

As Passed by the House

**130th General Assembly
Regular Session
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Am. Sub. S. B. No. 193

Senator Seitz

Cosponsors: Senator Eklund

Representatives Buchy, Huffman, Stebelton, Wachtmann

Speaker Batchelder

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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 21
first Tuesday after the first Monday in November in each 22
even-numbered year. 23

(D) "Special election" means any election other than those 24
elections defined in other divisions of this section. A special 25
election may be held only on the first Tuesday after the first 26
Monday in February, May, August, or November, or on the day 27
authorized by a particular municipal or county charter for the 28
holding of a primary election, except that in any year in which a 29
presidential primary election is held, no special election shall 30
be held in February or May, except as authorized by a municipal or 31
county charter, but may be held on the first Tuesday after the 32
first Monday in March. 33

(E)(1) "Primary" or "primary election" means an election held 34
for the purpose of nominating persons as candidates of political 35
parties for election to offices, and for the purpose of electing 36
persons as members of the controlling committees of political 37
parties and as delegates and alternates to the conventions of 38
political parties. Primary elections shall be held on the first 39
Tuesday after the first Monday in May of each year except in years 40
in which a presidential primary election is held. 41

(2) "Presidential primary election" means a primary election 42
as defined by division (E)(1) of this section at which an election 43
is held for the purpose of choosing delegates and alternates to 44
the national conventions of the major political parties pursuant 45
to section 3513.12 of the Revised Code. Unless otherwise 46
specified, presidential primary elections are included in 47
references to primary elections. In years in which a presidential 48
primary election is held, all primary elections shall be held on 49

the first Tuesday after the first Monday in March except as 50
otherwise authorized by a municipal or county charter. 51

(F) "Political party" means any group of voters meeting the 52
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~~ that meets either of 66
the following requirements: 67

(a) Except as otherwise provided in this division, the 68
political party's candidate for governor or nominees for 69
presidential electors received less than ~~ten~~ twenty per cent but 70
not less than ~~five~~ two per cent of the total vote cast for such 71
office at the most recent regular state election ~~or which.~~ A 72
political party that meets the requirements of this division 73
remains a political party for a period of four years after meeting 74
those requirements. 75

(b) The political party has filed with the secretary of 76
state, subsequent to any election in which it received less than 77
five per cent of such vote its failure to meet the requirements of 78
division (F)(2)(a) of this section, a petition signed by qualified 79
electors equal in number to at least one per cent of the total 80

~~vote cast for such office in the last preceding regular state~~ 81
~~election, except that a~~ that meets the requirements of section 82
3517.01 of the Revised Code. 83

A newly formed political party shall be known as a minor 84
political party until the time of the first election for governor 85
or president which occurs not less than twelve months subsequent 86
to the formation of such party, after which election the status of 87
such party shall be determined by the vote for the office of 88
governor or president. 89

(G) "Dominant party in a precinct" or "dominant political 90
party in a precinct" means that political party whose candidate 91
for election to the office of governor at the most recent regular 92
state election at which a governor was elected received more votes 93
than any other person received for election to that office in such 94
precinct at such election. 95

(H) "Candidate" means any qualified person certified in 96
accordance with the provisions of the Revised Code for placement 97
on the official ballot of a primary, general, or special election 98
to be held in this state, or any qualified person who claims to be 99
a write-in candidate, or who knowingly assents to being 100
represented as a write-in candidate by another at either a 101
primary, general, or special election to be held in this state. 102

(I) "Independent candidate" means any candidate who claims 103
not to be affiliated with a political party, and whose name has 104
been certified on the office-type ballot at a general or special 105
election through the filing of a statement of candidacy and 106
nominating petition, as prescribed in section 3513.257 of the 107
Revised Code. 108

(J) "Nonpartisan candidate" means any candidate whose name is 109
required, pursuant to section 3505.04 of the Revised Code, to be 110
listed on the nonpartisan ballot, including all candidates for 111

judicial office, for member of any board of education, for 112
municipal or township offices in which primary elections are not 113
held for nominating candidates by political parties, and for 114
offices of municipal corporations having charters that provide for 115
separate ballots for elections for these offices. 116

(K) "Party candidate" means any candidate who claims to be a 117
member of a political party, ~~whose name~~ and who has been certified 118
to appear on the office-type ballot at a general or special 119
election ~~through the filing of a declaration of candidacy and~~ 120
~~petition of candidate, and who~~ as the nominee of a political party 121
because the candidate has won the primary election of the 122
candidate's party for the public office the candidate seeks, has 123
been nominated under section 3517.012, or is selected by party 124
committee in accordance with section 3513.31 of the Revised Code. 125

(L) "Officer of a political party" includes, but is not 126
limited to, any member, elected or appointed, of a controlling 127
committee, whether representing the territory of the state, a 128
district therein, a county, township, a city, a ward, a precinct, 129
or other territory, of a major, ~~intermediate,~~ or minor political 130
party. 131

(M) "Question or issue" means any question or issue certified 132
in accordance with the Revised Code for placement on an official 133
ballot at a general or special election to be held in this state. 134

(N) "Elector" or "qualified elector" means a person having 135
the qualifications provided by law to be entitled to vote. 136

(O) "Voter" means an elector who votes at an election. 137

(P) "Voting residence" means that place of residence of an 138
elector which shall determine the precinct in which the elector 139
may vote. 140

(Q) "Precinct" means a district within a county established 141
by the board of elections of such county within which all 142

qualified electors having a voting residence therein may vote at 143
the same polling place. 144

(R) "Polling place" means that place provided for each 145
precinct at which the electors having a voting residence in such 146
precinct may vote. 147

(S) "Board" or "board of elections" means the board of 148
elections appointed in a county pursuant to section 3501.06 of the 149
Revised Code. 150

(T) "Political subdivision" means a county, township, city, 151
village, or school district. 152

(U) "Election officer" or "election official" means any of 153
the following: 154

(1) Secretary of state; 155

(2) Employees of the secretary of state serving the division 156
of elections in the capacity of attorney, administrative officer, 157
administrative assistant, elections administrator, office manager, 158
or clerical supervisor; 159

(3) Director of a board of elections; 160

(4) Deputy director of a board of elections; 161

(5) Member of a board of elections; 162

(6) Employees of a board of elections; 163

(7) Precinct polling place judges; 164

(8) Employees appointed by the boards of elections on a 165
temporary or part-time basis. 166

(V) "Acknowledgment notice" means a notice sent by a board of 167
elections, on a form prescribed by the secretary of state, 168
informing a voter registration applicant or an applicant who 169
wishes to change the applicant's residence or name of the status 170
of the application; the information necessary to complete or 171

update the application, if any; and if the application is 172
complete, the precinct in which the applicant is to vote. 173

(W) "Confirmation notice" means a notice sent by a board of 174
elections, on a form prescribed by the secretary of state, to a 175
registered elector to confirm the registered elector's current 176
address. 177

(X) "Designated agency" means an office or agency in the 178
state that provides public assistance or that provides 179
state-funded programs primarily engaged in providing services to 180
persons with disabilities and that is required by the National 181
Voter Registration Act of 1993 to implement a program designed and 182
administered by the secretary of state for registering voters, or 183
any other public or government office or agency that implements a 184
program designed and administered by the secretary of state for 185
registering voters, including the department of job and family 186
services, the program administered under section 3701.132 of the 187
Revised Code by the department of health, the department of mental 188
health and addiction services, the department of developmental 189
disabilities, the opportunities for Ohioans with disabilities 190
agency, and any other agency the secretary of state designates. 191
"Designated agency" does not include public high schools and 192
vocational schools, public libraries, or the office of a county 193
treasurer. 194

(Y) "National Voter Registration Act of 1993" means the 195
"National Voter Registration Act of 1993," 107 Stat. 77, 42 196
U.S.C.A. 1973gg. 197

(Z) "Voting Rights Act of 1965" means the "Voting Rights Act 198
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 199

(AA) "Photo identification" means a document that meets each 200
of the following requirements: 201

(1) It shows the name of the individual to whom it was 202

issued, which shall conform to the name in the poll list or 203
signature pollbook. 204

(2) It shows the current address of the individual to whom it 205
was issued, which shall conform to the address in the poll list or 206
signature pollbook, except for a driver's license or a state 207
identification card issued under section 4507.50 of the Revised 208
Code, which may show either the current or former address of the 209
individual to whom it was issued, regardless of whether that 210
address conforms to the address in the poll list or signature 211
pollbook. 212

(3) It shows a photograph of the individual to whom it was 213
issued. 214

(4) It includes an expiration date that has not passed. 215

(5) It was issued by the government of the United States or 216
this state. 217

Sec. 3501.07. At a meeting held not more than sixty nor less 218
than fifteen days before the expiration date of the term of office 219
of a member of the board of elections, or within fifteen days 220
after a vacancy occurs in the board, the county executive 221
committee of the major political party entitled to the appointment 222
may make and file a recommendation with the secretary of state for 223
the appointment of a qualified elector. The secretary of state 224
shall appoint such elector, unless he the secretary of state has 225
reason to believe that the elector would not be a competent member 226
of such board. In such cases the secretary of state shall so state 227
in writing to the ~~chairman~~ chairperson of such county executive 228
committee, with the reasons therefor, and such committee may 229
either recommend another elector or may apply for a writ of 230
mandamus to the supreme court to compel the secretary of state to 231
appoint the elector so recommended. In such action the burden of 232
proof to show the qualifications of the person so recommended 233

shall be on the committee making the recommendation. If no such 234
recommendation is made, the secretary of state shall make the 235
appointment. 236

If a vacancy on the board of elections is to be filled by a 237
minor ~~or an intermediate~~ political party, authorized officials of 238
that party may within fifteen days after the vacancy occurs 239
recommend a qualified person to the secretary of state for 240
appointment to such vacancy. 241

Sec. 3505.03. On the office type ballot shall be printed the 242
names of all candidates for election to offices, except judicial 243
offices, who were nominated at the most recent primary election as 244
candidates of a political party or who were nominated in 245
accordance with section 3513.02 of the Revised Code, and the names 246
of all candidates for election to offices who were nominated by 247
nominating petitions, except candidates for judicial offices, for 248
member of the state board of education, for member of a board of 249
education, for municipal offices, and for township offices. 250

The face of the ballot below the stub shall be substantially 251
in the following form: 252

"OFFICIAL OFFICE TYPE BALLOT 253

(A) To vote for a candidate record your vote in the manner 254
provided next to the name of such candidate. 255

(B) If you tear, soil, deface, or erroneously mark this 256
ballot, return it to the precinct election officers or, if you 257
cannot return it, notify the precinct election officers, and 258
obtain another ballot." 259

The order in which the offices shall be listed on the ballot 260
shall be prescribed by, and certified to each board of elections 261
by, the secretary of state; provided that for state, district, and 262
county offices the order from top to bottom shall be as follows: 263

governor and lieutenant governor, attorney general, auditor of 264
state, secretary of state, treasurer of state, United States 265
senator, representative to congress, state senator, state 266
representative, county commissioner, county auditor, prosecuting 267
attorney, clerk of the court of common pleas, sheriff, county 268
recorder, county treasurer, county engineer, and coroner. The 269
offices of governor and lieutenant governor shall be printed on 270
the ballot in a manner that requires a voter to cast one vote 271
jointly for the candidates who have been nominated by the same 272
political party or petition. 273

The names of all candidates for an office shall be arranged 274
in a group under the title of that office, and, except for 275
absentee ballots or when the number of candidates for a particular 276
office is the same as the number of candidates to be elected for 277
that office, shall be rotated from one precinct to another. On 278
absentee ballots, the names of all candidates for an office shall 279
be arranged in a group under the title of that office and shall be 280
so alternated that each name shall appear, insofar as may be 281
reasonably possible, substantially an equal number of times at the 282
beginning, at the end, and in each intermediate place, if any, of 283
the group in which such name belongs, unless the number of 284
candidates for a particular office is the same as the number of 285
candidates to be elected for that office. 286

The method of printing the ballots to meet the rotation 287
requirement of this section shall be as follows: the least common 288
multiple of the number of names in each of the several groups of 289
candidates shall be used, and the number of changes made in the 290
printer's forms in printing the ballots shall correspond with that 291
multiple. The board of elections shall number all precincts in 292
regular serial sequence. In the first precinct, the names of the 293
candidates in each group shall be listed in alphabetical order. In 294
each succeeding precinct, the name in each group that is listed 295

first in the preceding precinct shall be listed last, and the name 296
of each candidate shall be moved up one place. In each precinct 297
using paper ballots, the printed ballots shall then be assembled 298
in tablets. 299

Under the name of each candidate nominated at a primary 300
election ~~and each candidate, nominated by petition under section~~ 301
3517.012 of the Revised Code, or certified by a party committee to 302
fill a vacancy under section 3513.31 of the Revised Code shall be 303
printed, in less prominent type face than that in which the 304
candidate's name is printed, the name of the political party by 305
which the candidate was nominated or certified. Under the name of 306
each candidate appearing on the ballot who filed a nominating 307
petition and requested a ballot designation as a nonparty 308
candidate under section 3513.257 of the Revised Code shall be 309
printed, in less prominent type face than that in which the 310
candidate's name is printed, the designation of "nonparty 311
candidate." Under the name of each candidate appearing on the 312
ballot who filed a nominating petition and requested a ballot 313
designation as an other-party candidate under section 3513.257 of 314
the Revised Code shall be printed, in less prominent type face 315
than that in which the candidate's name is printed, the 316
designation of "other-party candidate." No designation shall 317
appear under the name of a candidate appearing on the ballot who 318
filed a nominating petition and requested that no ballot 319
designation appear under the candidate's name under section 320
3513.257 of the Revised Code, or who filed a nominating petition 321
and failed to request a ballot designation either as a nonparty 322
candidate or as an other-party candidate under that section. 323

Except as provided in this section, no words, designations, 324
or emblems descriptive of a candidate or the candidate's political 325
affiliation, or indicative of the method by which the candidate 326
was nominated or certified, shall be printed under or after a 327

candidate's name that is printed on the ballot. 328

Sec. 3505.08. (A) Ballots shall be provided by the board of 329
elections for all general and special elections. The ballots shall 330
be printed with black ink on No. 2 white book paper fifty pounds 331
in weight per ream assuming such ream to consist of five hundred 332
sheets of such paper twenty-five by thirty-eight inches in size. 333
Each ballot shall have attached at the top two stubs, each of the 334
width of the ballot and not less than one-half inch in length, 335
except that, if the board of elections has an alternate method to 336
account for the ballots that the secretary of state has 337
authorized, each ballot may have only one stub that shall be the 338
width of the ballot and not less than one-half inch in length. In 339
the case of ballots with two stubs, the stubs shall be separated 340
from the ballot and from each other by perforated lines. The top 341
stub shall be known as Stub B and shall have printed on its face 342
"Stub B." The other stub shall be known as Stub A and shall have 343
printed on its face "Stub A." Each stub shall also have printed on 344
its face "Consecutive Number" 345

Each ballot of each kind of ballot provided for use in each 346
precinct shall be numbered consecutively beginning with number 1 347
by printing such number upon both of the stubs attached to the 348
ballot. On ballots bearing the names of candidates, each 349
candidate's name shall be printed in twelve point boldface upper 350
case type in an enclosed rectangular space, and an enclosed blank 351
rectangular space shall be provided at the left of the candidate's 352
name. The name of the political party of a candidate nominated at 353
a primary election, nominated by petition under section 3517.012 354
of the Revised Code, or certified by a party committee shall be 355
printed in ten point lightface upper and lower case type and shall 356
be separated by a two point blank space. The name of each 357
candidate shall be indented one space within the enclosed 358
rectangular space, and the name of the political party shall be 359

indented two spaces within the enclosed rectangular space. 360

The title of each office on the ballots shall be printed in 361
twelve point boldface upper and lower case type in a separate 362
enclosed rectangular space. A four point rule shall separate the 363
name of a candidate or a group of candidates for the same office 364
from the title of the office next appearing below on the ballot; a 365
two point rule shall separate the title of the office from the 366
names of candidates; and a one point rule shall separate names of 367
candidates. Headings shall be printed in display Roman type. When 368
the names of several candidates are grouped together as candidates 369
for the same office, there shall be printed on the ballots 370
immediately below the title of the office and within the separate 371
rectangular space in which the title is printed "Vote for not more 372
than," in six point boldface upper and lower case filling 373
the blank space with that number which will indicate the number of 374
persons who may be lawfully elected to the office. 375

Columns on ballots shall be separated from each other by a 376
heavy vertical border or solid line at least one-eighth of an inch 377
wide, and a similar vertical border or line shall enclose the left 378
and right side of ballots. Ballots shall be trimmed along the 379
sides close to such lines. 380

The ballots provided for by this section shall be comprised 381
of four kinds of ballots designated as follows: office type 382
ballot; nonpartisan ballot; questions and issues ballot; and 383
presidential ballot. 384

On the back of each office type ballot shall be printed 385
"Official Office Type Ballot;" on the back of each nonpartisan 386
ballot shall be printed "Official Nonpartisan Ballot;" on the back 387
of each questions and issues ballot shall be printed "Official 388
Questions and Issues Ballot;" and on the back of each presidential 389
ballot shall be printed "Official Presidential Ballot." On the 390
back of every ballot also shall be printed the date of the 391

election at which the ballot is used and the facsimile signatures 392
of the members of the board of the county in which the ballot is 393
used. For the purpose of identifying the kind of ballot, the back 394
of every ballot may be numbered in the order the board shall 395
determine. The numbers shall be printed in not less than 396
thirty-six point type above the words "Official Office Type 397
Ballot," "Official Nonpartisan Ballot," "Official Questions and 398
Issues Ballot," or "Official Presidential Ballot," as the case may 399
be. Ballot boxes bearing corresponding numbers shall be furnished 400
for each precinct in which the above-described numbered ballots 401
are used. 402

On the back of every ballot used, there shall be a solid 403
black line printed opposite the blank rectangular space that is 404
used to mark the choice of the voter. This line shall be printed 405
wide enough so that the mark in the blank rectangular space will 406
not be visible from the back side of the ballot. 407

Sample ballots may be printed by the board of elections for 408
all general elections. The ballots shall be printed on colored 409
paper, and "Sample Ballot" shall be plainly printed in boldface 410
type on the face of each ballot. In counties of less than one 411
hundred thousand population, the board may print not more than 412
five hundred sample ballots; in all other counties, it may print 413
not more than one thousand sample ballots. The sample ballots 414
shall not be distributed by a political party or a candidate, nor 415
shall a political party or candidate cause their title or name to 416
be imprinted on sample ballots. 417

(B) Notwithstanding division (A) of this section, in 418
approving the form of an official ballot, the secretary of state 419
may authorize the use of fonts, type face settings, and ballot 420
formats other than those prescribed in that division. 421

Sec. 3505.10. (A) On the presidential ballot below the stubs 422

at the top of the face of the ballot shall be printed "Official
Presidential Ballot" centered between the side edges of the
ballot. Below "Official Presidential Ballot" shall be printed a
heavy line centered between the side edges of the ballot. Below
the line shall be printed "Instruction to Voters" centered between
the side edges of the ballot, and below those words shall be
printed the following instructions:

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

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

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

(B) Below those instructions to the voter shall be printed a
single vertical column of enclosed rectangular spaces equal in
number to the number of presidential candidates plus one

additional space for write-in candidates. Each of those 455
rectangular spaces shall be enclosed by a heavy line along each of 456
its four sides, and such spaces shall be separated from each other 457
by one-half inch of open space. 458

In each of those enclosed rectangular spaces, except the 459
space provided for write-in candidates, shall be printed the names 460
of the candidates for president and vice-president certified to 461
the secretary of state or nominated in one of the following 462
manners: 463

(1) Nominated by the national convention of a political party 464
to which delegates and alternates were elected in this state at 465
the next preceding primary election. A political party certifying 466
candidates so nominated shall certify the names of those 467
candidates to the secretary of state on or before the ninetieth 468
day before the day of the general election. 469

(2) Nominated by nominating petition in accordance with 470
section 3513.257 of the Revised Code. Such a petition shall be 471
filed on or before the ninetieth day before the day of the general 472
election to provide sufficient time to verify the sufficiency and 473
accuracy of signatures on it. 474

(3) Certified to the secretary of state for placement on the 475
presidential ballot by authorized officials of ~~an intermediate or~~ 476
a minor political party that has held a state or national 477
convention for the purpose of choosing those candidates or that 478
may, without a convention, certify those candidates in accordance 479
with the procedure authorized by its party rules. The officials 480
shall certify the names of those candidates to the secretary of 481
state on or before the ninetieth day before the day of the general 482
election. The certification shall be accompanied by a designation 483
of a sufficient number of presidential electors to satisfy the 484
requirements of law. 485

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

(C) The arrangement of the printing in each of the enclosed rectangular spaces shall be substantially as follows: Near the top and centered within the rectangular space shall be printed "For President" in ten-point boldface upper and lower case type. Below "For President" shall be printed the name of the candidate for president in twelve-point boldface upper case type. Below the name of the candidate for president shall be printed the name of the political party by which that candidate for president was nominated in eight-point lightface upper and lower case type. Below the name of such political party shall be printed "For Vice-President" in ten-point boldface upper and lower case type. Below "For Vice-President" shall be printed the name of the candidate for vice-president in twelve-point boldface upper case type. Below the name of the candidate for vice-president shall be printed the name of the political party by which that candidate for vice-president was nominated in eight-point lightface upper and lower case type. ~~No~~ Except for candidates nominated by petition under section 3517.012 of the Revised Code, no political identification or name of any political party shall be printed below the names of presidential and vice-presidential candidates nominated by petition.

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

Sec. 3506.11. The names of all candidates for an office shall 517
be arranged in a group under the title of the office and printed 518
on labels so that they may be rotated on the voting machine as 519
provided in section 3505.03 of the Revised Code. Under the name of 520
each candidate nominated at a primary election, nominated by 521
petition under section 3517.012 of the Revised Code, or certified 522
by a party committee to fill a vacancy under section 3513.31 of 523
the Revised Code, the name of the political party that nominated 524
or certified the candidate shall be printed in less prominent 525
typeface than that in which the candidate's name is printed. 526

527

Sec. 3513.01. (A) Except as otherwise provided in this 528
section and section 3517.012 of the Revised Code, on the first 529
Tuesday after the first Monday in March of 2000 and every fourth 530
year thereafter, and on the first Tuesday after the first Monday 531
in May of every other year, primary elections shall be held for 532
the purpose of nominating persons as candidates of political 533
parties for election to offices to be voted for at the succeeding 534
general election. 535

(B) The manner of nominating persons as candidates for 536
election as officers of a municipal corporation having a 537
population of two thousand or more, as ascertained by the most 538
recent federal census, shall be the same as the manner in which 539
candidates were nominated for election as officers in the 540
municipal corporation in 1989 unless the manner of nominating such 541
candidates is changed under division (C), (D), or (E) of this 542
section. 543

(C) Primary elections shall not be held for the nomination of 544
candidates for election as officers of any township, or any 545
municipal corporation having a population of less than two 546
thousand, unless a majority of the electors of any such township 547

or municipal corporation, as determined by the total number of 548
votes cast in such township or municipal corporation for the 549
office of governor at the most recent regular state election, 550
files with the board of elections of the county within which such 551
township or municipal corporation is located, or within which the 552
major portion of the population thereof is located, if the 553
municipal corporation is situated in more than one county, not 554
later than one hundred twenty days before the day of a primary 555
election, a petition signed by such electors asking that 556
candidates for election as officers of such township or municipal 557
corporation be nominated as candidates of political parties, in 558
which event primary elections shall be held in such township or 559
municipal corporation for the purpose of nominating persons as 560
candidates of political parties for election as officers of such 561
township or municipal corporation to be voted for at the 562
succeeding regular municipal election. In a township or municipal 563
corporation where a majority of the electors have filed a petition 564
asking that candidates for election as officers of the township or 565
municipal corporation be nominated as candidates of political 566
parties, the nomination of candidates for a nonpartisan election 567
may be reestablished in the manner prescribed in division (E) of 568
this section. 569

(D)(1) The electors in a municipal corporation having a 570
population of two thousand or more, in which municipal officers 571
were nominated in the most recent election by nominating petition 572
and elected by nonpartisan election, may place on the ballot in 573
the manner prescribed in division (D)(2) of this section the 574
question of changing to the primary-election method of nominating 575
persons as candidates for election as officers of the municipal 576
corporation. 577

(2) The board of elections of the county within which the 578
municipal corporation is located, or, if the municipal corporation 579

is located in more than one county, of the county within which the 580
major portion of the population of the municipal corporation is 581
located, shall, upon receipt of a petition signed by electors of 582
the municipal corporation equal in number to at least ten per cent 583
of the vote cast at the most recent regular municipal election, 584
submit to the electors of the municipal corporation the question 585
of changing to the primary-election method of nominating persons 586
as candidates for election as officers of the municipal 587
corporation. The ballot language shall be substantially as 588
follows: 589

"Shall candidates for election as officers of 590
(name of municipal corporation) in the county of 591
(name of county) be nominated as candidates of political parties? 592
..... yes 593
..... no" 594

The question shall be placed on the ballot at the next 595
general election in an even-numbered year occurring at least 596
ninety days after the petition is filed with the board. If a 597
majority of the electors voting on the question vote in the 598
affirmative, candidates for election as officers of the municipal 599
corporation shall thereafter be nominated as candidates of 600
political parties in primary elections, under division (A) of this 601
section, unless a change in the manner of nominating persons as 602
candidates for election as officers of the municipal corporation 603
is made under division (E) of this section. 604

(E)(1) The electors in a township or municipal corporation in 605
which the township or municipal officers are nominated as 606
candidates of political parties in a primary election may place on 607
the ballot, in the manner prescribed in division (E)(2) of this 608
section, the question of changing to the nonpartisan method of 609
nominating persons as candidates for election as officers of the 610

township or municipal corporation. 611

(2) The board of elections of the county within which the 612
township or municipal corporation is located, or, if the municipal 613
corporation is located in more than one county, of the county 614
within which the major portion of the population of the municipal 615
corporation is located, shall, upon receipt of a petition signed 616
by electors of the township or municipal corporation equal in 617
number to at least ten per cent of the vote cast at the most 618
recent regular township or municipal election, as appropriate, 619
submit to the electors of the township or municipal corporation, 620
as appropriate, the question of changing to the nonpartisan method 621
of nominating persons as candidates for election as officers of 622
the township or municipal corporation. The ballot language shall 623
be substantially as follows: 624

"Shall candidates for election as officers of 625
(name of the township or municipal corporation) in the county of 626
..... (name of county) be nominated as candidates by 627
nominating petition and be elected only in a nonpartisan election? 628
..... yes 629
..... no" 630

The question shall appear on the ballot at the next general 631
election in an even-numbered year occurring at least ninety days 632
after the petition is filed with the board. If a majority of 633
electors voting on the question vote in the affirmative, 634
candidates for officer of the township or municipal corporation 635
shall thereafter be nominated by nominating petition and be 636
elected only in a nonpartisan election, unless a change in the 637
manner of nominating persons as candidates for election as 638
officers of the township or municipal corporation is made under 639
division (C) or (D) of this section. 640

Sec. 3513.04. Candidates for party nominations to state, 641
district, county, and municipal offices or positions, for which 642
party nominations are provided by law, and for election as members 643
of party controlling committees shall have their names printed on 644
the official primary ballot by filing a declaration of candidacy 645
and paying the fees specified for the office under divisions (A) 646
and (B) of section 3513.10 of the Revised Code, except that the 647
joint candidates for party nomination to the offices of governor 648
and lieutenant governor shall, for the two of them, file one 649
declaration of candidacy. The joint candidates also shall pay the 650
fees specified for the joint candidates under divisions (A) and 651
(B) of section 3513.10 of the Revised Code. 652

The secretary of state shall not accept for filing the 653
declaration of candidacy of a candidate for party nomination to 654
the office of governor unless the declaration of candidacy also 655
shows a joint candidate for the same party's nomination to the 656
office of lieutenant governor, shall not accept for filing the 657
declaration of candidacy of a candidate for party nomination to 658
the office of lieutenant governor unless the declaration of 659
candidacy also shows a joint candidate for the same party's 660
nomination to the office of governor, and shall not accept for 661
filing a declaration of candidacy that shows a candidate for party 662
nomination to the office of governor or lieutenant governor who, 663
for the same election, has already filed a declaration of 664
candidacy or a declaration of intent to be a write-in candidate, 665
or has become a candidate by the filling of a vacancy under 666
section 3513.30 of the Revised Code for any other state office or 667
any federal or county office. 668

No person who seeks party nomination for an office or 669
position at a primary election by declaration of candidacy or by 670
declaration of intent to be a write-in candidate and no person who 671
is a first choice for president of candidates seeking election as 672

delegates and alternates to the national conventions of the 673
different major political parties who are chosen by direct vote of 674
the electors as provided in this chapter shall be permitted to 675
become a candidate by nominating petition, including a nominating 676
petition filed under section 3517.012 of the Revised Code, by 677
declaration of intent to be a write-in candidate, or by filling a 678
vacancy under section 3513.31 of the Revised Code at the following 679
general election for any office other than the office of member of 680
the state board of education, office of member of a city, local, 681
or exempted village board of education, office of member of a 682
governing board of an educational service center, or office of 683
township trustee. 684

Sec. 3513.05. Each person desiring to become a candidate for 685
a party nomination at a primary election or for election to an 686
office or position to be voted for at a primary election, except 687
persons desiring to become joint candidates for the offices of 688
governor and lieutenant governor and except as otherwise provided 689
in section 3513.051 of the Revised Code, shall, not later than 690
four p.m. of the ninetieth day before the day of the primary 691
election, file a declaration of candidacy and petition and pay the 692
fees required under divisions (A) and (B) of section 3513.10 of 693
the Revised Code. The declaration of candidacy and all separate 694
petition papers shall be filed at the same time as one instrument. 695
When the offices are to be voted for at a primary election, 696
persons desiring to become joint candidates for the offices of 697
governor and lieutenant governor shall, not later than four p.m. 698
of the ninetieth day before the day of the primary election, 699
comply with section 3513.04 of the Revised Code. The prospective 700
joint candidates' declaration of candidacy and all separate 701
petition papers of candidacies shall be filed at the same time as 702
one instrument. The secretary of state or a board of elections 703
shall not accept for filing a declaration of candidacy and 704

petition of a person seeking to become a candidate if that person, 705
for the same election, has already filed a declaration of 706
candidacy or a declaration of intent to be a write-in candidate, 707
or has become a candidate by the filling of a vacancy under 708
section 3513.30 of the Revised Code for any federal, state, or 709
county office, if the declaration of candidacy is for a state or 710
county office, or for any municipal or township office, if the 711
declaration of candidacy is for a municipal or township office. 712

If the declaration of candidacy declares a candidacy which is 713
to be submitted to electors throughout the entire state, the 714
petition, including a petition for joint candidates for the 715
offices of governor and lieutenant governor, shall be signed by at 716
least one thousand qualified electors who are members of the same 717
political party as the candidate or joint candidates, and the 718
declaration of candidacy and petition shall be filed with the 719
secretary of state; provided that the secretary of state shall not 720
accept or file any such petition appearing on its face to contain 721
signatures of more than three thousand electors. 722

Except as otherwise provided in this paragraph, if the 723
declaration of candidacy is of one that is to be submitted only to 724
electors within a district, political subdivision, or portion 725
thereof, the petition shall be signed by not less than fifty 726
qualified electors who are members of the same political party as 727
the political party of which the candidate is a member. If the 728
declaration of candidacy is for party nomination as a candidate 729
for member of the legislative authority of a municipal corporation 730
elected by ward, the petition shall be signed by not less than 731
twenty-five qualified electors who are members of the political 732
party of which the candidate is a member. 733

No such petition, except the petition for a candidacy that is 734
to be submitted to electors throughout the entire state, shall be 735
accepted for filing if it appears to contain on its face 736

signatures of more than three times the minimum number of 737
signatures. When a petition of a candidate has been accepted for 738
filing by a board of elections, the petition shall not be deemed 739
invalid if, upon verification of signatures contained in the 740
petition, the board of elections finds the number of signatures 741
accepted exceeds three times the minimum number of signatures 742
required. A board of elections may discontinue verifying 743
signatures on petitions when the number of verified signatures 744
equals the minimum required number of qualified signatures. 745

If the declaration of candidacy declares a candidacy for 746
party nomination or for election as a candidate of ~~an intermediate~~ 747
~~or~~ a minor party, the minimum number of signatures on such 748
petition is one-half the minimum number provided in this section, 749
except that, when the candidacy is one for election as a member of 750
the state central committee or the county central committee of a 751
political party, the minimum number shall be the same for ~~an~~ 752
~~intermediate or~~ a minor party as for a major party. 753

If a declaration of candidacy is one for election as a member 754
of the state central committee or the county central committee of 755
a political party, the petition shall be signed by five qualified 756
electors of the district, county, ward, township, or precinct 757
within which electors may vote for such candidate. The electors 758
signing such petition shall be members of the same political party 759
as the political party of which the candidate is a member. 760

For purposes of signing or circulating a petition of 761
candidacy for party nomination or election, an elector is 762
considered to be a member of a political party if the elector 763
voted in that party's primary election within the preceding two 764
calendar years, or if the elector did not vote in any other 765
party's primary election within the preceding two calendar years. 766

If the declaration of candidacy is of one that is to be 767
submitted only to electors within a county, or within a district 768

or subdivision or part thereof smaller than a county, the petition 769
shall be filed with the board of elections of the county. If the 770
declaration of candidacy is of one that is to be submitted only to 771
electors of a district or subdivision or part thereof that is 772
situated in more than one county, the petition shall be filed with 773
the board of elections of the county within which the major 774
portion of the population thereof, as ascertained by the next 775
preceding federal census, is located. 776

A petition shall consist of separate petition papers, each of 777
which shall contain signatures of electors of only one county. 778
Petitions or separate petition papers containing signatures of 779
electors of more than one county shall not thereby be declared 780
invalid. In case petitions or separate petition papers containing 781
signatures of electors of more than one county are filed, the 782
board shall determine the county from which the majority of 783
signatures came, and only signatures from such county shall be 784
counted. Signatures from any other county shall be invalid. 785

Each separate petition paper shall be circulated by one 786
person only, who shall be the candidate or a joint candidate or a 787
member of the same political party as the candidate or joint 788
candidates, and each separate petition paper shall be governed by 789
the rules set forth in section 3501.38 of the Revised Code. 790

The secretary of state shall promptly transmit to each board 791
such separate petition papers of each petition accompanying a 792
declaration of candidacy filed with the secretary of state as 793
purport to contain signatures of electors of the county of such 794
board. The board of the most populous county of a district shall 795
promptly transmit to each board within such district such separate 796
petition papers of each petition accompanying a declaration of 797
candidacy filed with it as purport to contain signatures of 798
electors of the county of each such board. The board of a county 799
within which the major portion of the population of a subdivision, 800

situated in more than one county, is located, shall promptly 801
transmit to the board of each other county within which a portion 802
of such subdivision is located such separate petition papers of 803
each petition accompanying a declaration of candidacy filed with 804
it as purport to contain signatures of electors of the portion of 805
such subdivision in the county of each such board. 806

All petition papers so transmitted to a board and all 807
petitions accompanying declarations of candidacy filed with a 808
board shall, under proper regulations, be open to public 809
inspection until four p.m. of the eightieth day before the day of 810
the next primary election. Each board shall, not later than the 811
seventy-eighth day before the day of that primary election, 812
examine and determine the validity or invalidity of the signatures 813
on the petition papers so transmitted to or filed with it and 814
shall return to the secretary of state all petition papers 815
transmitted to it by the secretary of state, together with its 816
certification of its determination as to the validity or 817
invalidity of signatures thereon, and shall return to each other 818
board all petition papers transmitted to it by such board, 819
together with its certification of its determination as to the 820
validity or invalidity of the signatures thereon. All other 821
matters affecting the validity or invalidity of such petition 822
papers shall be determined by the secretary of state or the board 823
with whom such petition papers were filed. 824

Protests against the candidacy of any person filing a 825
declaration of candidacy for party nomination or for election to 826
an office or position, as provided in this section, may be filed 827
by any qualified elector who is a member of the same political 828
party as the candidate and who is eligible to vote at the primary 829
election for the candidate whose declaration of candidacy the 830
elector objects to, or by the controlling committee of that 831
political party. The protest shall be in writing, and shall be 832

filed not later than four p.m. of the seventy-fourth day before 833
the day of the primary election. The protest shall be filed with 834
the election officials with whom the declaration of candidacy and 835
petition was filed. Upon the filing of the protest, the election 836
officials with whom it is filed shall promptly fix the time for 837
hearing it, and shall forthwith mail notice of the filing of the 838
protest and the time fixed for hearing to the person whose 839
candidacy is so protested. They shall also forthwith mail notice 840
of the time fixed for such hearing to the person who filed the 841
protest. At the time fixed, such election officials shall hear the 842
protest and determine the validity or invalidity of the 843
declaration of candidacy and petition. If they find that such 844
candidate is not an elector of the state, district, county, or 845
political subdivision in which the candidate seeks a party 846
nomination or election to an office or position, or has not fully 847
complied with this chapter, the candidate's declaration of 848
candidacy and petition shall be determined to be invalid and shall 849
be rejected; otherwise, it shall be determined to be valid. That 850
determination shall be final. 851

A protest against the candidacy of any persons filing a 852
declaration of candidacy for joint party nomination to the offices 853
of governor and lieutenant governor shall be filed, heard, and 854
determined in the same manner as a protest against the candidacy 855
of any person filing a declaration of candidacy singly. 856

The secretary of state shall, on the seventieth day before 857
the day of a primary election, certify to each board in the state 858
the forms of the official ballots to be used at the primary 859
election, together with the names of the candidates to be printed 860
on the ballots whose nomination or election is to be determined by 861
electors throughout the entire state and who filed valid 862
declarations of candidacy and petitions. 863

The board of the most populous county in a district comprised 864

of more than one county but less than all of the counties of the 865
state shall, on the seventieth day before the day of a primary 866
election, certify to the board of each county in the district the 867
names of the candidates to be printed on the official ballots to 868
be used at the primary election, whose nomination or election is 869
to be determined only by electors within the district and who 870
filed valid declarations of candidacy and petitions. 871

The board of a county within which the major portion of the 872
population of a subdivision smaller than the county and situated 873
in more than one county is located shall, on the seventieth day 874
before the day of a primary election, certify to the board of each 875
county in which a portion of that subdivision is located the names 876
of the candidates to be printed on the official ballots to be used 877
at the primary election, whose nomination or election is to be 878
determined only by electors within that subdivision and who filed 879
valid declarations of candidacy and petitions. 880

Sec. 3513.31. (A) If a person nominated in a primary election 881
as a candidate for election at the next general election, whose 882
candidacy is to be submitted to the electors of the entire state, 883
withdraws as that candidate or is disqualified as that candidate 884
under section 3513.052 of the Revised Code, the vacancy in the 885
party nomination so created may be filled by the state central 886
committee of the major political party that made the nomination at 887
the primary election, if the committee's chairperson and secretary 888
certify the name of the person selected to fill the vacancy by the 889
time specified in this division, at a meeting called for that 890
purpose. The meeting shall be called by the chairperson of that 891
committee, who shall give each member of the committee at least 892
two days' notice of the time, place, and purpose of the meeting. 893
If a majority of the members of the committee are present at the 894
meeting, a majority of those present may select a person to fill 895
the vacancy. The chairperson and secretary of the meeting shall 896

certify in writing and under oath to the secretary of state, not 897
later than the eighty-sixth day before the day of the general 898
election, the name of the person selected to fill the vacancy. The 899
certification must be accompanied by the written acceptance of the 900
nomination by the person whose name is certified. A vacancy in a 901
party nomination that may be filled by ~~an intermediate or~~ a minor 902
political party shall be filled in accordance with the party's 903
rules by authorized officials of the party. Certification must be 904
made as in the manner provided for a major political party. 905

(B) If a person nominated in a primary election as a party 907
candidate for election at the next general election, whose 908
candidacy is to be submitted to the electors of a district 909
comprised of more than one county but less than all of the 910
counties of the state, withdraws as that candidate or is 911
disqualified as that candidate under section 3513.052 of the 912
Revised Code, the vacancy in the party nomination so created may 913
be filled by a district committee of the major political party 914
that made the nomination at the primary election, if the 915
committee's chairperson and secretary certify the name of the 916
person selected to fill the vacancy by the time specified in this 917
division, at a meeting called for that purpose. The district 918
committee shall consist of the chairperson and secretary of the 919
county central committee of such political party in each county in 920
the district. The district committee shall be called by the 921
chairperson of the county central committee of such political 922
party of the most populous county in the district, who shall give 923
each member of the district committee at least two days' notice of 924
the time, place, and purpose of the meeting. If a majority of the 925
members of the district committee are present at the district 926
committee meeting, a majority of those present may select a person 927
to fill the vacancy. The chairperson and secretary of the meeting 928
shall certify in writing and under oath to the board of elections 929

of the most populous county in the district, not later than four 930
p.m. of the eighty-sixth day before the day of the general 931
election, the name of the person selected to fill the vacancy. The 932
certification must be accompanied by the written acceptance of the 933
nomination by the person whose name is certified. A vacancy in a 934
party nomination that may be filled by ~~an intermediate or~~ a minor 935
political party shall be filled in accordance with the party's 936
rules by authorized officials of the party. Certification must be 937
made as in the manner provided for a major political party. 938

(C) If a person nominated in a primary election as a party 939
candidate for election at the next general election, whose 940
candidacy is to be submitted to the electors of a county, 941
withdraws as that candidate or is disqualified as that candidate 942
under section 3513.052 of the Revised Code, the vacancy in the 943
party nomination so created may be filled by the county central 944
committee of the major political party that made the nomination at 945
the primary election, or by the county executive committee if so 946
authorized, if the committee's chairperson and secretary certify 947
the name of the person selected to fill the vacancy by the time 948
specified in this division, at a meeting called for that purpose. 949
The meeting shall be called by the chairperson of that committee, 950
who shall give each member of the committee at least two days' 951
notice of the time, place, and purpose of the meeting. If a 952
majority of the members of the committee are present at the 953
meeting, a majority of those present may select a person to fill 954
the vacancy. The chairperson and secretary of the meeting shall 955
certify in writing and under oath to the board of that county, not 956
later than four p.m. of the eighty-sixth day before the day of the 957
general election, the name of the person selected to fill the 958
vacancy. The certification must be accompanied by the written 959
acceptance of the nomination by the person whose name is 960
certified. A vacancy in a party nomination that may be filled by 961
~~an intermediate or~~ a minor political party shall be filled in 962

accordance with the party's rules by authorized officials of the party. Certification must be made as in the manner provided for a major political party.

(D) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the electors of a district within a county, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by a district committee consisting of those members of the county central committee or, if so authorized, those members of the county executive committee in that county of the major political party that made the nomination at the primary election who represent the precincts or the wards and townships within the district, if the committee's chairperson and secretary certify the name of the person selected to fill the vacancy by the time specified in this division, at a meeting called for that purpose. The district committee meeting shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the district committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the district committee are present at the district committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the district committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy in a party nomination that may be filled by ~~an intermediate or a~~ minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be

made as in the manner provided for a major political party. 996

(E) If a person nominated in a primary election as a party 997
candidate for election at the next general election, whose 998
candidacy is to be submitted to the electors of a subdivision 999
within a county, withdraws as that candidate or is disqualified as 1000
that candidate under section 3513.052 of the Revised Code, the 1001
vacancy in the party nomination so created may be filled by a 1002
subdivision committee consisting of those members of the county 1003
central committee or, if so authorized, those members of the 1004
county executive committee in that county of the major political 1005
party that made the nomination at that primary election who 1006
represent the precincts or the wards and townships within that 1007
subdivision, if the committee's chairperson and secretary certify 1008
the name of the person selected to fill the vacancy by the time 1009
specified in this division, at a meeting called for that purpose. 1010

The subdivision committee meeting shall be called by the 1011
chairperson of the county central committee or executive 1012
committee, as appropriate, who shall give each member of the 1013
subdivision committee at least two days' notice of the time, 1014
place, and purpose of the meeting. If a majority of the members of 1015
the subdivision committee are present at the subdivision committee 1016
meeting, a majority of those present may select a person to fill 1017
the vacancy. The chairperson and secretary of the subdivision 1018
committee meeting shall certify in writing and under oath to the 1019
board of the county, not later than four p.m. of the eighty-sixth 1020
day before the day of the general election, the name of the person 1021
selected to fill the vacancy. The certification must be 1022
accompanied by the written acceptance of the nomination by the 1023
person whose name is certified. A vacancy in a party nomination 1024
that may be filled by ~~an intermediate or~~ a minor political party 1025
shall be filled in accordance with the party's rules by authorized 1026
officials of the party. Certification must be made in the manner 1027

provided for a major political party. 1028

(F) If a person nominated by petition as an independent or 1029
nonpartisan candidate for election at the next general election 1030
withdraws as that candidate or is disqualified as that candidate 1031
under section 3513.052 of the Revised Code, the vacancy so created 1032
may be filled by a majority of the committee of five, as 1033
designated on the candidate's nominating petition, if a member of 1034
that committee certifies in writing and under oath to the election 1035
officials with whom the candidate filed the candidate's nominating 1036
petition, not later than the eighty-sixth day before the day of 1037
the general election, the name of the person selected to fill the 1038
vacancy. The certification shall be accompanied by the written 1039
acceptance of the nomination by the person whose name is certified 1040
and shall be made in the manner provided for a major political 1041
party. 1042

(G) If a person nominated in a primary election or nominated 1043
by petition under section 3517.012 of the Revised Code as a party 1044
candidate for election at the next general election dies, the 1045
vacancy so created may be filled by the same committee in the same 1046
manner as provided in this section for the filling of similar 1047
vacancies created by withdrawals or disqualifications under 1048
section 3513.052 of the Revised Code, except that the 1049
certification, when filling a vacancy created by death, may not be 1050
filed with the secretary of state, or with a board of the most 1051
populous county of a district, or with the board of a county in 1052
which the major portion of the population of a subdivision is 1053
located, later than four p.m. of the tenth day before the day of 1054
such general election, or with any other board later than four 1055
p.m. of the fifth day before the day of such general election. 1056

(H) If a person nominated by petition as an independent or 1057
nonpartisan candidate for election at the next general election 1058
dies prior to the tenth day before the day of that general 1059

election, the vacancy so created may be filled by a majority of 1060
the committee of five designated in the nominating petition to 1061
represent the candidate named in it. To fill the vacancy a member 1062
of the committee shall, not later than four p.m. of the fifth day 1063
before the day of the general election, file with the election 1064
officials with whom the petition nominating the person was filed, 1065
a certificate signed and sworn to under oath by a majority of the 1066
members, designating the person they select to fill the vacancy. 1067
The certification must be accompanied by the written acceptance of 1068
the nomination by the person whose name is so certified. 1069

(I) If a person holding an elective office dies or resigns 1070
subsequent to the one hundred fifteenth day before the day of a 1071
primary election and prior to the eighty-sixth day before the day 1072
of the next general election, and if, under the laws of this 1073
state, a person may be elected at that general election to fill 1074
the unexpired term of the person who has died or resigned, the 1075
appropriate committee of each political party, acting as in the 1076
case of a vacancy in a party nomination, as provided in divisions 1077
(A) to (D) of this section, may select a person as the party 1078
candidate for election for such unexpired term at that general 1079
election, and certify the person's name to the appropriate 1080
election official not later than four p.m. on the eighty-sixth day 1081
before the day of that general election, or on the tenth day 1082
following the day on which the vacancy occurs, whichever is later. 1083
When the vacancy occurs on or subsequent to the eighty-sixth day 1084
and six or more days prior to the fortieth day before the general 1085
election, the appropriate committee may select a person as the 1086
party candidate and certify the person's name, as provided in the 1087
preceding sentence, not later than four p.m. on the tenth day 1088
following the day on which the vacancy occurs. When the vacancy 1089
occurs fewer than six days before the fortieth day before the 1090
general election, the deadline for filing shall be four p.m. on 1091
the thirty-sixth day before the general election. Thereupon the 1092

name shall be printed as the party candidate under proper titles 1093
and in the proper place on the proper ballots for use at the 1094
election. If a person has been nominated in a primary election or 1095
nominated by petition under section 3517.012 of the Revised Code, 1096
the authorized committee of that political party shall not select 1097
and certify a person as the party candidate. 1098

(J) Each person desiring to become an independent candidate 1099
to fill the unexpired term shall file a statement of candidacy and 1100
nominating petition, as provided in section 3513.261 of the 1101
Revised Code, with the appropriate election official not later 1102
than four p.m. on the tenth day following the day on which the 1103
vacancy occurs, provided that when the vacancy occurs fewer than 1104
six days before the fifty-sixth day before the general election, 1105
the deadline for filing shall be four p.m. on the fiftieth day 1106
before the general election. The nominating petition shall contain 1107
at least seven hundred fifty signatures and no more than one 1108
thousand five hundred signatures of qualified electors of the 1109
district, political subdivision, or portion of a political 1110
subdivision in which the office is to be voted upon, or the amount 1111
provided for in section 3513.257 of the Revised Code, whichever is 1112
less. 1113

(K) When a person nominated as a candidate by a political 1114
party in a primary election or by nominating petition for an 1115
elective office for which candidates are nominated at a party 1116
primary election withdraws, dies, or is disqualified under section 1117
3513.052 of the Revised Code prior to the general election, the 1118
appropriate committee of any other major political party or 1119
committee of five that has not nominated a candidate for that 1120
office, or whose nominee as a candidate for that office has 1121
withdrawn, died, or been disqualified without the vacancy so 1122
created having been filled, may, acting as in the case of a 1123
vacancy in a party nomination or nomination by petition as 1124

provided in divisions (A) to (F) of this section, whichever is 1125
appropriate, select a person as a candidate of that party or of 1126
that committee of five for election to the office. 1127

Sec. 3513.311. (A) If a candidate for lieutenant governor 1128
dies, withdraws, or is disqualified as a candidate prior to the 1129
seventieth day before the day of a primary election, the vacancy 1130
on the ballot shall be filled by appointment by the joint 1131
candidate for the office of governor. Such candidate for governor 1132
shall certify in writing and under oath to the secretary of state 1133
not later than the sixty-fifth day before the day of such election 1134
the name and residence address of the person selected to fill such 1135
vacancy. 1136

(B) If a candidate for governor dies, withdraws, or is 1137
disqualified as a candidate prior to the seventieth day before the 1138
day of a primary election, the vacancy on the ballot shall be 1139
filled by appointment by the joint candidate for the office of 1140
lieutenant governor. Such candidate for lieutenant governor shall 1141
certify in writing and under oath to the secretary of state not 1142
later than the sixty-fifth day before the day of such election the 1143
name and residence address of the person selected to fill such 1144
vacancy. 1145

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

(D) If a candidate for the office of governor dies on or 1154
after the seventieth day, but prior to the tenth day, before a 1155

primary election, the vacancy so created shall be filled by 1156
appointment by the joint candidate for the office of lieutenant 1157
governor. Such candidate for lieutenant governor shall certify in 1158
writing and under oath to the secretary of state not later than 1159
the fifth day before the day of such election the name and 1160
residence address of the person selected to fill such vacancy. 1161

(E) If a person nominated in a primary election or nominated 1162
by petition under section 3517.012 of the Revised Code as a 1163
candidate for election to the office of governor or lieutenant 1164
governor at the next general election withdraws as such candidate 1165
prior to the ninetieth day before the day of the general election 1166
or dies prior to the tenth day before the day of such general 1167
election, the vacancy so created shall be filled in the manner 1168
provided for by section 3513.31 of the Revised Code. 1169

(F) If a person nominated by petition as ~~a~~ an independent 1170
candidate for election to the office of governor or lieutenant 1171
governor withdraws as such candidate prior to the ninetieth day 1172
before the day of the general election or dies prior to the tenth 1173
day before the day of such general election, the vacancy so 1174
created shall be filled by the candidates' committee in the manner 1175
provided for, as in the case of death, by section 3513.31 of the 1176
Revised Code, except that, in the case of withdrawal of candidacy, 1177
the name and residence address of the replacement candidate shall 1178
be certified in writing and under oath to the secretary of state 1179
not later than the eighty-sixth day before the day of the general 1180
election. 1181

(G) If the vacancy in a joint candidacy for governor and 1182
lieutenant governor can be filled in accordance with this section 1183
and is not so filled, the joint candidacy which has not been 1184
vacated shall be invalidated and shall not be presented for 1185
election. 1186

(H) Any replacement candidate appointed or selected pursuant 1187

to this section shall be one who has the qualifications of an 1188
elector. 1189

Sec. 3513.312. (A) Notwithstanding section 3513.31 of the 1190
Revised Code, if a person nominated in a primary election or 1191
nominated by petition under section 3517.012 of the Revised Code 1192
as a party candidate for the office of representative to congress 1193
for election at the next general election withdraws as such 1194
candidate prior to the ninetieth day before the day of such 1195
general election, or dies prior to the ninetieth day before the 1196
day of such general election, the vacancy in the party nomination 1197
so created shall be filled by a special election held in 1198
accordance with division (B) of this section. 1199

(B) The boards of elections of all the counties contained in 1200
whole or in part within the congressional district in which a 1201
vacancy occurs as described in division (A) of this section shall, 1202
as soon as reasonably practicable, conduct the special election 1203
and give notice of the time and places of holding such election as 1204
provided in section 3501.03 of the Revised Code. Such election 1205
shall be held and conducted and returns thereof made as in the 1206
case of a primary election. 1207

(C) The state shall pay all costs of any special election 1208
held pursuant to this section. 1209

Sec. 3517.01. (A)(1) A political party within the meaning of 1210
Title XXXV of the Revised Code is any group of voters that meets 1211
either of the following requirements: 1212

(a) Except as otherwise provided in this division, at the 1213
most recent regular state election, the group polled for its 1214
candidate for governor in the state or nominees for presidential 1215
electors at least ~~five~~ two per cent of the entire vote cast for 1216
that office ~~or that~~. A group that meets the requirements of this 1217

division remains a political party for a period of four years 1218
after meeting those requirements. 1219

(b) The group filed with the secretary of state, subsequent 1220
to any election in which it received less than five per cent of 1221
that vote its failure to meet the requirements of division 1222
(A)(1)(a) of this section, a party formation petition signed that 1223
meets all of the following requirements: 1224

(i) The petition is signed by qualified electors equal in 1225
number to at least one-half of one per cent of the total vote for 1226
governor or nominees for presidential electors at the most recent 1227
election, declaring their for such office. 1228

(ii) The petition is signed by not fewer than five hundred 1229
qualified electors from each of at least a minimum of one-half of 1230
the congressional districts in this state. If an odd number of 1231
congressional districts exists in this state, the number of 1232
districts that results from dividing the number of congressional 1233
districts by two shall be rounded up to the next whole number. 1234

(iii) The petition declares the petitioners' intention of 1235
organizing a political party, the name of which shall be stated in 1236
the declaration, and of participating in the succeeding primary 1237
general election, held in even-numbered years, that occurs more 1238
than one hundred ~~twenty~~ twenty-five days after the date of filing. 1239

(iv) The petition designates a committee of not less than 1240
three nor more than five individuals of the petitioners, who shall 1241
represent the petitioners in all matters relating to the petition. 1242
Notice of all matters or proceedings pertaining to the petition 1243
may be served on the committee, or any of them, either personally 1244
or by registered mail, or by leaving such notice at the usual 1245
place of residence of each of them. No 1246

(2) No such group of electors shall assume a name or 1247
designation that is similar, in the opinion of the secretary of 1248

state, to that of an existing political party as to confuse or 1249
mislead the voters at an election. ~~If any political party fails to~~ 1250
~~east five per cent of the total vote cast at an election for the~~ 1251
~~office of governor or president, it shall cease to be a political~~ 1252
~~party.~~ 1253

~~(2)(B)~~ A campaign committee shall be legally liable for any 1254
debts, contracts, or expenditures incurred or executed in its 1255
name. 1256

~~(B)(C)~~ Notwithstanding the definitions found in section 1257
3501.01 of the Revised Code, as used in this section and sections 1258
3517.08 to 3517.14, 3517.99, and 3517.992 of the Revised Code: 1259

(1) "Campaign committee" means a candidate or a combination 1260
of two or more persons authorized by a candidate under section 1261
3517.081 of the Revised Code to receive contributions and make 1262
expenditures. 1263

(2) "Campaign treasurer" means an individual appointed by a 1264
candidate under section 3517.081 of the Revised Code. 1265

(3) "Candidate" has the same meaning as in division (H) of 1266
section 3501.01 of the Revised Code and also includes any person 1267
who, at any time before or after an election, receives 1268
contributions or makes expenditures or other use of contributions, 1269
has given consent for another to receive contributions or make 1270
expenditures or other use of contributions, or appoints a campaign 1271
treasurer, for the purpose of bringing about the person's 1272
nomination or election to public office. When two persons jointly 1273
seek the offices of governor and lieutenant governor, "candidate" 1274
means the pair of candidates jointly. "Candidate" does not include 1275
candidates for election to the offices of member of a county or 1276
state central committee, presidential elector, and delegate to a 1277
national convention or conference of a political party. 1278

(4) "Continuing association" means an association, other than 1279

a campaign committee, political party, legislative campaign fund, 1280
political contributing entity, or labor organization, that is 1281
intended to be a permanent organization that has a primary purpose 1282
other than supporting or opposing specific candidates, political 1283
parties, or ballot issues, and that functions on a regular basis 1284
throughout the year. "Continuing association" includes 1285
organizations that are determined to be not organized for profit 1286
under subsection 501 and that are described in subsection 1287
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 1288

(5) "Contribution" means a loan, gift, deposit, forgiveness 1289
of indebtedness, donation, advance, payment, or transfer of funds 1290
or anything of value, including a transfer of funds from an inter 1291
vivos or testamentary trust or decedent's estate, and the payment 1292
by any person other than the person to whom the services are 1293
rendered for the personal services of another person, which 1294
contribution is made, received, or used for the purpose of 1295
influencing the results of an election. Any loan, gift, deposit, 1296
forgiveness of indebtedness, donation, advance, payment, or 1297
transfer of funds or of anything of value, including a transfer of 1298
funds from an inter vivos or testamentary trust or decedent's 1299
estate, and the payment by any campaign committee, political 1300
action committee, legislative campaign fund, political party, 1301
political contributing entity, or person other than the person to 1302
whom the services are rendered for the personal services of 1303
another person, that is made, received, or used by a state or 1304
county political party, other than moneys a state or county 1305
political party receives from the Ohio political party fund 1306
pursuant to section 3517.17 of the Revised Code and the moneys an 1307
entity may receive under sections 3517.101, 3517.1012, and 1308
3517.1013 of the Revised Code, shall be considered to be a 1309
"contribution" for the purpose of section 3517.10 of the Revised 1310
Code and shall be included on a statement of contributions filed 1311
under that section. 1312

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| "Contribution" does not include any of the following: | 1313 |
| (a) Services provided without compensation by individuals | 1314 |
| volunteering a portion or all of their time on behalf of a person; | 1315 |
| (b) Ordinary home hospitality; | 1316 |
| (c) The personal expenses of a volunteer paid for by that | 1317 |
| volunteer campaign worker; | 1318 |
| (d) Any gift given to an entity pursuant to section 3517.101 | 1319 |
| of the Revised Code; | 1320 |
| (e) Any contribution as defined in section 3517.1011 of the | 1321 |
| Revised Code that is made, received, or used to pay the direct | 1322 |
| costs of producing or airing an electioneering communication; | 1323 |
| (f) Any gift given to a state or county political party for | 1324 |
| the party's restricted fund under division (A)(2) of section | 1325 |
| 3517.1012 of the Revised Code; | 1326 |
| (g) Any gift given to a state political party for deposit in | 1327 |
| a Levin account pursuant to section 3517.1013 of the Revised Code. | 1328 |
| As used in this division, "Levin account" has the same meaning as | 1329 |
| in that section. | 1330 |
| (h) Any donation given to a transition fund under section | 1331 |
| 3517.1014 of the Revised Code. | 1332 |
| (6) "Expenditure" means the disbursement or use of a | 1333 |
| contribution for the purpose of influencing the results of an | 1334 |
| election or of making a charitable donation under division (G) of | 1335 |
| section 3517.08 of the Revised Code. Any disbursement or use of a | 1336 |
| contribution by a state or county political party is an | 1337 |
| expenditure and shall be considered either to be made for the | 1338 |
| purpose of influencing the results of an election or to be made as | 1339 |
| a charitable donation under division (G) of section 3517.08 of the | 1340 |
| Revised Code and shall be reported on a statement of expenditures | 1341 |
| filed under section 3517.10 of the Revised Code. During the thirty | 1342 |

days preceding a primary or general election, any disbursement to 1343
pay the direct costs of producing or airing a broadcast, cable, or 1344
satellite communication that refers to a clearly identified 1345
candidate shall be considered to be made for the purpose of 1346
influencing the results of that election and shall be reported as 1347
an expenditure or as an independent expenditure under section 1348
3517.10 or 3517.105 of the Revised Code, as applicable, except 1349
that the information required to be reported regarding 1350
contributors for those expenditures or independent expenditures 1351
shall be the same as the information required to be reported under 1352
divisions (D)(1) and (2) of section 3517.1011 of the Revised Code. 1353

As used in this division, "broadcast, cable, or satellite 1354
communication" and "refers to a clearly identified candidate" have 1355
the same meanings as in section 3517.1011 of the Revised Code. 1356

(7) "Personal expenses" includes, but is not limited to, 1357
ordinary expenses for accommodations, clothing, food, personal 1358
motor vehicle or airplane, and home telephone. 1359

(8) "Political action committee" means a combination of two 1360
or more persons, the primary or major purpose of which is to 1361
support or oppose any candidate, political party, or issue, or to 1362
influence the result of any election through express advocacy, and 1363
that is not a political party, a campaign committee, a political 1364
contributing entity, or a legislative campaign fund. "Political 1365
action committee" does not include either of the following: 1366

(a) A continuing association that makes disbursements for the 1367
direct costs of producing or airing electioneering communications 1368
and that does not engage in express advocacy; 1369

(b) A political club that is formed primarily for social 1370
purposes and that consists of one hundred members or less, has 1371
officers and periodic meetings, has less than two thousand five 1372
hundred dollars in its treasury at all times, and makes an 1373

aggregate total contribution of one thousand dollars or less per 1374
calendar year. 1375

(9) "Public office" means any state, county, municipal, 1376
township, or district office, except an office of a political 1377
party, that is filled by an election and the offices of United 1378
States senator and representative. 1379

(10) "Anything of value" has the same meaning as in section 1380
1.03 of the Revised Code. 1381

(11) "Beneficiary of a campaign fund" means a candidate, a 1382
public official or employee for whose benefit a campaign fund 1383
exists, and any other person who has ever been a candidate or 1384
public official or employee and for whose benefit a campaign fund 1385
exists. 1386

(12) "Campaign fund" means money or other property, including 1387
contributions. 1388

(13) "Public official or employee" has the same meaning as in 1389
section 102.01 of the Revised Code. 1390

(14) "Caucus" means all of the members of the house of 1391
representatives or all of the members of the senate of the general 1392
assembly who are members of the same political party. 1393

(15) "Legislative campaign fund" means a fund that is 1394
established as an auxiliary of a state political party and 1395
associated with one of the houses of the general assembly. 1396

(16) "In-kind contribution" means anything of value other 1397
than money that is used to influence the results of an election or 1398
is transferred to or used in support of or in opposition to a 1399
candidate, campaign committee, legislative campaign fund, 1400
political party, political action committee, or political 1401
contributing entity and that is made with the consent of, in 1402
coordination, cooperation, or consultation with, or at the request 1403

or suggestion of the benefited candidate, committee, fund, party, 1404
or entity. The financing of the dissemination, distribution, or 1405
republication, in whole or part, of any broadcast or of any 1406
written, graphic, or other form of campaign materials prepared by 1407
the candidate, the candidate's campaign committee, or their 1408
authorized agents is an in-kind contribution to the candidate and 1409
an expenditure by the candidate. 1410

(17) "Independent expenditure" means an expenditure by a 1411
person advocating the election or defeat of an identified 1412
candidate or candidates, that is not made with the consent of, in 1413
coordination, cooperation, or consultation with, or at the request 1414
or suggestion of any candidate or candidates or of the campaign 1415
committee or agent of the candidate or candidates. As used in 1416
division ~~(B)~~(C)(17) of this section: 1417

(a) "Person" means an individual, partnership, unincorporated 1418
business organization or association, political action committee, 1419
political contributing entity, separate segregated fund, 1420
association, or other organization or group of persons, but not a 1421
labor organization or a corporation unless the labor organization 1422
or corporation is a political contributing entity. 1423

(b) "Advocating" means any communication containing a message 1424
advocating election or defeat. 1425

(c) "Identified candidate" means that the name of the 1426
candidate appears, a photograph or drawing of the candidate 1427
appears, or the identity of the candidate is otherwise apparent by 1428
unambiguous reference. 1429

(d) "Made in coordination, cooperation, or consultation with, 1430
or at the request or suggestion of, any candidate or the campaign 1431
committee or agent of the candidate" means made pursuant to any 1432
arrangement, coordination, or direction by the candidate, the 1433
candidate's campaign committee, or the candidate's agent prior to 1434

the publication, distribution, display, or broadcast of the 1435
communication. An expenditure is presumed to be so made when it is 1436
any of the following: 1437

(i) Based on information about the candidate's plans, 1438
projects, or needs provided to the person making the expenditure 1439
by the candidate, or by the candidate's campaign committee or 1440
agent, with a view toward having an expenditure made; 1441

(ii) Made by or through any person who is, or has been, 1442
authorized to raise or expend funds, who is, or has been, an 1443
officer of the candidate's campaign committee, or who is, or has 1444
been, receiving any form of compensation or reimbursement from the 1445
candidate or the candidate's campaign committee or agent; 1446

(iii) Except as otherwise provided in division (D) of section 1447
3517.105 of the Revised Code, made by a political party in support 1448
of a candidate, unless the expenditure is made by a political 1449
party to conduct voter registration or voter education efforts. 1450

(e) "Agent" means any person who has actual oral or written 1451
authority, either express or implied, to make or to authorize the 1452
making of expenditures on behalf of a candidate, or means any 1453
person who has been placed in a position with the candidate's 1454
campaign committee or organization such that it would reasonably 1455
appear that in the ordinary course of campaign-related activities 1456
the person may authorize expenditures. 1457

(18) "Labor organization" means a labor union; an employee 1458
organization; a federation of labor unions, groups, locals, or 1459
other employee organizations; an auxiliary of a labor union, 1460
employee organization, or federation of labor unions, groups, 1461
locals, or other employee organizations; or any other bona fide 1462
organization in which employees participate and that exists for 1463
the purpose, in whole or in part, of dealing with employers 1464
concerning grievances, labor disputes, wages, hours, and other 1465

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|---|--|
| terms and conditions of employment. | 1466 |
| (19) "Separate segregated fund" means a separate segregated fund established pursuant to the Federal Election Campaign Act. | 1467 1468 |
| (20) "Federal Election Campaign Act" means the "Federal Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et seq., as amended. | 1469 1470 1471 |
| (21) "Restricted fund" means the fund a state or county political party must establish under division (A)(1) of section 3517.1012 of the Revised Code. | 1472 1473 1474 |
| (22) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code. | 1475 1476 |
| (23) "Express advocacy" means a communication that contains express words advocating the nomination, election, or defeat of a candidate or that contains express words advocating the adoption or defeat of a question or issue, as determined by a final judgment of a court of competent jurisdiction. | 1477 1478 1479 1480 1481 |
| (24) "Political committee" has the same meaning as in section 3517.1011 of the Revised Code. | 1482 1483 |
| (25) "Political contributing entity" means any entity, including a corporation or labor organization, that may lawfully make contributions and expenditures and that is not an individual or a political action committee, continuing association, campaign committee, political party, legislative campaign fund, designated state campaign committee, or state candidate fund. For purposes of this division, "lawfully" means not prohibited by any section of the Revised Code, or authorized by a final judgment of a court of competent jurisdiction. | 1484 1485 1486 1487 1488 1489 1490 1491 1492 |
| Sec. 3517.012. (A)(1) When a <u>party formation</u> petition meeting the requirements of section 3517.01 of the Revised Code declaring the intention to organize a political party is filed with the | 1493 1494 1495 |

secretary of state, the new party comes into legal existence on 1496
the date of filing and is entitled to ~~hold a primary election as~~ 1497
~~set out in section 3513.01 of the Revised Code,~~ nominate 1498
candidates to appear on the ballot at the primary general 1499
election, held in even-numbered years that occurs more than one 1500
hundred ~~twenty~~ twenty-five days after the date of filing. 1501

(2)(a) Upon receiving a party formation petition filed under 1502
division (A)(1) of this section, the secretary of state shall 1503
promptly transmit to each board of elections the separate petition 1504
papers that purport to contain signatures of electors of that 1505
board's county. 1506

(b) Not later than the one hundred eighteenth day before the 1507
day of the general election, each board shall examine and 1508
determine the sufficiency of the signatures on the petition papers 1509
and shall return them to the secretary of state, together with the 1510
board's certification of its determination as to the validity or 1511
invalidity of the signatures on the petition. 1512

(c) Any qualified elector may file a written protest against 1513
the petition with the secretary of state not later than the one 1514
hundred fourteenth day before the day of the general election. Any 1515
such protest shall be resolved in the manner specified under 1516
section 3501.39 of the Revised Code. 1517

(d) Not later than the ninety-fifth day before the day of the 1518
general election, the secretary of state shall determine whether 1519
the party formation petition is sufficient and shall notify the 1520
committee designated in the petition of that determination. 1521

(B)(1) Not later than one hundred ten days before the day of 1522
that general election and not earlier than the day the applicable 1523
party formation petition is filed, each candidate or pair of joint 1524
candidates wishing to appear on the ballot at the general election 1525
as the nominee or nominees of the party that filed the party 1526

formation petition shall file a nominating petition, on a form 1527
prescribed by the secretary of state, that includes the name of 1528
the political party that submitted the party formation petition. 1529
Except as otherwise provided in this section and sections 3505.03, 1530
3505.08, 3506.11, 3513.31, 3513.311, and 3513.312 of the Revised 1531
Code, the provisions of the Revised Code concerning independent 1532
candidates who file nominating petitions apply to candidates who 1533
file nominating petitions under this section. 1534

(2)(a) If the candidacy is to be submitted to electors 1535
throughout the entire state, the nominating petition, including a 1536
petition for joint candidates for the offices of governor and 1537
lieutenant governor, shall be signed by at least fifty qualified 1538
electors who have not voted as a member of a different political 1539
party at any primary election within the current year or the 1540
immediately preceding two calendar years. 1541

(b) Except as otherwise provided in this division, if the 1542
candidacy is to be submitted only to electors within a district, 1543
political subdivision, or portion thereof, the nominating petition 1544
shall be signed by not less than five qualified electors who have 1545
not voted as a member of a different political party at any 1546
primary election within the current year or the immediately 1547
preceding two calendar years. 1548

(3)(a) Each board of elections that is responsible to verify 1549
signatures on the nominating petition shall examine and determine 1550
the sufficiency of those signatures not later than the one hundred 1551
fifth day before the day of the general election and shall be 1552
resolved as specified in that section. 1553

(b) Written protests against the petition may be filed in the 1554
manner specified under section 3513.263 of the Revised Code not 1555
later than the one hundredth day before the general election and 1556
shall be resolved as specified in that section. 1557

(c) Not later than the ninety-fifth day before the day of the 1558
general election, the secretary of state or the board of 1559
elections, as applicable, shall determine whether the nominating 1560
petition is sufficient and shall notify the candidate and the 1561
committee designated in the party formation petition of that 1562
determination. 1563

(C)(1) After being notified that the political party has 1564
submitted a sufficient party formation petition under division (A) 1565
of this section, the committee designated in a party formation 1566
petition shall, not later than the seventy-fifth day before the 1567
day of the general election, certify to the secretary of state a 1568
slate of candidates consisting of candidates or joint candidates 1569
who submitted sufficient nominating petitions under division (B) 1570
of this section. The slate certifying the candidates shall be on a 1571
form prescribed by the secretary of state and signed by all of the 1572
individuals of the committee designated in the party formation 1573
petition. In no event shall the slate of candidates include more 1574
than one candidate for any public office or more than one set of 1575
joint candidates for the offices of governor and lieutenant 1576
governor. The names of the candidates or joint candidates so 1577
certified shall appear on the ballot at the general election as 1578
that party's nominees for those offices. For purposes of this 1579
division, "joint candidates" means the joint candidates for the 1580
offices of governor and lieutenant governor. 1581

(2) If a candidate's nominating petition is insufficient or 1582
if the committee does not certify the candidate's name under 1583
division (C)(1) of this section, the candidate shall not appear on 1584
the ballot in the general election. 1585

(3) If a party formation petition is insufficient, no 1586
candidate shall appear on the ballot in the general election as 1587
that political party's nominee, regardless of whether any 1588
candidate's nominating petition is sufficient. 1589

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

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

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

All the members of such committees shall be members of the party and shall be elected for terms of either two or four years,

as determined by party rules, by direct vote at the primary held 1621
in an even-numbered year. Except as otherwise provided in section 1622
3517.02 of the Revised Code, candidates for election as state 1623
central committee members shall be elected at primaries in the 1624
same manner as provided in sections 3513.01 to 3513.32 of the 1625
Revised Code for the nomination of candidates for office in a 1626
county. Candidates for election as members of the county central 1627
committee shall be elected at primaries in the same manner as 1628
provided in those sections for the nomination of candidates for 1629
county offices, except as otherwise provided in sections 3513.051 1630
and 3517.02 of the Revised Code. 1631

Each major party controlling committee shall elect an 1632
executive committee that shall have the powers granted to it by 1633
the party controlling committee, and provided to it by law. When a 1634
judicial, senatorial, or congressional district is comprised of 1635
more than one county, the chairperson and secretary of the county 1636
central committee from each county in that district shall 1637
constitute the judicial, senatorial, or congressional committee of 1638
the district. When a judicial, senatorial, or congressional 1639
district is included within a county, the county central committee 1640
shall constitute the judicial, senatorial, or congressional 1641
committee of the district. 1642

~~The controlling committee of each intermediate political 1643
party or organization shall be a state central committee 1644
consisting of two members, one a man and one a woman, from each 1645
congressional district in the state. All members of the committee 1646
shall be members of the party and shall be elected by direct vote 1647
at the primary held in the even numbered years. Except as 1648
otherwise provided in section 3517.02 of the Revised Code, 1649
candidates for election shall be elected at the primary in the 1650
same manner as provided in sections 3513.01 to 3513.32 of the 1651
Revised Code. An intermediate political party may have such other 1652~~

~~party organization as its rules provide. Each intermediate party~~ 1653
~~shall file the names and addresses of its officers with the~~ 1654
~~secretary of state.~~ 1655

A minor political party may elect controlling committees at a 1656
primary election in the even-numbered year by filing a plan for 1657
party organization with the secretary of state on or before the 1658
ninetieth day before the day of the primary election. The plan 1659
shall specify which offices are to be elected and provide the 1660
procedure for qualification of candidates for those offices. 1661
Candidates to be elected pursuant to the plan shall be designated 1662
and qualified on or before the ninetieth day before the day of the 1663
election. Such parties may, in lieu of electing a controlling 1664
committee or other officials, choose such committee or other 1665
officials in accordance with party rules. Each such party shall 1666
file the names and addresses of members of its controlling 1667
committee and party officers with the secretary of state. 1668

Sec. 4503.03. (A)(1)(a) Except as provided in division (B) of 1669
this section, the registrar of motor vehicles may designate one or 1670
more of the following persons to act as a deputy registrar in each 1671
county: 1672

(i) The county auditor in any county, subject to division 1673
(A)(1)(b)(i) of this section; 1674

(ii) The clerk of a court of common pleas in any county, 1675
subject to division (A)(1)(b)(ii) of this section; 1676

(iii) An individual; 1677

(iv) A nonprofit corporation as defined in division (C) of 1678
section 1702.01 of the Revised Code. 1679

(b)(i) If the population of a county is forty thousand or 1680
less according to the most recent federal decennial census and if 1681
the county auditor is designated by the registrar as a deputy 1682

registrar, no other person need be designated in the county to act 1683
as a deputy registrar. 1684

(ii) The registrar may designate a clerk of a court of common 1685
pleas as a deputy registrar if the population of the county is 1686
forty thousand or less according to the last federal census. In a 1687
county with a population greater than forty thousand but not more 1688
than fifty thousand according to the last federal census, the 1689
clerk of a court of common pleas is eligible to act as a deputy 1690
registrar and may participate in the competitive selection process 1691
for the award of a deputy registrar contract by applying in the 1692
same manner as any other person. All fees collected and retained 1693
by a clerk for conducting deputy registrar services shall be paid 1694
into the county treasury to the credit of the certificate of title 1695
administration fund created under section 325.33 of the Revised 1696
Code. 1697

Notwithstanding the county population restrictions in 1698
division (A)(1)(b) of this section, if no person applies to act 1699
under contract as a deputy registrar in a county and the county 1700
auditor is not designated as a deputy registrar, the registrar may 1701
ask the clerk of a court of common pleas to serve as the deputy 1702
registrar for that county. 1703

(c) As part of the selection process in awarding a deputy 1704
registrar contract, the registrar shall consider the customer 1705
service performance record of any person previously awarded a 1706
deputy registrar contract pursuant to division (A)(1) of this 1707
section. 1708

(2) Deputy registrars shall accept applications for the 1709
annual license tax for any vehicle not taxed under section 4503.63 1710
of the Revised Code and shall assign distinctive numbers in the 1711
same manner as the registrar. Such deputies shall be located in 1712
such locations in the county as the registrar sees fit. There 1713
shall be at least one deputy registrar in each county. 1714

Deputy registrar contracts are subject to the provisions of 1715
division (B) of section 125.081 of the Revised Code. 1716

(B)(1) The registrar shall not designate any person to act as 1717
a deputy registrar under division (A)(1) of this section if the 1718
person or, where applicable, the person's spouse or a member of 1719
the person's immediate family has made, within the current 1720
calendar year or any one of the previous three calendar years, one 1721
or more contributions totaling in excess of one hundred dollars to 1722
any person or entity included in division (A)(2) of section 1723
4503.033 of the Revised Code. As used in this division, "immediate 1724
family" has the same meaning as in division (D) of section 102.01 1725
of the Revised Code, and "entity" includes any political party and 1726
any "continuing association" as defined in division ~~(B)~~(C)(4) of 1727
section 3517.01 of the Revised Code or "political action 1728
committee" as defined in division ~~(B)~~(C)(8) of that section that 1729
is primarily associated with that political party. For purposes of 1730
this division, contributions to any continuing association or any 1731
political action committee that is primarily associated with a 1732
political party shall be aggregated with contributions to that 1733
political party. 1734

The contribution limitations contained in this division do 1735
not apply to any county auditor or clerk of a court of common 1736
pleas. A county auditor or clerk of a court of common pleas is not 1737
required to file the disclosure statement or pay the filing fee 1738
required under section 4503.033 of the Revised Code. The 1739
limitations of this division also do not apply to a deputy 1740
registrar who, subsequent to being awarded a deputy registrar 1741
contract, is elected to an office of a political subdivision. 1742

(2) The registrar shall not designate either of the following 1743
to act as a deputy registrar: 1744

(a) Any elected public official other than a county auditor 1745
or, as authorized by division (A)(1)(b) of this section, a clerk 1746

of a court of common pleas, acting in an official capacity, except 1747
that, the registrar shall continue and may renew a contract with 1748
any deputy registrar who, subsequent to being awarded a deputy 1749
registrar contract, is elected to an office of a political 1750
subdivision; 1751

(b) Any person holding a current, valid contract to conduct 1752
motor vehicle inspections under section 3704.14 of the Revised 1753
Code. 1754

(3) As used in division (B) of this section, "political 1755
subdivision" has the same meaning as in section 3501.01 of the 1756
Revised Code. 1757

(C)(1) Except as provided in division (C)(2) of this section, 1758
deputy registrars are independent contractors and neither they nor 1759
their employees are employees of this state, except that nothing 1760
in this section shall affect the status of county auditors or 1761
clerks of courts of common pleas as public officials, nor the 1762
status of their employees as employees of any of the counties of 1763
this state, which are political subdivisions of this state. Each 1764
deputy registrar shall be responsible for the payment of all 1765
unemployment compensation premiums, all workers' compensation 1766
premiums, social security contributions, and any and all taxes for 1767
which the deputy registrar is legally responsible. Each deputy 1768
registrar shall comply with all applicable federal, state, and 1769
local laws requiring the withholding of income taxes or other 1770
taxes from the compensation of the deputy registrar's employees. 1771
Each deputy registrar shall maintain during the entire term of the 1772
deputy registrar's contract a policy of business liability 1773
insurance satisfactory to the registrar and shall hold the 1774
department of public safety, the director of public safety, the 1775
bureau of motor vehicles, and the registrar harmless upon any and 1776
all claims for damages arising out of the operation of the deputy 1777
registrar agency. 1778

(2) For purposes of Chapter 4141. of the Revised Code, 1779
determinations concerning the employment of deputy registrars and 1780
their employees shall be made under Chapter 4141. of the Revised 1781
Code. 1782

(D)(1) With the approval of the director, the registrar shall 1783
adopt rules governing deputy registrars. The rules shall do all of 1784
the following: 1785

(a) Establish requirements governing the terms of the 1786
contract between the registrar and each deputy registrar and the 1787
services to be performed; 1788

(b) Establish requirements governing the amount of bond to be 1789
given as provided in this section; 1790

(c) Establish requirements governing the size and location of 1791
the deputy's office; 1792

(d) Establish requirements governing the leasing of equipment 1793
necessary to conduct the vision screenings required under section 1794
4507.12 of the Revised Code and training in the use of the 1795
equipment; 1796

(e) Encourage every deputy registrar to inform the public of 1797
the location of the deputy registrar's office and hours of 1798
operation by means of public service announcements; 1799

(f) Allow any deputy registrar to advertise in regard to the 1800
operation of the deputy registrar's office; 1801

(g) Specify the hours the deputy's office is to be open to 1802
the public and require as a minimum that one deputy's office in 1803
each county be open to the public for at least four hours each 1804
weekend, provided that if only one deputy's office is located 1805
within the boundary of the county seat, that office is the office 1806
that shall be open for the four-hour period each weekend; 1807

(h) Specify that every deputy registrar, upon request, 1808

provide any person with information about the location and office 1809
hours of all deputy registrars in the county; 1810

(i) Allow a deputy registrar contract to be awarded to a 1811
nonprofit corporation formed under the laws of this state; 1812

(j) Except as provided in division (D)(2) of this section, 1813
prohibit any deputy registrar from operating more than one deputy 1814
registrar's office at any time; 1815

(k) For the duration of any deputy registrar contract, 1816
require that the deputy registrar occupy a primary residence in a 1817
location that is within a one-hour commute time from the deputy 1818
registrar's office or offices. The rules shall require the 1819
registrar to determine commute time by using multiple established 1820
internet-based mapping services. 1821

(l) Establish procedures for a deputy registrar to request 1822
the authority to collect reinstatement fees under sections 1823
4507.1612, 4507.45, 4509.101, 4509.81, 4510.10, 4510.22, 4510.72, 1824
and 4511.191 of the Revised Code and to transmit the reinstatement 1825
fees and two dollars of the service fee collected under those 1826
sections. The registrar shall ensure that, not later than January 1827
1, 2012, at least one deputy registrar in each county has the 1828
necessary equipment and is able to accept reinstatement fees. The 1829
registrar shall deposit the service fees received from a deputy 1830
registrar under those sections into the state bureau of motor 1831
vehicles fund created in section 4501.25 of the Revised Code and 1832
shall use the money for deputy registrar equipment necessary in 1833
connection with accepting reinstatement fees. 1834

(m) Establish such other requirements as the registrar and 1835
director consider necessary to provide a high level of service. 1836

(2) Notwithstanding division (D)(1)(j) of this section, the 1837
rules may allow both of the following: 1838

(a) The registrar to award a contract to a deputy registrar 1839

to operate more than one deputy registrar's office if determined 1840
by the registrar to be practical; 1841

(b) A nonprofit corporation formed for the purposes of 1842
providing automobile-related services to its members or the public 1843
and that provides such services from more than one location in 1844
this state to operate a deputy registrar office at any location. 1845

(3) As a daily adjustment, the bureau of motor vehicles shall 1846
credit to a deputy registrar three dollars and fifty cents for 1847
each damaged license plate or validation sticker the deputy 1848
registrar replaces as a service to a member of the public. 1849

(4)(a) With the prior approval of the registrar, each deputy 1850
registrar may conduct at the location of the deputy registrar's 1851
office any business that is consistent with the functions of a 1852
deputy registrar and that is not specifically mandated or 1853
authorized by this or another chapter of the Revised Code or by 1854
implementing rules of the registrar. 1855

(b) In accordance with guidelines the director of public 1856
safety shall establish, a deputy registrar may operate or contract 1857
for the operation of a vending machine at a deputy registrar 1858
location if products of the vending machine are consistent with 1859
the functions of a deputy registrar. 1860

(c) A deputy registrar may enter into an agreement with the 1861
Ohio turnpike and infrastructure commission pursuant to division 1862
(A)(11) of section 5537.04 of the Revised Code for the purpose of 1863
allowing the general public to acquire from the deputy registrar 1864
the electronic toll collection devices that are used under the 1865
multi-jurisdiction electronic toll collection agreement between 1866
the Ohio turnpike and infrastructure commission and any other 1867
entities or agencies that participate in such an agreement. The 1868
approval of the registrar is not necessary if a deputy registrar 1869
engages in this activity. 1870

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

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

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

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

(4) Nothing in division (E) of this section shall be construed to require a hearing of any nature prior to the termination of any deputy registrar contract by the registrar,

with the approval of the director, for cause. 1934

(F) Except as provided in section 2743.03 of the Revised 1935
Code, no court, other than the court of common pleas of Franklin 1936
county, has jurisdiction of any action against the department of 1937
public safety, the director, the bureau, or the registrar to 1938
restrain the exercise of any power or authority, or to entertain 1939
any action for declaratory judgment, in the selection and 1940
appointment of, or contracting with, deputy registrars. Neither 1941
the department, the director, the bureau, nor the registrar is 1942
liable in any action at law for damages sustained by any person 1943
because of any acts of the department, the director, the bureau, 1944
or the registrar, or of any employee of the department or bureau, 1945
in the performance of official duties in the selection and 1946
appointment of, and contracting with, deputy registrars. 1947

(G) The registrar shall assign to each deputy registrar a 1948
series of numbers sufficient to supply the demand at all times in 1949
the area the deputy registrar serves, and the registrar shall keep 1950
a record in the registrar's office of the numbers within the 1951
series assigned. Each deputy shall be required to give bond in the 1952
amount of at least twenty-five thousand dollars, or in such higher 1953
amount as the registrar determines necessary, based on a uniform 1954
schedule of bond amounts established by the registrar and 1955
determined by the volume of registrations handled by the deputy. 1956
The form of the bond shall be prescribed by the registrar. The 1957
bonds required of deputy registrars, in the discretion of the 1958
registrar, may be individual or schedule bonds or may be included 1959
in any blanket bond coverage carried by the department. 1960

(H) Each deputy registrar shall keep a file of each 1961
application received by the deputy and shall register that motor 1962
vehicle with the name and address of its owner. 1963

(I) Upon request, a deputy registrar shall make the physical 1964
inspection of a motor vehicle and issue the physical inspection 1965

certificate required in section 4505.061 of the Revised Code. 1966

(J) Each deputy registrar shall file a report semiannually 1967
with the registrar of motor vehicles listing the number of 1968
applicants for licenses the deputy has served, the number of voter 1969
registration applications the deputy has completed and transmitted 1970
to the board of elections, and the number of voter registration 1971
applications declined. 1972

Sec. 5747.29. A nonrefundable credit is allowed against the 1973
tax imposed by section 5747.02 of the Revised Code for 1974
contributions of money made to the campaign committee of 1975
candidates for any of the following public offices: governor, 1976
lieutenant governor, secretary of state, auditor of state, 1977
treasurer of state, attorney general, member of the state board of 1978
education, chief justice of the supreme court, justice of the 1979
supreme court, or member of the general assembly. The amount of 1980
the credit for a taxable year equals the lesser of the combined 1981
total contributions made during the taxable year by each taxpayer 1982
filing a return required to be filed under section 5747.08 of the 1983
Revised Code or the amount of fifty dollars, in the case of an 1984
individual return, or one hundred dollars, in the case of a joint 1985
return. 1986

As used in this section: 1987

(A) "Candidate" has the same meaning as in division ~~(B)~~(C)(3) 1988
of section 3517.01 of the Revised Code, but is limited to 1989
candidates for the public offices specified in this section. 1990

(B) "Contribution" has the same meaning as in division 1991
~~(B)~~(C)(5) of section 3517.01 of the Revised Code, but is limited 1992
to contributions of money only. 1993

The taxpayer shall claim the credit in the order required 1994
under section 5747.98 of the Revised Code. The credit for a 1995

taxable year shall not exceed the tax otherwise due for that year 1996
after allowing for any other credits that precede the credit under 1997
this section in that order. 1998

Section 2. That existing sections 3501.01, 3501.07, 3505.03, 1999
3505.08, 3505.10, 3506.11, 3513.01, 3513.04, 3513.05, 3513.31, 2000
3513.311, 3513.312, 3517.01, 3517.012, 3517.02, 3517.03, 4503.03, 2001
and 5747.29 and section 3517.015 of the Revised Code are hereby 2002
repealed. 2003

Section 3. Directives 2009-21, 2011-01, 2011-38, and 2013-02 2004
issued by the Secretary of State are hereafter void and shall not 2005
be enforced or have effect on or after the effective date of this 2006
act. 2007

Section 4. Notwithstanding any contrary provision of this 2008
act, a group that wishes to form a political party and nominate 2009
candidates to appear on the ballot at the 2014 general election 2010
shall submit a party formation petition that is signed by at least 2011
10,000 qualified electors that meets all other requirements of 2012
sections 3517.01 and 3517.012 of the Revised Code, as amended by 2013
this act, except that the petition shall not be required to 2014
contain the signatures of 500 qualified electors from each of at 2015
least a minimum of one-half of the congressional districts in this 2016
state. 2017