed "Vote for not more 364
than, " in six point boldface upper and lower case filling 365

the blank space with that number which will indicate the number of 366
persons who may be lawfully elected to the office. 367

Columns on ballots shall be separated from each other by a 368
heavy vertical border or solid line at least one-eighth of an inch 369
wide, and a similar vertical border or line shall enclose the left 370
and right side of ballots. Ballots shall be trimmed along the 371
sides close to such lines. 372

The ballots provided for by this section shall be comprised 373
of four kinds of ballots designated as follows: office type 374
ballot; nonpartisan ballot; questions and issues ballot; and 375
presidential ballot. 376

On the back of each office type ballot shall be printed 377
"Official Office Type Ballot;" on the back of each nonpartisan 378
ballot shall be printed "Official Nonpartisan Ballot;" on the back 379
of each questions and issues ballot shall be printed "Official 380
Questions and Issues Ballot;" and on the back of each presidential 381
ballot shall be printed "Official Presidential Ballot." On the 382
back of every ballot also shall be printed the date of the 383
election at which the ballot is used and the facsimile signatures 384
of the members of the board of the county in which the ballot is 385
used. For the purpose of identifying the kind of ballot, the back 386
of every ballot may be numbered in the order the board shall 387
determine. The numbers shall be printed in not less than 388
thirty-six point type above the words "Official Office Type 389
Ballot," "Official Nonpartisan Ballot," "Official Questions and 390
Issues Ballot," or "Official Presidential Ballot," as the case may 391
be. Ballot boxes bearing corresponding numbers shall be furnished 392
for each precinct in which the above-described numbered ballots 393
are used. 394

On the back of every ballot used, there shall be a solid 395
black line printed opposite the blank rectangular space that is 396
used to mark the choice of the voter. This line shall be printed 397

wide enough so that the mark in the blank rectangular space will 398
not be visible from the back side of the ballot. 399

Sample ballots may be printed by the board of elections for 400
all general elections. The ballots shall be printed on colored 401
paper, and "Sample Ballot" shall be plainly printed in boldface 402
type on the face of each ballot. In counties of less than one 403
hundred thousand population, the board may print not more than 404
five hundred sample ballots; in all other counties, it may print 405
not more than one thousand sample ballots. The sample ballots 406
shall not be distributed by a political party or a candidate, nor 407
shall a political party or candidate cause their title or name to 408
be imprinted on sample ballots. 409

(B) Notwithstanding division (A) of this section, in 410
approving the form of an official ballot, the secretary of state 411
may authorize the use of fonts, type face settings, and ballot 412
formats other than those prescribed in that division. 413

Sec. 3505.10. (A) On the presidential ballot below the stubs 414
at the top of the face of the ballot shall be printed "Official 415
Presidential Ballot" centered between the side edges of the 416
ballot. Below "Official Presidential Ballot" shall be printed a 417
heavy line centered between the side edges of the ballot. Below 418
the line shall be printed "Instruction to Voters" centered between 419
the side edges of the ballot, and below those words shall be 420
printed the following instructions: 421

"(1) To vote for the candidates for president and 422
vice-president whose names are printed below, record your vote in 423
the manner provided next to the names of such candidates. That 424
recording of the vote will be counted as a vote for each of the 425
candidates for presidential elector whose names have been 426
certified to the secretary of state and who are members of the 427
same political party as the nominees for president and 428

vice-president. A recording of the vote for independent candidates 429
for president and vice-president shall be counted as a vote for 430
the presidential electors filed by such candidates with the 431
secretary of state. 432

(2) To vote for candidates for president and vice-president 433
in the blank space below, record your vote in the manner provided 434
and write the names of your choice for president and 435
vice-president under the respective headings provided for those 436
offices. Such write-in will be counted as a vote for the 437
candidates' presidential electors whose names have been properly 438
certified to the secretary of state. 439

(3) If you tear, soil, deface, or erroneously mark this 440
ballot, return it to the precinct election officers or, if you 441
cannot return it, notify the precinct election officers, and 442
obtain another ballot." 443

(B) Below those instructions to the voter shall be printed a 444
single vertical column of enclosed rectangular spaces equal in 445
number to the number of presidential candidates plus one 446
additional space for write-in candidates. Each of those 447
rectangular spaces shall be enclosed by a heavy line along each of 448
its four sides, and such spaces shall be separated from each other 449
by one-half inch of open space. 450

In each of those enclosed rectangular spaces, except the 451
space provided for write-in candidates, shall be printed the names 452
of the candidates for president and vice-president certified to 453
the secretary of state or nominated in one of the following 454
manners: 455

(1) Nominated by the national convention of a political party 456
to which delegates and alternates were elected in this state at 457
the next preceding primary election. A political party certifying 458
candidates so nominated shall certify the names of those 459

candidates to the secretary of state on or before the ninetieth 460
day before the day of the general election. 461

(2) Nominated by nominating petition in accordance with 462
section 3513.257 of the Revised Code. Such a petition shall be 463
filed on or before the ninetieth day before the day of the general 464
election to provide sufficient time to verify the sufficiency and 465
accuracy of signatures on it. 466

(3) Certified to the secretary of state for placement on the 467
presidential ballot by authorized officials of ~~an intermediate or~~ 468
a minor political party that has held a state or national 469
convention for the purpose of choosing those candidates or that 470
may, without a convention, certify those candidates in accordance 471
with the procedure authorized by its party rules. The officials 472
shall certify the names of those candidates to the secretary of 473
state on or before the ninetieth day before the day of the general 474
election. The certification shall be accompanied by a designation 475
of a sufficient number of presidential electors to satisfy the 476
requirements of law. 477

The names of candidates for electors of president and 478
vice-president shall not be placed on the ballot, but shall be 479
certified to the secretary of state as required by sections 480
3513.11 and 3513.257 of the Revised Code. A vote for any 481
candidates for president and vice-president shall be a vote for 482
the electors of those candidates whose names have been certified 483
to the secretary of state. 484

(C) The arrangement of the printing in each of the enclosed 485
rectangular spaces shall be substantially as follows: Near the top 486
and centered within the rectangular space shall be printed "For 487
President" in ten-point boldface upper and lower case type. Below 488
"For President" shall be printed the name of the candidate for 489
president in twelve-point boldface upper case type. Below the name 490
of the candidate for president shall be printed the name of the 491

political party by which that candidate for president was 492
nominated in eight-point lightface upper and lower case type. 493
Below the name of such political party shall be printed "For 494
Vice-President" in ten-point boldface upper and lower case type. 495
Below "For Vice-President" shall be printed the name of the 496
candidate for vice-president in twelve-point boldface upper case 497
type. Below the name of the candidate for vice-president shall be 498
printed the name of the political party by which that candidate 499
for vice-president was nominated in eight-point lightface upper 500
and lower case type. ~~No~~ Except for candidates nominated by 501
petition under section 3517.012 of the Revised Code, no political 502
identification or name of any political party shall be printed 503
below the names of presidential and vice-presidential candidates 504
nominated by petition. 505

The rectangular spaces on the ballot described in this 506
section shall be rotated and printed as provided in section 507
3505.03 of the Revised Code. 508

Sec. 3506.11. The names of all candidates for an office shall 509
be arranged in a group under the title of the office and printed 510
on labels so that they may be rotated on the voting machine as 511
provided in section 3505.03 of the Revised Code. Under the name of 512
each candidate nominated at a primary election, nominated by 513
petition under section 3517.012 of the Revised Code, or certified 514
by a party committee to fill a vacancy under section 3513.31 of 515
the Revised Code, the name of the political party that nominated 516
or certified the candidate shall be printed in less prominent 517
typeface than that in which the candidate's name is printed. 518

519

Sec. 3513.01. (A) Except as otherwise provided in this 520
section and section 3517.012 of the Revised Code, on the first 521
Tuesday after the first Monday in March of 2000 and every fourth 522

year thereafter, and on the first Tuesday after the first Monday 523
in May of every other year, primary elections shall be held for 524
the purpose of nominating persons as candidates of political 525
parties for election to offices to be voted for at the succeeding 526
general election. 527

(B) The manner of nominating persons as candidates for 528
election as officers of a municipal corporation having a 529
population of two thousand or more, as ascertained by the most 530
recent federal census, shall be the same as the manner in which 531
candidates were nominated for election as officers in the 532
municipal corporation in 1989 unless the manner of nominating such 533
candidates is changed under division (C), (D), or (E) of this 534
section. 535

(C) Primary elections shall not be held for the nomination of 536
candidates for election as officers of any township, or any 537
municipal corporation having a population of less than two 538
thousand, unless a majority of the electors of any such township 539
or municipal corporation, as determined by the total number of 540
votes cast in such township or municipal corporation for the 541
office of governor at the most recent regular state election, 542
files with the board of elections of the county within which such 543
township or municipal corporation is located, or within which the 544
major portion of the population thereof is located, if the 545
municipal corporation is situated in more than one county, not 546
later than one hundred twenty days before the day of a primary 547
election, a petition signed by such electors asking that 548
candidates for election as officers of such township or municipal 549
corporation be nominated as candidates of political parties, in 550
which event primary elections shall be held in such township or 551
municipal corporation for the purpose of nominating persons as 552
candidates of political parties for election as officers of such 553
township or municipal corporation to be voted for at the 554

succeeding regular municipal election. In a township or municipal 555
corporation where a majority of the electors have filed a petition 556
asking that candidates for election as officers of the township or 557
municipal corporation be nominated as candidates of political 558
parties, the nomination of candidates for a nonpartisan election 559
may be reestablished in the manner prescribed in division (E) of 560
this section. 561

(D)(1) The electors in a municipal corporation having a 562
population of two thousand or more, in which municipal officers 563
were nominated in the most recent election by nominating petition 564
and elected by nonpartisan election, may place on the ballot in 565
the manner prescribed in division (D)(2) of this section the 566
question of changing to the primary-election method of nominating 567
persons as candidates for election as officers of the municipal 568
corporation. 569

(2) The board of elections of the county within which the 570
municipal corporation is located, or, if the municipal corporation 571
is located in more than one county, of the county within which the 572
major portion of the population of the municipal corporation is 573
located, shall, upon receipt of a petition signed by electors of 574
the municipal corporation equal in number to at least ten per cent 575
of the vote cast at the most recent regular municipal election, 576
submit to the electors of the municipal corporation the question 577
of changing to the primary-election method of nominating persons 578
as candidates for election as officers of the municipal 579
corporation. The ballot language shall be substantially as 580
follows: 581

"Shall candidates for election as officers of 582
(name of municipal corporation) in the county of 583
(name of county) be nominated as candidates of political parties? 584
..... yes 585

..... no" 586

The question shall be placed on the ballot at the next 587
general election in an even-numbered year occurring at least 588
ninety days after the petition is filed with the board. If a 589
majority of the electors voting on the question vote in the 590
affirmative, candidates for election as officers of the municipal 591
corporation shall thereafter be nominated as candidates of 592
political parties in primary elections, under division (A) of this 593
section, unless a change in the manner of nominating persons as 594
candidates for election as officers of the municipal corporation 595
is made under division (E) of this section. 596

(E)(1) The electors in a township or municipal corporation in 597
which the township or municipal officers are nominated as 598
candidates of political parties in a primary election may place on 599
the ballot, in the manner prescribed in division (E)(2) of this 600
section, the question of changing to the nonpartisan method of 601
nominating persons as candidates for election as officers of the 602
township or municipal corporation. 603

(2) The board of elections of the county within which the 604
township or municipal corporation is located, or, if the municipal 605
corporation is located in more than one county, of the county 606
within which the major portion of the population of the municipal 607
corporation is located, shall, upon receipt of a petition signed 608
by electors of the township or municipal corporation equal in 609
number to at least ten per cent of the vote cast at the most 610
recent regular township or municipal election, as appropriate, 611
submit to the electors of the township or municipal corporation, 612
as appropriate, the question of changing to the nonpartisan method 613
of nominating persons as candidates for election as officers of 614
the township or municipal corporation. The ballot language shall 615
be substantially as follows: 616

"Shall candidates for election as officers of 617

(name of the township or municipal corporation) in the county of 618
..... (name of county) be nominated as candidates by 619
nominating petition and be elected only in a nonpartisan election? 620
..... yes 621
..... no" 622

The question shall appear on the ballot at the next general 623
election in an even-numbered year occurring at least ninety days 624
after the petition is filed with the board. If a majority of 625
electors voting on the question vote in the affirmative, 626
candidates for officer of the township or municipal corporation 627
shall thereafter be nominated by nominating petition and be 628
elected only in a nonpartisan election, unless a change in the 629
manner of nominating persons as candidates for election as 630
officers of the township or municipal corporation is made under 631
division (C) or (D) of this section. 632

Sec. 3513.04. Candidates for party nominations to state, 633
district, county, and municipal offices or positions, for which 634
party nominations are provided by law, and for election as members 635
of party controlling committees shall have their names printed on 636
the official primary ballot by filing a declaration of candidacy 637
and paying the fees specified for the office under divisions (A) 638
and (B) of section 3513.10 of the Revised Code, except that the 639
joint candidates for party nomination to the offices of governor 640
and lieutenant governor shall, for the two of them, file one 641
declaration of candidacy. The joint candidates also shall pay the 642
fees specified for the joint candidates under divisions (A) and 643
(B) of section 3513.10 of the Revised Code. 644

The secretary of state shall not accept for filing the 645
declaration of candidacy of a candidate for party nomination to 646
the office of governor unless the declaration of candidacy also 647
shows a joint candidate for the same party's nomination to the 648

office of lieutenant governor, shall not accept for filing the 649
declaration of candidacy of a candidate for party nomination to 650
the office of lieutenant governor unless the declaration of 651
candidacy also shows a joint candidate for the same party's 652
nomination to the office of governor, and shall not accept for 653
filing a declaration of candidacy that shows a candidate for party 654
nomination to the office of governor or lieutenant governor who, 655
for the same election, has already filed a declaration of 656
candidacy or a declaration of intent to be a write-in candidate, 657
or has become a candidate by the filling of a vacancy under 658
section 3513.30 of the Revised Code for any other state office or 659
any federal or county office. 660

No person who seeks party nomination for an office or 661
position at a primary election by declaration of candidacy or by 662
declaration of intent to be a write-in candidate and no person who 663
is a first choice for president of candidates seeking election as 664
delegates and alternates to the national conventions of the 665
different major political parties who are chosen by direct vote of 666
the electors as provided in this chapter shall be permitted to 667
become a candidate by nominating petition, including a nominating 668
petition filed under section 3517.012 of the Revised Code, by 669
declaration of intent to be a write-in candidate, or by filling a 670
vacancy under section 3513.31 of the Revised Code at the following 671
general election for any office other than the office of member of 672
the state board of education, office of member of a city, local, 673
or exempted village board of education, office of member of a 674
governing board of an educational service center, or office of 675
township trustee. 676

Sec. 3513.05. Each person desiring to become a candidate for 677
a party nomination at a primary election or for election to an 678
office or position to be voted for at a primary election, except 679
persons desiring to become joint candidates for the offices of 680

governor and lieutenant governor and except as otherwise provided 681
in section 3513.051 of the Revised Code, shall, not later than 682
four p.m. of the ninetieth day before the day of the primary 683
election, file a declaration of candidacy and petition and pay the 684
fees required under divisions (A) and (B) of section 3513.10 of 685
the Revised Code. The declaration of candidacy and all separate 686
petition papers shall be filed at the same time as one instrument. 687
When the offices are to be voted for at a primary election, 688
persons desiring to become joint candidates for the offices of 689
governor and lieutenant governor shall, not later than four p.m. 690
of the ninetieth day before the day of the primary election, 691
comply with section 3513.04 of the Revised Code. The prospective 692
joint candidates' declaration of candidacy and all separate 693
petition papers of candidacies shall be filed at the same time as 694
one instrument. The secretary of state or a board of elections 695
shall not accept for filing a declaration of candidacy and 696
petition of a person seeking to become a candidate if that person, 697
for the same election, has already filed a declaration of 698
candidacy or a declaration of intent to be a write-in candidate, 699
or has become a candidate by the filling of a vacancy under 700
section 3513.30 of the Revised Code for any federal, state, or 701
county office, if the declaration of candidacy is for a state or 702
county office, or for any municipal or township office, if the 703
declaration of candidacy is for a municipal or township office. 704

If the declaration of candidacy declares a candidacy which is 705
to be submitted to electors throughout the entire state, the 706
petition, including a petition for joint candidates for the 707
offices of governor and lieutenant governor, shall be signed by at 708
least one thousand qualified electors who are members of the same 709
political party as the candidate or joint candidates, and the 710
declaration of candidacy and petition shall be filed with the 711
secretary of state; provided that the secretary of state shall not 712
accept or file any such petition appearing on its face to contain 713

signatures of more than three thousand electors. 714

Except as otherwise provided in this paragraph, if the 715
declaration of candidacy is of one that is to be submitted only to 716
electors within a district, political subdivision, or portion 717
thereof, the petition shall be signed by not less than fifty 718
qualified electors who are members of the same political party as 719
the political party of which the candidate is a member. If the 720
declaration of candidacy is for party nomination as a candidate 721
for member of the legislative authority of a municipal corporation 722
elected by ward, the petition shall be signed by not less than 723
twenty-five qualified electors who are members of the political 724
party of which the candidate is a member. 725

No such petition, except the petition for a candidacy that is 726
to be submitted to electors throughout the entire state, shall be 727
accepted for filing if it appears to contain on its face 728
signatures of more than three times the minimum number of 729
signatures. When a petition of a candidate has been accepted for 730
filing by a board of elections, the petition shall not be deemed 731
invalid if, upon verification of signatures contained in the 732
petition, the board of elections finds the number of signatures 733
accepted exceeds three times the minimum number of signatures 734
required. A board of elections may discontinue verifying 735
signatures on petitions when the number of verified signatures 736
equals the minimum required number of qualified signatures. 737

If the declaration of candidacy declares a candidacy for 738
party nomination or for election as a candidate of ~~an intermediate~~ 739
~~or a~~ minor party, the minimum number of signatures on such 740
petition is one-half the minimum number provided in this section, 741
except that, when the candidacy is one for election as a member of 742
the state central committee or the county central committee of a 743
political party, the minimum number shall be the same for ~~an~~ 744
~~intermediate or a~~ minor party as for a major party. 745

If a declaration of candidacy is one for election as a member 746
of the state central committee or the county central committee of 747
a political party, the petition shall be signed by five qualified 748
electors of the district, county, ward, township, or precinct 749
within which electors may vote for such candidate. The electors 750
signing such petition shall be members of the same political party 751
as the political party of which the candidate is a member. 752

For purposes of signing or circulating a petition of 753
candidacy for party nomination or election, an elector is 754
considered to be a member of a political party if the elector 755
voted in that party's primary election within the preceding two 756
calendar years, or if the elector did not vote in any other 757
party's primary election within the preceding two calendar years. 758

If the declaration of candidacy is of one that is to be 759
submitted only to electors within a county, or within a district 760
or subdivision or part thereof smaller than a county, the petition 761
shall be filed with the board of elections of the county. If the 762
declaration of candidacy is of one that is to be submitted only to 763
electors of a district or subdivision or part thereof that is 764
situated in more than one county, the petition shall be filed with 765
the board of elections of the county within which the major 766
portion of the population thereof, as ascertained by the next 767
preceding federal census, is located. 768

A petition shall consist of separate petition papers, each of 769
which shall contain signatures of electors of only one county. 770
Petitions or separate petition papers containing signatures of 771
electors of more than one county shall not thereby be declared 772
invalid. In case petitions or separate petition papers containing 773
signatures of electors of more than one county are filed, the 774
board shall determine the county from which the majority of 775
signatures came, and only signatures from such county shall be 776
counted. Signatures from any other county shall be invalid. 777

Each separate petition paper shall be circulated by one 778
person only, who shall be the candidate or a joint candidate or a 779
member of the same political party as the candidate or joint 780
candidates, and each separate petition paper shall be governed by 781
the rules set forth in section 3501.38 of the Revised Code. 782

The secretary of state shall promptly transmit to each board 783
such separate petition papers of each petition accompanying a 784
declaration of candidacy filed with the secretary of state as 785
purport to contain signatures of electors of the county of such 786
board. The board of the most populous county of a district shall 787
promptly transmit to each board within such district such separate 788
petition papers of each petition accompanying a declaration of 789
candidacy filed with it as purport to contain signatures of 790
electors of the county of each such board. The board of a county 791
within which the major portion of the population of a subdivision, 792
situated in more than one county, is located, shall promptly 793
transmit to the board of each other county within which a portion 794
of such subdivision is located such separate petition papers of 795
each petition accompanying a declaration of candidacy filed with 796
it as purport to contain signatures of electors of the portion of 797
such subdivision in the county of each such board. 798

All petition papers so transmitted to a board and all 799
petitions accompanying declarations of candidacy filed with a 800
board shall, under proper regulations, be open to public 801
inspection until four p.m. of the eightieth day before the day of 802
the next primary election. Each board shall, not later than the 803
seventy-eighth day before the day of that primary election, 804
examine and determine the validity or invalidity of the signatures 805
on the petition papers so transmitted to or filed with it and 806
shall return to the secretary of state all petition papers 807
transmitted to it by the secretary of state, together with its 808
certification of its determination as to the validity or 809

invalidity of signatures thereon, and shall return to each other 810
board all petition papers transmitted to it by such board, 811
together with its certification of its determination as to the 812
validity or invalidity of the signatures thereon. All other 813
matters affecting the validity or invalidity of such petition 814
papers shall be determined by the secretary of state or the board 815
with whom such petition papers were filed. 816

Protests against the candidacy of any person filing a 817
declaration of candidacy for party nomination or for election to 818
an office or position, as provided in this section, may be filed 819
by any qualified elector who is a member of the same political 820
party as the candidate and who is eligible to vote at the primary 821
election for the candidate whose declaration of candidacy the 822
elector objects to, or by the controlling committee of that 823
political party. The protest shall be in writing, and shall be 824
filed not later than four p.m. of the seventy-fourth day before 825
the day of the primary election. The protest shall be filed with 826
the election officials with whom the declaration of candidacy and 827
petition was filed. Upon the filing of the protest, the election 828
officials with whom it is filed shall promptly fix the time for 829
hearing it, and shall forthwith mail notice of the filing of the 830
protest and the time fixed for hearing to the person whose 831
candidacy is so protested. They shall also forthwith mail notice 832
of the time fixed for such hearing to the person who filed the 833
protest. At the time fixed, such election officials shall hear the 834
protest and determine the validity or invalidity of the 835
declaration of candidacy and petition. If they find that such 836
candidate is not an elector of the state, district, county, or 837
political subdivision in which the candidate seeks a party 838
nomination or election to an office or position, or has not fully 839
complied with this chapter, the candidate's declaration of 840
candidacy and petition shall be determined to be invalid and shall 841
be rejected; otherwise, it shall be determined to be valid. That 842

determination shall be final. 843

A protest against the candidacy of any persons filing a 844
declaration of candidacy for joint party nomination to the offices 845
of governor and lieutenant governor shall be filed, heard, and 846
determined in the same manner as a protest against the candidacy 847
of any person filing a declaration of candidacy singly. 848

The secretary of state shall, on the seventieth day before 849
the day of a primary election, certify to each board in the state 850
the forms of the official ballots to be used at the primary 851
election, together with the names of the candidates to be printed 852
on the ballots whose nomination or election is to be determined by 853
electors throughout the entire state and who filed valid 854
declarations of candidacy and petitions. 855

The board of the most populous county in a district comprised 856
of more than one county but less than all of the counties of the 857
state shall, on the seventieth day before the day of a primary 858
election, certify to the board of each county in the district the 859
names of the candidates to be printed on the official ballots to 860
be used at the primary election, whose nomination or election is 861
to be determined only by electors within the district and who 862
filed valid declarations of candidacy and petitions. 863

The board of a county within which the major portion of the 864
population of a subdivision smaller than the county and situated 865
in more than one county is located shall, on the seventieth day 866
before the day of a primary election, certify to the board of each 867
county in which a portion of that subdivision is located the names 868
of the candidates to be printed on the official ballots to be used 869
at the primary election, whose nomination or election is to be 870
determined only by electors within that subdivision and who filed 871
valid declarations of candidacy and petitions. 872

Sec. 3513.31. (A) If a person nominated in a primary election 873

as a candidate for election at the next general election, whose 874
candidacy is to be submitted to the electors of the entire state, 875
withdraws as that candidate or is disqualified as that candidate 876
under section 3513.052 of the Revised Code, the vacancy in the 877
party nomination so created may be filled by the state central 878
committee of the major political party that made the nomination at 879
the primary election, if the committee's chairperson and secretary 880
certify the name of the person selected to fill the vacancy by the 881
time specified in this division, at a meeting called for that 882
purpose. The meeting shall be called by the chairperson of that 883
committee, who shall give each member of the committee at least 884
two days' notice of the time, place, and purpose of the meeting. 885
If a majority of the members of the committee are present at the 886
meeting, a majority of those present may select a person to fill 887
the vacancy. The chairperson and secretary of the meeting shall 888
certify in writing and under oath to the secretary of state, not 889
later than the eighty-sixth day before the day of the general 890
election, the name of the person selected to fill the vacancy. The 891
certification must be accompanied by the written acceptance of the 892
nomination by the person whose name is certified. A vacancy in a 893
party nomination that may be filled by ~~an intermediate or a~~ minor 894
political party shall be filled in accordance with the party's 895
rules by authorized officials of the party. Certification must be 896
made as in the manner provided for a major political party. 897

(B) If a person nominated in a primary election as a party 899
candidate for election at the next general election, whose 900
candidacy is to be submitted to the electors of a district 901
comprised of more than one county but less than all of the 902
counties of the state, withdraws as that candidate or is 903
disqualified as that candidate under section 3513.052 of the 904
Revised Code, the vacancy in the party nomination so created may 905
be filled by a district committee of the major political party 906

that made the nomination at the primary election, if the 907
committee's chairperson and secretary certify the name of the 908
person selected to fill the vacancy by the time specified in this 909
division, at a meeting called for that purpose. The district 910
committee shall consist of the chairperson and secretary of the 911
county central committee of such political party in each county in 912
the district. The district committee shall be called by the 913
chairperson of the county central committee of such political 914
party of the most populous county in the district, who shall give 915
each member of the district committee at least two days' notice of 916
the time, place, and purpose of the meeting. If a majority of the 917
members of the district committee are present at the district 918
committee meeting, a majority of those present may select a person 919
to fill the vacancy. The chairperson and secretary of the meeting 920
shall certify in writing and under oath to the board of elections 921
of the most populous county in the district, not later than four 922
p.m. of the eighty-sixth day before the day of the general 923
election, the name of the person selected to fill the vacancy. The 924
certification must be accompanied by the written acceptance of the 925
nomination by the person whose name is certified. A vacancy in a 926
party nomination that may be filled by ~~an intermediate or a~~ minor 927
political party shall be filled in accordance with the party's 928
rules by authorized officials of the party. Certification must be 929
made as in the manner provided for a major political party. 930

(C) If a person nominated in a primary election as a party 931
candidate for election at the next general election, whose 932
candidacy is to be submitted to the electors of a county, 933
withdraws as that candidate or is disqualified as that candidate 934
under section 3513.052 of the Revised Code, the vacancy in the 935
party nomination so created may be filled by the county central 936
committee of the major political party that made the nomination at 937
the primary election, or by the county executive committee if so 938
authorized, if the committee's chairperson and secretary certify 939

the name of the person selected to fill the vacancy by the time 940
specified in this division, at a meeting called for that purpose. 941
The meeting shall be called by the chairperson of that committee, 942
who shall give each member of the committee at least two days' 943
notice of the time, place, and purpose of the meeting. If a 944
majority of the members of the committee are present at the 945
meeting, a majority of those present may select a person to fill 946
the vacancy. The chairperson and secretary of the meeting shall 947
certify in writing and under oath to the board of that county, not 948
later than four p.m. of the eighty-sixth day before the day of the 949
general election, the name of the person selected to fill the 950
vacancy. The certification must be accompanied by the written 951
acceptance of the nomination by the person whose name is 952
certified. A vacancy in a party nomination that may be filled by 953
~~an intermediate or~~ a minor political party shall be filled in 954
accordance with the party's rules by authorized officials of the 955
party. Certification must be made as in the manner provided for a 956
major political party. 957

(D) If a person nominated in a primary election as a party 958
candidate for election at the next general election, whose 959
candidacy is to be submitted to the electors of a district within 960
a county, withdraws as that candidate or is disqualified as that 961
candidate under section 3513.052 of the Revised Code, the vacancy 962
in the party nomination so created may be filled by a district 963
committee consisting of those members of the county central 964
committee or, if so authorized, those members of the county 965
executive committee in that county of the major political party 966
that made the nomination at the primary election who represent the 967
precincts or the wards and townships within the district, if the 968
committee's chairperson and secretary certify the name of the 969
person selected to fill the vacancy by the time specified in this 970
division, at a meeting called for that purpose. The district 971
committee meeting shall be called by the chairperson of the county 972

central committee or executive committee, as appropriate, who 973
shall give each member of the district committee at least two 974
days' notice of the time, place, and purpose of the meeting. If a 975
majority of the members of the district committee are present at 976
the district committee meeting, a majority of those present may 977
select a person to fill the vacancy. The chairperson and secretary 978
of the district committee meeting shall certify in writing and 979
under oath to the board of the county, not later than four p.m. of 980
the eighty-sixth day before the day of the general election, the 981
name of the person selected to fill the vacancy. The certification 982
must be accompanied by the written acceptance of the nomination by 983
the person whose name is certified. A vacancy in a party 984
nomination that may be filled by ~~an intermediate or~~ a minor 985
political party shall be filled in accordance with the party's 986
rules by authorized officials of the party. Certification must be 987
made as in the manner provided for a major political party. 988

(E) If a person nominated in a primary election as a party 989
candidate for election at the next general election, whose 990
candidacy is to be submitted to the electors of a subdivision 991
within a county, withdraws as that candidate or is disqualified as 992
that candidate under section 3513.052 of the Revised Code, the 993
vacancy in the party nomination so created may be filled by a 994
subdivision committee consisting of those members of the county 995
central committee or, if so authorized, those members of the 996
county executive committee in that county of the major political 997
party that made the nomination at that primary election who 998
represent the precincts or the wards and townships within that 999
subdivision, if the committee's chairperson and secretary certify 1000
the name of the person selected to fill the vacancy by the time 1001
specified in this division, at a meeting called for that purpose. 1002

The subdivision committee meeting shall be called by the 1003
chairperson of the county central committee or executive 1004

committee, as appropriate, who shall give each member of the 1005
subdivision committee at least two days' notice of the time, 1006
place, and purpose of the meeting. If a majority of the members of 1007
the subdivision committee are present at the subdivision committee 1008
meeting, a majority of those present may select a person to fill 1009
the vacancy. The chairperson and secretary of the subdivision 1010
committee meeting shall certify in writing and under oath to the 1011
board of the county, not later than four p.m. of the eighty-sixth 1012
day before the day of the general election, the name of the person 1013
selected to fill the vacancy. The certification must be 1014
accompanied by the written acceptance of the nomination by the 1015
person whose name is certified. A vacancy in a party nomination 1016
that may be filled by ~~an intermediate or~~ a minor political party 1017
shall be filled in accordance with the party's rules by authorized 1018
officials of the party. Certification must be made in the manner 1019
provided for a major political party. 1020

(F) If a person nominated by petition as an independent or 1021
nonpartisan candidate for election at the next general election 1022
withdraws as that candidate or is disqualified as that candidate 1023
under section 3513.052 of the Revised Code, the vacancy so created 1024
may be filled by a majority of the committee of five, as 1025
designated on the candidate's nominating petition, if a member of 1026
that committee certifies in writing and under oath to the election 1027
officials with whom the candidate filed the candidate's nominating 1028
petition, not later than the eighty-sixth day before the day of 1029
the general election, the name of the person selected to fill the 1030
vacancy. The certification shall be accompanied by the written 1031
acceptance of the nomination by the person whose name is certified 1032
and shall be made in the manner provided for a major political 1033
party. 1034

(G) If a person nominated in a primary election or nominated 1035
by petition under section 3517.012 of the Revised Code as a party 1036

candidate for election at the next general election dies, the 1037
vacancy so created may be filled by the same committee in the same 1038
manner as provided in this section for the filling of similar 1039
vacancies created by withdrawals or disqualifications under 1040
section 3513.052 of the Revised Code, except that the 1041
certification, when filling a vacancy created by death, may not be 1042
filed with the secretary of state, or with a board of the most 1043
populous county of a district, or with the board of a county in 1044
which the major portion of the population of a subdivision is 1045
located, later than four p.m. of the tenth day before the day of 1046
such general election, or with any other board later than four 1047
p.m. of the fifth day before the day of such general election. 1048

(H) If a person nominated by petition as an independent or 1049
nonpartisan candidate for election at the next general election 1050
dies prior to the tenth day before the day of that general 1051
election, the vacancy so created may be filled by a majority of 1052
the committee of five designated in the nominating petition to 1053
represent the candidate named in it. To fill the vacancy a member 1054
of the committee shall, not later than four p.m. of the fifth day 1055
before the day of the general election, file with the election 1056
officials with whom the petition nominating the person was filed, 1057
a certificate signed and sworn to under oath by a majority of the 1058
members, designating the person they select to fill the vacancy. 1059
The certification must be accompanied by the written acceptance of 1060
the nomination by the person whose name is so certified. 1061

(I) If a person holding an elective office dies or resigns 1062
subsequent to the one hundred fifteenth day before the day of a 1063
primary election and prior to the eighty-sixth day before the day 1064
of the next general election, and if, under the laws of this 1065
state, a person may be elected at that general election to fill 1066
the unexpired term of the person who has died or resigned, the 1067
appropriate committee of each political party, acting as in the 1068

case of a vacancy in a party nomination, as provided in divisions 1069
(A) to (D) of this section, may select a person as the party 1070
candidate for election for such unexpired term at that general 1071
election, and certify the person's name to the appropriate 1072
election official not later than four p.m. on the eighty-sixth day 1073
before the day of that general election, or on the tenth day 1074
following the day on which the vacancy occurs, whichever is later. 1075
When the vacancy occurs on or subsequent to the eighty-sixth day 1076
and six or more days prior to the fortieth day before the general 1077
election, the appropriate committee may select a person as the 1078
party candidate and certify the person's name, as provided in the 1079
preceding sentence, not later than four p.m. on the tenth day 1080
following the day on which the vacancy occurs. When the vacancy 1081
occurs fewer than six days before the fortieth day before the 1082
general election, the deadline for filing shall be four p.m. on 1083
the thirty-sixth day before the general election. Thereupon the 1084
name shall be printed as the party candidate under proper titles 1085
and in the proper place on the proper ballots for use at the 1086
election. If a person has been nominated in a primary election or 1087
nominated by petition under section 3517.012 of the Revised Code, 1088
the authorized committee of that political party shall not select 1089
and certify a person as the party candidate. 1090

(J) Each person desiring to become an independent candidate 1091
to fill the unexpired term shall file a statement of candidacy and 1092
nominating petition, as provided in section 3513.261 of the 1093
Revised Code, with the appropriate election official not later 1094
than four p.m. on the tenth day following the day on which the 1095
vacancy occurs, provided that when the vacancy occurs fewer than 1096
six days before the fifty-sixth day before the general election, 1097
the deadline for filing shall be four p.m. on the fiftieth day 1098
before the general election. The nominating petition shall contain 1099
at least seven hundred fifty signatures and no more than one 1100
thousand five hundred signatures of qualified electors of the 1101

district, political subdivision, or portion of a political 1102
subdivision in which the office is to be voted upon, or the amount 1103
provided for in section 3513.257 of the Revised Code, whichever is 1104
less. 1105

(K) When a person nominated as a candidate by a political 1106
party in a primary election or by nominating petition for an 1107
elective office for which candidates are nominated at a party 1108
primary election withdraws, dies, or is disqualified under section 1109
3513.052 of the Revised Code prior to the general election, the 1110
appropriate committee of any other major political party or 1111
committee of five that has not nominated a candidate for that 1112
office, or whose nominee as a candidate for that office has 1113
withdrawn, died, or been disqualified without the vacancy so 1114
created having been filled, may, acting as in the case of a 1115
vacancy in a party nomination or nomination by petition as 1116
provided in divisions (A) to (F) of this section, whichever is 1117
appropriate, select a person as a candidate of that party or of 1118
that committee of five for election to the office. 1119

Sec. 3513.311. (A) If a candidate for lieutenant governor 1120
dies, withdraws, or is disqualified as a candidate prior to the 1121
seventieth day before the day of a primary election, the vacancy 1122
on the ballot shall be filled by appointment by the joint 1123
candidate for the office of governor. Such candidate for governor 1124
shall certify in writing and under oath to the secretary of state 1125
not later than the sixty-fifth day before the day of such election 1126
the name and residence address of the person selected to fill such 1127
vacancy. 1128

(B) If a candidate for governor dies, withdraws, or is 1129
disqualified as a candidate prior to the seventieth day before the 1130
day of a primary election, the vacancy on the ballot shall be 1131
filled by appointment by the joint candidate for the office of 1132

lieutenant governor. Such candidate for lieutenant governor shall 1133
certify in writing and under oath to the secretary of state not 1134
later than the sixty-fifth day before the day of such election the 1135
name and residence address of the person selected to fill such 1136
vacancy. 1137

(C) If a candidate for the office of lieutenant governor dies 1138
on or after the seventieth day, but prior to the tenth day, before 1139
a primary election, the vacancy so created shall be filled by 1140
appointment by the joint candidate for the office of governor. 1141
Such candidate for governor shall certify in writing and under 1142
oath to the secretary of state not later than the fifth day before 1143
the day of such election the name and residence address of the 1144
person selected to fill such vacancy. 1145

(D) If a candidate for the office of governor dies on or 1146
after the seventieth day, but prior to the tenth day, before a 1147
primary election, the vacancy so created shall be filled by 1148
appointment by the joint candidate for the office of lieutenant 1149
governor. Such candidate for lieutenant governor shall certify in 1150
writing and under oath to the secretary of state not later than 1151
the fifth day before the day of such election the name and 1152
residence address of the person selected to fill such vacancy. 1153

(E) If a person nominated in a primary election or nominated 1154
by petition under section 3517.012 of the Revised Code as a 1155
candidate for election to the office of governor or lieutenant 1156
governor at the next general election withdraws as such candidate 1157
prior to the ninetieth day before the day of the general election 1158
or dies prior to the tenth day before the day of such general 1159
election, the vacancy so created shall be filled in the manner 1160
provided for by section 3513.31 of the Revised Code. 1161

(F) If a person nominated by petition as a an independent 1162
candidate for election to the office of governor or lieutenant 1163
governor withdraws as such candidate prior to the ninetieth day 1164

before the day of the general election or dies prior to the tenth 1165
day before the day of such general election, the vacancy so 1166
created shall be filled by the candidates' committee in the manner 1167
provided for, as in the case of death, by section 3513.31 of the 1168
Revised Code, except that, in the case of withdrawal of candidacy, 1169
the name and residence address of the replacement candidate shall 1170
be certified in writing and under oath to the secretary of state 1171
not later than the eighty-sixth day before the day of the general 1172
election. 1173

(G) If the vacancy in a joint candidacy for governor and 1174
lieutenant governor can be filled in accordance with this section 1175
and is not so filled, the joint candidacy which has not been 1176
vacated shall be invalidated and shall not be presented for 1177
election. 1178

(H) Any replacement candidate appointed or selected pursuant 1179
to this section shall be one who has the qualifications of an 1180
elector. 1181

Sec. 3513.312. (A) Notwithstanding section 3513.31 of the 1182
Revised Code, if a person nominated in a primary election or 1183
nominated by petition under section 3517.012 of the Revised Code 1184
as a party candidate for the office of representative to congress 1185
for election at the next general election withdraws as such 1186
candidate prior to the ninetieth day before the day of such 1187
general election, or dies prior to the ninetieth day before the 1188
day of such general election, the vacancy in the party nomination 1189
so created shall be filled by a special election held in 1190
accordance with division (B) of this section. 1191

(B) The boards of elections of all the counties contained in 1192
whole or in part within the congressional district in which a 1193
vacancy occurs as described in division (A) of this section shall, 1194
as soon as reasonably practicable, conduct the special election 1195

and give notice of the time and places of holding such election as 1196
provided in section 3501.03 of the Revised Code. Such election 1197
shall be held and conducted and returns thereof made as in the 1198
case of a primary election. 1199

(C) The state shall pay all costs of any special election 1200
held pursuant to this section. 1201

Sec. 3517.01. (A)(1) A political party within the meaning of 1202
Title XXXV of the Revised Code is any group of voters that, at the 1203
most recent regular state election, polled for its candidate for 1204
governor in the state or nominees for presidential electors at 1205
least ~~five~~ three per cent of the entire vote cast for that office 1206
or that filed with the secretary of state, subsequent to any 1207
election in which it received less than ~~five~~ three per cent of 1208
that vote, a party formation petition ~~signed~~ that meets all of the 1209
following requirements: 1210

(a) The petition is signed by qualified electors equal in 1211
number to at least one per cent of the total vote for governor or 1212
nominees for presidential electors at the most recent election, 1213
~~declaring their~~ for such office. 1214

(b) The petition is signed by not fewer than five hundred 1215
qualified electors from a minimum of one-half of the congressional 1216
districts in this state. If an odd number of congressional 1217
districts exists in this state, the number of districts that 1218
results from dividing the number of congressional districts by two 1219
shall be rounded up to the next whole number. 1220

(c) The petition declares the petitioners' intention of 1221
organizing a political party, the name of which shall be stated in 1222
the declaration, and of participating in the succeeding ~~primary~~ 1223
general election, held in even-numbered years, that occurs more 1224
than one hundred ~~twenty~~ twenty-five days after the date of filing. 1225

(d) The petition names the candidates the petitioners intend 1226
to nominate to appear on the ballot at that general election in 1227
accordance with section 3517.012 of the Revised Code. ~~No~~ 1228

(2) No such group of electors shall assume a name or 1229
designation that is similar, in the opinion of the secretary of 1230
state, to that of an existing political party as to confuse or 1231
mislead the voters at an election. ~~If~~ 1232

(3) If any political party fails to cast ~~five~~ three per cent 1233
of the total vote cast at an election for the office of governor 1234
or president, it shall cease to be a political party. 1235

~~(2)(B)~~ A campaign committee shall be legally liable for any 1236
debts, contracts, or expenditures incurred or executed in its 1237
name. 1238

~~(B)(C)~~ Notwithstanding the definitions found in section 1239
3501.01 of the Revised Code, as used in this section and sections 1240
3517.08 to 3517.14, 3517.99, and 3517.992 of the Revised Code: 1241

(1) "Campaign committee" means a candidate or a combination 1242
of two or more persons authorized by a candidate under section 1243
3517.081 of the Revised Code to receive contributions and make 1244
expenditures. 1245

(2) "Campaign treasurer" means an individual appointed by a 1246
candidate under section 3517.081 of the Revised Code. 1247

(3) "Candidate" has the same meaning as in division (H) of 1248
section 3501.01 of the Revised Code and also includes any person 1249
who, at any time before or after an election, receives 1250
contributions or makes expenditures or other use of contributions, 1251
has given consent for another to receive contributions or make 1252
expenditures or other use of contributions, or appoints a campaign 1253
treasurer, for the purpose of bringing about the person's 1254
nomination or election to public office. When two persons jointly 1255
seek the offices of governor and lieutenant governor, "candidate" 1256

means the pair of candidates jointly. "Candidate" does not include 1257
candidates for election to the offices of member of a county or 1258
state central committee, presidential elector, and delegate to a 1259
national convention or conference of a political party. 1260

(4) "Continuing association" means an association, other than 1261
a campaign committee, political party, legislative campaign fund, 1262
political contributing entity, or labor organization, that is 1263
intended to be a permanent organization that has a primary purpose 1264
other than supporting or opposing specific candidates, political 1265
parties, or ballot issues, and that functions on a regular basis 1266
throughout the year. "Continuing association" includes 1267
organizations that are determined to be not organized for profit 1268
under subsection 501 and that are described in subsection 1269
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 1270

(5) "Contribution" means a loan, gift, deposit, forgiveness 1271
of indebtedness, donation, advance, payment, or transfer of funds 1272
or anything of value, including a transfer of funds from an inter 1273
vivos or testamentary trust or decedent's estate, and the payment 1274
by any person other than the person to whom the services are 1275
rendered for the personal services of another person, which 1276
contribution is made, received, or used for the purpose of 1277
influencing the results of an election. Any loan, gift, deposit, 1278
forgiveness of indebtedness, donation, advance, payment, or 1279
transfer of funds or of anything of value, including a transfer of 1280
funds from an inter vivos or testamentary trust or decedent's 1281
estate, and the payment by any campaign committee, political 1282
action committee, legislative campaign fund, political party, 1283
political contributing entity, or person other than the person to 1284
whom the services are rendered for the personal services of 1285
another person, that is made, received, or used by a state or 1286
county political party, other than moneys a state or county 1287
political party receives from the Ohio political party fund 1288

pursuant to section 3517.17 of the Revised Code and the moneys an 1289
entity may receive under sections 3517.101, 3517.1012, and 1290
3517.1013 of the Revised Code, shall be considered to be a 1291
"contribution" for the purpose of section 3517.10 of the Revised 1292
Code and shall be included on a statement of contributions filed 1293
under that section. 1294

"Contribution" does not include any of the following: 1295

(a) Services provided without compensation by individuals 1296
volunteering a portion or all of their time on behalf of a person; 1297

(b) Ordinary home hospitality; 1298

(c) The personal expenses of a volunteer paid for by that 1299
volunteer campaign worker; 1300

(d) Any gift given to an entity pursuant to section 3517.101 1301
of the Revised Code; 1302

(e) Any contribution as defined in section 3517.1011 of the 1303
Revised Code that is made, received, or used to pay the direct 1304
costs of producing or airing an electioneering communication; 1305

(f) Any gift given to a state or county political party for 1306
the party's restricted fund under division (A)(2) of section 1307
3517.1012 of the Revised Code; 1308

(g) Any gift given to a state political party for deposit in 1309
a Levin account pursuant to section 3517.1013 of the Revised Code. 1310
As used in this division, "Levin account" has the same meaning as 1311
in that section. 1312

(h) Any donation given to a transition fund under section 1313
3517.1014 of the Revised Code. 1314

(6) "Expenditure" means the disbursement or use of a 1315
contribution for the purpose of influencing the results of an 1316
election or of making a charitable donation under division (G) of 1317
section 3517.08 of the Revised Code. Any disbursement or use of a 1318

contribution by a state or county political party is an 1319
expenditure and shall be considered either to be made for the 1320
purpose of influencing the results of an election or to be made as 1321
a charitable donation under division (G) of section 3517.08 of the 1322
Revised Code and shall be reported on a statement of expenditures 1323
filed under section 3517.10 of the Revised Code. During the thirty 1324
days preceding a primary or general election, any disbursement to 1325
pay the direct costs of producing or airing a broadcast, cable, or 1326
satellite communication that refers to a clearly identified 1327
candidate shall be considered to be made for the purpose of 1328
influencing the results of that election and shall be reported as 1329
an expenditure or as an independent expenditure under section 1330
3517.10 or 3517.105 of the Revised Code, as applicable, except 1331
that the information required to be reported regarding 1332
contributors for those expenditures or independent expenditures 1333
shall be the same as the information required to be reported under 1334
divisions (D)(1) and (2) of section 3517.1011 of the Revised Code. 1335

As used in this division, "broadcast, cable, or satellite 1336
communication" and "refers to a clearly identified candidate" have 1337
the same meanings as in section 3517.1011 of the Revised Code. 1338

(7) "Personal expenses" includes, but is not limited to, 1339
ordinary expenses for accommodations, clothing, food, personal 1340
motor vehicle or airplane, and home telephone. 1341

(8) "Political action committee" means a combination of two 1342
or more persons, the primary or major purpose of which is to 1343
support or oppose any candidate, political party, or issue, or to 1344
influence the result of any election through express advocacy, and 1345
that is not a political party, a campaign committee, a political 1346
contributing entity, or a legislative campaign fund. "Political 1347
action committee" does not include either of the following: 1348

(a) A continuing association that makes disbursements for the 1349
direct costs of producing or airing electioneering communications 1350

and that does not engage in express advocacy; 1351

(b) A political club that is formed primarily for social 1352
purposes and that consists of one hundred members or less, has 1353
officers and periodic meetings, has less than two thousand five 1354
hundred dollars in its treasury at all times, and makes an 1355
aggregate total contribution of one thousand dollars or less per 1356
calendar year. 1357

(9) "Public office" means any state, county, municipal, 1358
township, or district office, except an office of a political 1359
party, that is filled by an election and the offices of United 1360
States senator and representative. 1361

(10) "Anything of value" has the same meaning as in section 1362
1.03 of the Revised Code. 1363

(11) "Beneficiary of a campaign fund" means a candidate, a 1364
public official or employee for whose benefit a campaign fund 1365
exists, and any other person who has ever been a candidate or 1366
public official or employee and for whose benefit a campaign fund 1367
exists. 1368

(12) "Campaign fund" means money or other property, including 1369
contributions. 1370

(13) "Public official or employee" has the same meaning as in 1371
section 102.01 of the Revised Code. 1372

(14) "Caucus" means all of the members of the house of 1373
representatives or all of the members of the senate of the general 1374
assembly who are members of the same political party. 1375

(15) "Legislative campaign fund" means a fund that is 1376
established as an auxiliary of a state political party and 1377
associated with one of the houses of the general assembly. 1378

(16) "In-kind contribution" means anything of value other 1379
than money that is used to influence the results of an election or 1380

is transferred to or used in support of or in opposition to a 1381
candidate, campaign committee, legislative campaign fund, 1382
political party, political action committee, or political 1383
contributing entity and that is made with the consent of, in 1384
coordination, cooperation, or consultation with, or at the request 1385
or suggestion of the benefited candidate, committee, fund, party, 1386
or entity. The financing of the dissemination, distribution, or 1387
republication, in whole or part, of any broadcast or of any 1388
written, graphic, or other form of campaign materials prepared by 1389
the candidate, the candidate's campaign committee, or their 1390
authorized agents is an in-kind contribution to the candidate and 1391
an expenditure by the candidate. 1392

(17) "Independent expenditure" means an expenditure by a 1393
person advocating the election or defeat of an identified 1394
candidate or candidates, that is not made with the consent of, in 1395
coordination, cooperation, or consultation with, or at the request 1396
or suggestion of any candidate or candidates or of the campaign 1397
committee or agent of the candidate or candidates. As used in 1398
division ~~(B)~~(C)(17) of this section: 1399

(a) "Person" means an individual, partnership, unincorporated 1400
business organization or association, political action committee, 1401
political contributing entity, separate segregated fund, 1402
association, or other organization or group of persons, but not a 1403
labor organization or a corporation unless the labor organization 1404
or corporation is a political contributing entity. 1405

(b) "Advocating" means any communication containing a message 1406
advocating election or defeat. 1407

(c) "Identified candidate" means that the name of the 1408
candidate appears, a photograph or drawing of the candidate 1409
appears, or the identity of the candidate is otherwise apparent by 1410
unambiguous reference. 1411

(d) "Made in coordination, cooperation, or consultation with, 1412
or at the request or suggestion of, any candidate or the campaign 1413
committee or agent of the candidate" means made pursuant to any 1414
arrangement, coordination, or direction by the candidate, the 1415
candidate's campaign committee, or the candidate's agent prior to 1416
the publication, distribution, display, or broadcast of the 1417
communication. An expenditure is presumed to be so made when it is 1418
any of the following: 1419

(i) Based on information about the candidate's plans, 1420
projects, or needs provided to the person making the expenditure 1421
by the candidate, or by the candidate's campaign committee or 1422
agent, with a view toward having an expenditure made; 1423

(ii) Made by or through any person who is, or has been, 1424
authorized to raise or expend funds, who is, or has been, an 1425
officer of the candidate's campaign committee, or who is, or has 1426
been, receiving any form of compensation or reimbursement from the 1427
candidate or the candidate's campaign committee or agent; 1428

(iii) Except as otherwise provided in division (D) of section 1429
3517.105 of the Revised Code, made by a political party in support 1430
of a candidate, unless the expenditure is made by a political 1431
party to conduct voter registration or voter education efforts. 1432

(e) "Agent" means any person who has actual oral or written 1433
authority, either express or implied, to make or to authorize the 1434
making of expenditures on behalf of a candidate, or means any 1435
person who has been placed in a position with the candidate's 1436
campaign committee or organization such that it would reasonably 1437
appear that in the ordinary course of campaign-related activities 1438
the person may authorize expenditures. 1439

(18) "Labor organization" means a labor union; an employee 1440
organization; a federation of labor unions, groups, locals, or 1441
other employee organizations; an auxiliary of a labor union, 1442

employee organization, or federation of labor unions, groups, 1443
locals, or other employee organizations; or any other bona fide 1444
organization in which employees participate and that exists for 1445
the purpose, in whole or in part, of dealing with employers 1446
concerning grievances, labor disputes, wages, hours, and other 1447
terms and conditions of employment. 1448

(19) "Separate segregated fund" means a separate segregated 1449
fund established pursuant to the Federal Election Campaign Act. 1450

(20) "Federal Election Campaign Act" means the "Federal 1451
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 1452
seq., as amended. 1453

(21) "Restricted fund" means the fund a state or county 1454
political party must establish under division (A)(1) of section 1455
3517.1012 of the Revised Code. 1456

(22) "Electioneering communication" has the same meaning as 1457
in section 3517.1011 of the Revised Code. 1458

(23) "Express advocacy" means a communication that contains 1459
express words advocating the nomination, election, or defeat of a 1460
candidate or that contains express words advocating the adoption 1461
or defeat of a question or issue, as determined by a final 1462
judgment of a court of competent jurisdiction. 1463

(24) "Political committee" has the same meaning as in section 1464
3517.1011 of the Revised Code. 1465

(25) "Political contributing entity" means any entity, 1466
including a corporation or labor organization, that may lawfully 1467
make contributions and expenditures and that is not an individual 1468
or a political action committee, continuing association, campaign 1469
committee, political party, legislative campaign fund, designated 1470
state campaign committee, or state candidate fund. For purposes of 1471
this division, "lawfully" means not prohibited by any section of 1472
the Revised Code, or authorized by a final judgment of a court of 1473

competent jurisdiction. 1474

Sec. 3517.012. (A)(1) When a party formation petition meeting 1475
the requirements of section 3517.01 of the Revised Code declaring 1476
the intention to organize a political party is filed with the 1477
secretary of state, the new party comes into legal existence on 1478
the date of filing and is entitled to hold a primary election as 1479
set out in section 3513.01 of the Revised Code, nominate 1480
candidates to appear on the ballot at the primary general 1481
election, held in even-numbered years that occurs more than one 1482
hundred twenty twenty-five days after the date of filing. The 1483
party formation petition shall name the candidates the petitioners 1484
wish to nominate for offices to be voted on at that general 1485
election. 1486

(2)(a) Upon receiving a party formation petition filed under 1487
division (A)(1) of this section, the secretary of state shall 1488
promptly transmit to each board of elections the separate petition 1489
papers that purport to contain signatures of electors of that 1490
board's county. 1491

(b) Not later than the one hundred thirteenth day before the 1492
day of the general election, each board shall examine and 1493
determine the sufficiency of the signatures on the petition papers 1494
and shall return them to the secretary of state, together with the 1495
board's certification of its determination as to the validity or 1496
invalidity of the signatures on the petition. 1497

(c) Any qualified elector may file a written protest against 1498
the petition with the secretary of state not later than the one 1499
hundred ninth day before the day of the general election. Any such 1500
protest shall be resolved in the manner specified under section 1501
3501.39 of the Revised Code. 1502

(d) Not later than the ninetieth day before the day of the 1503
general election, the secretary of state shall determine whether 1504

the party formation petition is sufficient and shall notify the 1505
petitioners of that determination. 1506

(B)(1) Not later than one hundred twenty-five days before the 1507
day of that general election and not earlier than the day the 1508
applicable party formation petition is filed, each candidate or 1509
pair of joint candidates named on the party formation petition 1510
shall file a nominating petition, on a form prescribed by the 1511
secretary of state, that includes the name of the political party 1512
that submitted the party formation petition. Except as otherwise 1513
provided in this section and sections 3505.03, 3505.08, 3506.11, 1514
3513.31, 3513.311, and 3513.312 of the Revised Code, the 1515
provisions of the Revised Code concerning independent candidates 1516
who file nominating petitions apply to candidates who file 1517
nominating petitions under this section. 1518

(2)(a) If the candidacy is to be submitted to electors 1519
throughout the entire state, the nominating petition, including a 1520
petition for joint candidates for the offices of governor and 1521
lieutenant governor, shall be signed by at least five hundred 1522
qualified electors who have not voted as a member of a different 1523
political party at any primary election within the current year or 1524
the immediately preceding two calendar years. 1525

(b) Except as otherwise provided in this division, if the 1526
candidacy is to be submitted only to electors within a district, 1527
political subdivision, or portion thereof, the nominating petition 1528
shall be signed by not less than twenty-five qualified electors 1529
who have not voted as a member of a different political party at 1530
any primary election within the current year or the immediately 1531
preceding two calendar years. 1532

(3)(a) Each board of elections that is responsible to verify 1533
signatures on the nominating petition shall examine and determine 1534
the sufficiency of those signatures not later than the one hundred 1535
thirteenth day before the day of the general election and shall be 1536

resolved as specified in that section. 1537

(b) Written protests against the petition may be filed in the 1538
manner specified under section 3513.263 of the Revised Code not 1539
later than the one hundred ninth day before the general election 1540
and shall be resolved as specified in that section. 1541

(c) Not later than the ninetieth day before the day of the 1542
general election, the secretary of state or the board of 1543
elections, as applicable, shall determine whether the nominating 1544
petition is sufficient and shall notify the candidate of that 1545
determination. 1546

(4)(a) If the candidate's party formation petition is 1547
sufficient and the associated candidate's nominating petition is 1548
sufficient, the candidate shall appear on the ballot in the 1549
general election as that political party's nominee for that 1550
office. 1551

(b) If the candidate's nominating petition is insufficient, 1552
the candidate shall not appear on the ballot in the general 1553
election. 1554

(c) If the party formation petition is insufficient, the 1555
candidate named on that petition shall not appear on the ballot in 1556
the general election, regardless of whether the candidate's 1557
nominating petition is sufficient. 1558

Sec. 3517.02. All members of controlling committees of a 1559
major ~~or intermediate~~ political party shall be elected by direct 1560
vote of the members of the party, except as otherwise provided in 1561
section 3517.05 of the Revised Code. Their names shall be placed 1562
upon the official ballot, and, notwithstanding division (B) of 1563
section 3513.23 of the Revised Code, the persons receiving the 1564
highest number of votes for committeepersons shall be the members 1565
of those controlling committees. Each member of a controlling 1566

committee shall be a resident and qualified elector of the 1567
district, ward, or precinct that the member is elected to 1568
represent. All members of controlling committees of a minor 1569
political party shall be determined in accordance with party 1570
rules. 1571

Each political party shall file with the office of the 1572
secretary of state a copy of its constitution and bylaws, if any, 1573
within thirty days of adoption or amendment. Each party shall also 1574
file with the office of the secretary of state a list of members 1575
of its controlling committees and other party officials within 1576
thirty days of their election or appointment. 1577

Sec. 3517.03. The controlling committees of each major 1578
political party or organization shall be a state central committee 1579
consisting of two members, one a man and one a woman, representing 1580
either each congressional district in the state or each senatorial 1581
district in the state, as the outgoing committee determines; a 1582
county central committee consisting of one member from each 1583
election precinct in the county, or of one member from each ward 1584
in each city and from each township in the county, as the outgoing 1585
committee determines; and such district, city, township, or other 1586
committees as the rules of the party provide. 1587

All the members of such committees shall be members of the 1588
party and shall be elected for terms of either two or four years, 1589
as determined by party rules, by direct vote at the primary held 1590
in an even-numbered year. Except as otherwise provided in section 1591
3517.02 of the Revised Code, candidates for election as state 1592
central committee members shall be elected at primaries in the 1593
same manner as provided in sections 3513.01 to 3513.32 of the 1594
Revised Code for the nomination of candidates for office in a 1595
county. Candidates for election as members of the county central 1596
committee shall be elected at primaries in the same manner as 1597

provided in those sections for the nomination of candidates for 1598
county offices, except as otherwise provided in sections 3513.051 1599
and 3517.02 of the Revised Code. 1600

Each major party controlling committee shall elect an 1601
executive committee that shall have the powers granted to it by 1602
the party controlling committee, and provided to it by law. When a 1603
judicial, senatorial, or congressional district is comprised of 1604
more than one county, the chairperson and secretary of the county 1605
central committee from each county in that district shall 1606
constitute the judicial, senatorial, or congressional committee of 1607
the district. When a judicial, senatorial, or congressional 1608
district is included within a county, the county central committee 1609
shall constitute the judicial, senatorial, or congressional 1610
committee of the district. 1611

~~The controlling committee of each intermediate political 1612
party or organization shall be a state central committee 1613
consisting of two members, one a man and one a woman, from each 1614
congressional district in the state. All members of the committee 1615
shall be members of the party and shall be elected by direct vote 1616
at the primary held in the even numbered years. Except as 1617
otherwise provided in section 3517.02 of the Revised Code, 1618
candidates for election shall be elected at the primary in the 1619
same manner as provided in sections 3513.01 to 3513.32 of the 1620
Revised Code. An intermediate political party may have such other 1621
party organization as its rules provide. Each intermediate party 1622
shall file the names and addresses of its officers with the 1623
secretary of state. 1624~~

A minor political party may elect controlling committees at a 1625
primary election in the even-numbered year by filing a plan for 1626
party organization with the secretary of state on or before the 1627
ninetieth day before the day of the primary election. The plan 1628
shall specify which offices are to be elected and provide the 1629

procedure for qualification of candidates for those offices. 1630
Candidates to be elected pursuant to the plan shall be designated 1631
and qualified on or before the ninetieth day before the day of the 1632
election. Such parties may, in lieu of electing a controlling 1633
committee or other officials, choose such committee or other 1634
officials in accordance with party rules. Each such party shall 1635
file the names and addresses of members of its controlling 1636
committee and party officers with the secretary of state. 1637

Sec. 4503.03. (A)(1)(a) Except as provided in division (B) of 1638
this section, the registrar of motor vehicles may designate one or 1639
more of the following persons to act as a deputy registrar in each 1640
county: 1641

(i) The county auditor in any county, subject to division 1642
(A)(1)(b)(i) of this section; 1643

(ii) The clerk of a court of common pleas in any county, 1644
subject to division (A)(1)(b)(ii) of this section; 1645

(iii) An individual; 1646

(iv) A nonprofit corporation as defined in division (C) of 1647
section 1702.01 of the Revised Code. 1648

(b)(i) If the population of a county is forty thousand or 1649
less according to the most recent federal decennial census and if 1650
the county auditor is designated by the registrar as a deputy 1651
registrar, no other person need be designated in the county to act 1652
as a deputy registrar. 1653

(ii) The registrar may designate a clerk of a court of common 1654
pleas as a deputy registrar if the population of the county is 1655
forty thousand or less according to the last federal census. In a 1656
county with a population greater than forty thousand but not more 1657
than fifty thousand according to the last federal census, the 1658
clerk of a court of common pleas is eligible to act as a deputy 1659

registrar and may participate in the competitive selection process 1660
for the award of a deputy registrar contract by applying in the 1661
same manner as any other person. All fees collected and retained 1662
by a clerk for conducting deputy registrar services shall be paid 1663
into the county treasury to the credit of the certificate of title 1664
administration fund created under section 325.33 of the Revised 1665
Code. 1666

Notwithstanding the county population restrictions in 1667
division (A)(1)(b) of this section, if no person applies to act 1668
under contract as a deputy registrar in a county and the county 1669
auditor is not designated as a deputy registrar, the registrar may 1670
ask the clerk of a court of common pleas to serve as the deputy 1671
registrar for that county. 1672

(c) As part of the selection process in awarding a deputy 1673
registrar contract, the registrar shall consider the customer 1674
service performance record of any person previously awarded a 1675
deputy registrar contract pursuant to division (A)(1) of this 1676
section. 1677

(2) Deputy registrars shall accept applications for the 1678
annual license tax for any vehicle not taxed under section 4503.63 1679
of the Revised Code and shall assign distinctive numbers in the 1680
same manner as the registrar. Such deputies shall be located in 1681
such locations in the county as the registrar sees fit. There 1682
shall be at least one deputy registrar in each county. 1683

Deputy registrar contracts are subject to the provisions of 1684
division (B) of section 125.081 of the Revised Code. 1685

(B)(1) The registrar shall not designate any person to act as 1686
a deputy registrar under division (A)(1) of this section if the 1687
person or, where applicable, the person's spouse or a member of 1688
the person's immediate family has made, within the current 1689
calendar year or any one of the previous three calendar years, one 1690

or more contributions totaling in excess of one hundred dollars to 1691
any person or entity included in division (A)(2) of section 1692
4503.033 of the Revised Code. As used in this division, "immediate 1693
family" has the same meaning as in division (D) of section 102.01 1694
of the Revised Code, and "entity" includes any political party and 1695
any "continuing association" as defined in division ~~(B)~~(C)(4) of 1696
section 3517.01 of the Revised Code or "political action 1697
committee" as defined in division ~~(B)~~(C)(8) of that section that 1698
is primarily associated with that political party. For purposes of 1699
this division, contributions to any continuing association or any 1700
political action committee that is primarily associated with a 1701
political party shall be aggregated with contributions to that 1702
political party. 1703

The contribution limitations contained in this division do 1704
not apply to any county auditor or clerk of a court of common 1705
pleas. A county auditor or clerk of a court of common pleas is not 1706
required to file the disclosure statement or pay the filing fee 1707
required under section 4503.033 of the Revised Code. The 1708
limitations of this division also do not apply to a deputy 1709
registrar who, subsequent to being awarded a deputy registrar 1710
contract, is elected to an office of a political subdivision. 1711

(2) The registrar shall not designate either of the following 1712
to act as a deputy registrar: 1713

(a) Any elected public official other than a county auditor 1714
or, as authorized by division (A)(1)(b) of this section, a clerk 1715
of a court of common pleas, acting in an official capacity, except 1716
that, the registrar shall continue and may renew a contract with 1717
any deputy registrar who, subsequent to being awarded a deputy 1718
registrar contract, is elected to an office of a political 1719
subdivision; 1720

(b) Any person holding a current, valid contract to conduct 1721
motor vehicle inspections under section 3704.14 of the Revised 1722

Code. 1723

(3) As used in division (B) of this section, "political 1724
subdivision" has the same meaning as in section 3501.01 of the 1725
Revised Code. 1726

(C)(1) Except as provided in division (C)(2) of this section, 1727
deputy registrars are independent contractors and neither they nor 1728
their employees are employees of this state, except that nothing 1729
in this section shall affect the status of county auditors or 1730
clerks of courts of common pleas as public officials, nor the 1731
status of their employees as employees of any of the counties of 1732
this state, which are political subdivisions of this state. Each 1733
deputy registrar shall be responsible for the payment of all 1734
unemployment compensation premiums, all workers' compensation 1735
premiums, social security contributions, and any and all taxes for 1736
which the deputy registrar is legally responsible. Each deputy 1737
registrar shall comply with all applicable federal, state, and 1738
local laws requiring the withholding of income taxes or other 1739
taxes from the compensation of the deputy registrar's employees. 1740
Each deputy registrar shall maintain during the entire term of the 1741
deputy registrar's contract a policy of business liability 1742
insurance satisfactory to the registrar and shall hold the 1743
department of public safety, the director of public safety, the 1744
bureau of motor vehicles, and the registrar harmless upon any and 1745
all claims for damages arising out of the operation of the deputy 1746
registrar agency. 1747

(2) For purposes of Chapter 4141. of the Revised Code, 1748
determinations concerning the employment of deputy registrars and 1749
their employees shall be made under Chapter 4141. of the Revised 1750
Code. 1751

(D)(1) With the approval of the director, the registrar shall 1752
adopt rules governing deputy registrars. The rules shall do all of 1753
the following: 1754

(a) Establish requirements governing the terms of the contract between the registrar and each deputy registrar and the services to be performed;	1755 1756 1757
(b) Establish requirements governing the amount of bond to be given as provided in this section;	1758 1759
(c) Establish requirements governing the size and location of the deputy's office;	1760 1761
(d) Establish requirements governing the leasing of equipment necessary to conduct the vision screenings required under section 4507.12 of the Revised Code and training in the use of the equipment;	1762 1763 1764 1765
(e) Encourage every deputy registrar to inform the public of the location of the deputy registrar's office and hours of operation by means of public service announcements;	1766 1767 1768
(f) Allow any deputy registrar to advertise in regard to the operation of the deputy registrar's office;	1769 1770
(g) Specify the hours the deputy's office is to be open to the public and require as a minimum that one deputy's office in each county be open to the public for at least four hours each weekend, provided that if only one deputy's office is located within the boundary of the county seat, that office is the office that shall be open for the four-hour period each weekend;	1771 1772 1773 1774 1775 1776
(h) Specify that every deputy registrar, upon request, provide any person with information about the location and office hours of all deputy registrars in the county;	1777 1778 1779
(i) Allow a deputy registrar contract to be awarded to a nonprofit corporation formed under the laws of this state;	1780 1781
(j) Except as provided in division (D)(2) of this section, prohibit any deputy registrar from operating more than one deputy registrar's office at any time;	1782 1783 1784

(k) For the duration of any deputy registrar contract, 1785
require that the deputy registrar occupy a primary residence in a 1786
location that is within a one-hour commute time from the deputy 1787
registrar's office or offices. The rules shall require the 1788
registrar to determine commute time by using multiple established 1789
internet-based mapping services. 1790

(l) Establish procedures for a deputy registrar to request 1791
the authority to collect reinstatement fees under sections 1792
4507.1612, 4507.45, 4509.101, 4509.81, 4510.10, 4510.22, 4510.72, 1793
and 4511.191 of the Revised Code and to transmit the reinstatement 1794
fees and two dollars of the service fee collected under those 1795
sections. The registrar shall ensure that, not later than January 1796
1, 2012, at least one deputy registrar in each county has the 1797
necessary equipment and is able to accept reinstatement fees. The 1798
registrar shall deposit the service fees received from a deputy 1799
registrar under those sections into the state bureau of motor 1800
vehicles fund created in section 4501.25 of the Revised Code and 1801
shall use the money for deputy registrar equipment necessary in 1802
connection with accepting reinstatement fees. 1803

(m) Establish such other requirements as the registrar and 1804
director consider necessary to provide a high level of service. 1805

(2) Notwithstanding division (D)(1)(j) of this section, the 1806
rules may allow both of the following: 1807

(a) The registrar to award a contract to a deputy registrar 1808
to operate more than one deputy registrar's office if determined 1809
by the registrar to be practical; 1810

(b) A nonprofit corporation formed for the purposes of 1811
providing automobile-related services to its members or the public 1812
and that provides such services from more than one location in 1813
this state to operate a deputy registrar office at any location. 1814

(3) As a daily adjustment, the bureau of motor vehicles shall 1815

credit to a deputy registrar three dollars and fifty cents for 1816
each damaged license plate or validation sticker the deputy 1817
registrar replaces as a service to a member of the public. 1818

(4)(a) With the prior approval of the registrar, each deputy 1819
registrar may conduct at the location of the deputy registrar's 1820
office any business that is consistent with the functions of a 1821
deputy registrar and that is not specifically mandated or 1822
authorized by this or another chapter of the Revised Code or by 1823
implementing rules of the registrar. 1824

(b) In accordance with guidelines the director of public 1825
safety shall establish, a deputy registrar may operate or contract 1826
for the operation of a vending machine at a deputy registrar 1827
location if products of the vending machine are consistent with 1828
the functions of a deputy registrar. 1829

(c) A deputy registrar may enter into an agreement with the 1830
Ohio turnpike and infrastructure commission pursuant to division 1831
(A)(11) of section 5537.04 of the Revised Code for the purpose of 1832
allowing the general public to acquire from the deputy registrar 1833
the electronic toll collection devices that are used under the 1834
multi-jurisdiction electronic toll collection agreement between 1835
the Ohio turnpike and infrastructure commission and any other 1836
entities or agencies that participate in such an agreement. The 1837
approval of the registrar is not necessary if a deputy registrar 1838
engages in this activity. 1839

(5) As used in this section and in section 4507.01 of the 1840
Revised Code, "nonprofit corporation" has the same meaning as in 1841
section 1702.01 of the Revised Code. 1842

(E)(1) Unless otherwise terminated and except for interim 1843
contracts lasting not longer than one year, contracts with deputy 1844
registrars shall be entered into through a competitive selection 1845
process and shall be limited in duration as follows: 1846

(a) For contracts entered into between July 1, 1996 and June 29, 2014, for a period of not less than two years, but not more than three years;

(b) For contracts entered into on or after June 29, 2014, for a period of five years, unless the registrar determines that a shorter contract term is appropriate for a particular deputy registrar.

(2) All contracts with deputy registrars shall expire on the last Saturday of June in the year of their expiration. Prior to the expiration of any deputy registrar contract, the registrar, with the approval of the director, may award a one-year contract extension to any deputy registrar who has provided exemplary service based upon objective performance evaluations.

(3)(a) The auditor of state may examine the accounts, reports, systems, and other data of each deputy registrar at least every two years. The registrar, with the approval of the director, shall immediately remove a deputy who violates any provision of the Revised Code related to the duties as a deputy, any rule adopted by the registrar, or a term of the deputy's contract with the registrar. The registrar also may remove a deputy who, in the opinion of the registrar, has engaged in any conduct that is either unbecoming to one representing this state or is inconsistent with the efficient operation of the deputy's office.

(b) If the registrar, with the approval of the director, determines that there is good cause to believe that a deputy registrar or a person proposing for a deputy registrar contract has engaged in any conduct that would require the denial or termination of the deputy registrar contract, the registrar may require the production of books, records, and papers as the registrar determines are necessary, and may take the depositions of witnesses residing within or outside the state in the same manner as is prescribed by law for the taking of depositions in

civil actions in the court of common pleas, and for that purpose 1879
the registrar may issue a subpoena for any witness or a subpoena 1880
duces tecum to compel the production of any books, records, or 1881
papers, directed to the sheriff of the county where the witness 1882
resides or is found. Such a subpoena shall be served and returned 1883
in the same manner as a subpoena in a criminal case is served and 1884
returned. The fees of the sheriff shall be the same as that 1885
allowed in the court of common pleas in criminal cases. Witnesses 1886
shall be paid the fees and mileage provided for under section 1887
119.094 of the Revised Code. The fees and mileage shall be paid 1888
from the fund in the state treasury for the use of the agency in 1889
the same manner as other expenses of the agency are paid. 1890

In any case of disobedience or neglect of any subpoena served 1891
on any person or the refusal of any witness to testify to any 1892
matter regarding which the witness lawfully may be interrogated, 1893
the court of common pleas of any county where the disobedience, 1894
neglect, or refusal occurs or any judge of that court, on 1895
application by the registrar, shall compel obedience by attachment 1896
proceedings for contempt, as in the case of disobedience of the 1897
requirements of a subpoena issued from that court, or a refusal to 1898
testify in that court. 1899

(4) Nothing in division (E) of this section shall be 1900
construed to require a hearing of any nature prior to the 1901
termination of any deputy registrar contract by the registrar, 1902
with the approval of the director, for cause. 1903

(F) Except as provided in section 2743.03 of the Revised 1904
Code, no court, other than the court of common pleas of Franklin 1905
county, has jurisdiction of any action against the department of 1906
public safety, the director, the bureau, or the registrar to 1907
restrain the exercise of any power or authority, or to entertain 1908
any action for declaratory judgment, in the selection and 1909
appointment of, or contracting with, deputy registrars. Neither 1910

the department, the director, the bureau, nor the registrar is 1911
liable in any action at law for damages sustained by any person 1912
because of any acts of the department, the director, the bureau, 1913
or the registrar, or of any employee of the department or bureau, 1914
in the performance of official duties in the selection and 1915
appointment of, and contracting with, deputy registrars. 1916

(G) The registrar shall assign to each deputy registrar a 1917
series of numbers sufficient to supply the demand at all times in 1918
the area the deputy registrar serves, and the registrar shall keep 1919
a record in the registrar's office of the numbers within the 1920
series assigned. Each deputy shall be required to give bond in the 1921
amount of at least twenty-five thousand dollars, or in such higher 1922
amount as the registrar determines necessary, based on a uniform 1923
schedule of bond amounts established by the registrar and 1924
determined by the volume of registrations handled by the deputy. 1925
The form of the bond shall be prescribed by the registrar. The 1926
bonds required of deputy registrars, in the discretion of the 1927
registrar, may be individual or schedule bonds or may be included 1928
in any blanket bond coverage carried by the department. 1929

(H) Each deputy registrar shall keep a file of each 1930
application received by the deputy and shall register that motor 1931
vehicle with the name and address of its owner. 1932

(I) Upon request, a deputy registrar shall make the physical 1933
inspection of a motor vehicle and issue the physical inspection 1934
certificate required in section 4505.061 of the Revised Code. 1935

(J) Each deputy registrar shall file a report semiannually 1936
with the registrar of motor vehicles listing the number of 1937
applicants for licenses the deputy has served, the number of voter 1938
registration applications the deputy has completed and transmitted 1939
to the board of elections, and the number of voter registration 1940
applications declined. 1941

Sec. 5747.29. A nonrefundable credit is allowed against the 1942
tax imposed by section 5747.02 of the Revised Code for 1943
contributions of money made to the campaign committee of 1944
candidates for any of the following public offices: governor, 1945
lieutenant governor, secretary of state, auditor of state, 1946
treasurer of state, attorney general, member of the state board of 1947
education, chief justice of the supreme court, justice of the 1948
supreme court, or member of the general assembly. The amount of 1949
the credit for a taxable year equals the lesser of the combined 1950
total contributions made during the taxable year by each taxpayer 1951
filing a return required to be filed under section 5747.08 of the 1952
Revised Code or the amount of fifty dollars, in the case of an 1953
individual return, or one hundred dollars, in the case of a joint 1954
return. 1955

As used in this section: 1956

(A) "Candidate" has the same meaning as in division ~~(B)~~(C)(3) 1957
of section 3517.01 of the Revised Code, but is limited to 1958
candidates for the public offices specified in this section. 1959

(B) "Contribution" has the same meaning as in division 1960
~~(B)~~(C)(5) of section 3517.01 of the Revised Code, but is limited 1961
to contributions of money only. 1962

The taxpayer shall claim the credit in the order required 1963
under section 5747.98 of the Revised Code. The credit for a 1964
taxable year shall not exceed the tax otherwise due for that year 1965
after allowing for any other credits that precede the credit under 1966
this section in that order. 1967

Section 2. That existing sections 3501.01, 3501.07, 3505.03, 1968
3505.08, 3505.10, 3506.11, 3513.01, 3513.04, 3513.05, 3513.31, 1969
3513.311, 3513.312, 3517.01, 3517.012, 3517.02, 3517.03, 4503.03, 1970
and 5747.29 and section 3517.015 of the Revised Code are hereby 1971
repealed. 1972