2015 Ohio Candidate Requirement Guide

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Candidate Requirement Guide: A User's Guide

If you are considering running for office in Ohio, this guide can help you navigate the legal requirements to get your name on the ballot. This guide is only a brief summary and not a complete digest of laws. The information in this guide is current as of November 2014. Legislative or judicial action may change the information in this guide. For the most up-to-date information, visit the Ohio Secretary of State's website at www.OhioSecretaryofState.gov. Refer to the sections below for the office you are seeking:

- Municipal Offices (other than judge or court clerk)
- Municipal Court Judge
- Municipal Court Clerk
- Township Offices
- Board of Education

Each of these sections contains information on the terms of office and the conditions candidates must meet, such as residency requirements, minimum or maximum ages, or other necessary qualifications, such as legal experience. Each office also has different petition filing requirements, such as deadlines, forms, filing fees and locations and number of signatures needed.

Within this guide:

- "R.C." refers to the Revised Code of Ohio (visit codes.ohio.gov for more),
- "OH Const" refers to the Ohio Constitution (www.OhioSecretaryofState.gov), and
- "OAG" refers to an Opinion of the Ohio Attorney General (www.ohioattorneygeneral.gov).

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This guide also contains general information relevant to candidates. Please review the following:

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Municipal Corporations

Cities and Villages

As used in Ohio law, the terms "municipal corporation" and "municipality" refer either to a city or a village. A municipal corporation's classification as a city or village is based on its population as determined by the most recent decennial federal census or, alternatively, the number of registered electors at the most recent general election. Municipal corporations that, at the last federal census, had a population of 5,000 or more, or at the last general election had 5,000 registered electors, are classified as cities. All other municipal corporations are classified as villages. (*R.C. 703.01*, *703.011*)

Although many of the elective offices of cities and villages share common names, those offices are governed by different statutes. A candidate should become familiar with the statutes that set forth the duties of, and eligibility requirements for, the specific office the candidate seeks.

Also, note that, for election purposes, the law distinguishes between villages with populations of fewer than 2,000, and those with populations between 2,000 and 4,999.

Municipal Limited Home Rule

Ohio law allows municipal corporations to organize under one of four specific plans of government that provide a limited amount of home rule. These plans – the charter, commission, city manager, and federal plans – are provided for in *Article XVIII of the Ohio Constitution* and *Chapter 705 of the Revised Code of Ohio*. A candidate seeking election to a municipal office governed by one of the home rule plans must be familiar with the constitutional and statutory provisions that set forth the duties of, and eligibility requirements for, that office.

Municipal Offices (Other Than Judge or Court Clerk)

Note: *The following provisions may not apply if a municipal corporation has adopted a charter or other form of limited home rule government. For more information about charter municipalities, contact your county board of elections or the law director/ solicitor of the municipal corporation.*

Terms of Office

(unless a controlling home rule provision provides otherwise)

- **MAYOR**: Four years, commencing January 1, 2016 (*OH Const. Art. XVIII §7*; *R.C. 733.02*, *733.24*)
- **MEMBER, LEGISLATIVE AUTHORITY**:
  City: Two years, commencing January 1, 2016 (*OH Const. Art. XVIII §7*; *R.C. 731.03*)
  Village: Four years, commencing January 1, 2016 (*OH Const. Art. XVIII §7*; *R.C. 731.09*)
- **PRESIDENT, LEGISLATIVE AUTHORITY - CITY**:
  Two or four years, commencing January 1, 2016 (*R.C. 733.09*)
- **DIRECTOR OF LAW - CITY**: Four years, commencing January 1, 2016 (*R.C. 733.49*)
- **AUDITOR - CITY**: Four years, commencing January 1, 2016 (*R.C. 733.10*)
- **TREASURER**: Four years, commencing January 1, 2016 (*R.C. 733.42*)
- **CLERK - VILLAGE**: Four years, commencing April 1, 2016 (*R.C. 733.26*)
- **CLERK/TREASURER - VILLAGE**: Four years, commencing April 1, 2016 (*R.C. 733.261*)
- **BOARD OF TRUSTEES OF PUBLIC AFFAIRS - VILLAGE**: Two or four years, commencing January 1, 2016 (*R.C. 733.261*)

I. Municipal Corporations
Villages With Less Than 2,000 Population

In a statutory village with a population of less than 2,000, all candidates are nominated by petition unless the village voters adopted provisions to hold partisan primary elections pursuant to *R.C. 3513.01**. If the village has not adopted partisan elections, all candidates are designated as nonpartisan candidates.

Qualifications

- **RESIDENCY REQUIREMENTS**:
  Legislative authority - council: One year in the village immediately preceding the election (*R.C. 731.12*)
  Mayor: One year in the village immediately preceding the election (*R.C. 733.24*)
  All other offices: Resident of the village (*R.C. 3.15*, *733.26*, *733.261*, *3513.05*)
- **MINIMUM AGE**: 18 years, as of the date of the general election (*OH Const. Art. V §1*, *Art. XV §4*)
- **OTHER**: Registered elector of the village (*OH Const. Art. V §1*, *Art. XV §4*; *R.C. 3.15*, *731.09*, *731.12*, *733.10*, *733.24*, *733.26*, *733.261*, *733.42*)
- **PETITION FILING DEADLINE**: By 4 p.m. on August 5, 2015 (90 days before the general election) (*R.C. 3513.251*)
- **PETITION FORM NUMBERS**:
  See page 16 for additional information on group petitions.
  #3-O for individual candidates
  #3-MA for a group of candidates
- **SIGNATURE REQUIREMENT**: 10 valid signatures (*R.C. 3513.251*)
- **FILING FEE**: $30 (*R.C. 3513.10*, *3513.251*, *3513.261*)
- **FILED WITH**: Appropriate county board of elections office (*R.C. 3513.251*)

  Note: *If the village is located in more than one county, the petition is filed with the board of elections in the most populous county.*

**If a village has adopted provisions to hold partisan primaries, please follow the requirements listed in Section II. Municipal Corporations, beginning on the next page, with the one exception that the declaration of candidacy and petition requires 10 valid signatures.*

II. Municipal Corporations
Villages With Population Over 2,000, but Less Than 5,000; Cities With Population or Registered Electors of 5,000 or More

Candidates for municipal office will be nominated by petition as nonpartisan candidates unless one or more of the following applies: The electors of the municipal corporation have petitioned to have partisan elections, previous municipal elections in that municipality were partisan, or a municipal charter provides otherwise.

Candidates for nonpartisan office who want their names printed on the ballot will file nominating petitions.

Candidates for offices nominated through a partisan primary who want their names printed on the ballot will file either a declaration of candidacy (party candidates) or nominating petition (independent candidates).

Party Candidates

Qualifications

- **RESIDENCY REQUIREMENTS**:
  Mayor - Village with population of 2,000 - 4,999: One year in the village immediately preceding election (*R.C. 3.15*, *733.24*)
  Mayor - City: Resident of the city (*R.C. 3.15*)
  President - City legislative authority: Resident of the city (*R.C. 3.15*)
  Legislative authority: One year in the village, city or ward immediately preceding election (*R.C. 3.15*, *731.02*, *731.12*)
  All other offices: Resident of the city or village (*R.C. 3.15*)

- **MINIMUM AGE**: 18 years, as of the date of the general election (*OH Const. Art. V §1*, *Art. XV §4*)

- **OTHER**: Registered elector of the city or village (*OH Const. Art. V §1*, *Art. XV §4*, *R.C. 3.15*, *731.02*, *731.12*, *733.09*, *733.10*, *733.24*, *733.42*, *733.49*)
  Director of law: Must be an attorney admitted to practice in this state (*R.C. 733.50*)

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- **FILING DEADLINES**: By 4 p.m. on February 4, 2015 (90 days before the primary election); or 4 p.m. on May 4, 2015 (day before the primary election) for independent candidates (*R.C. 3513.05*, *3513.257*)

  Note: *Party candidates whose petitions are certified will run in the primary election, unless the primary is eliminated under R.C. 3513.02 (see "Elimination of Primary Election" on page 12).*

- **FILING FEES**: $30 for village office; $45 for city office (*R.C. 3513.10*)

- **PETITION FORM NUMBERS**:
  #2-I for party candidates
  #3-N for independent candidates

- **SIGNATURE REQUIREMENTS**:

  All offices except ward council representative:

  Major party candidates: 50 valid signatures (*R.C. 3513.05*)

  Minor party candidates: 25 valid signatures (*R.C. 3513.05*)

  Independent candidates: Based on number of votes cast in the municipal corporation in the last general election for governor (*R.C. 3513.257*, *3513.261*):

Number of votes cast	Number of valid signatures required
Less than 5,000	25 signatures or 5 percent of vote (whichever is less)
5,000 or more	1 percent of vote

  Ward council representative:

  Major party candidates: 25 valid signatures (*R.C. 3513.05*)

  Minor party candidates: 13 valid signatures (*R.C. 3513.05*)

  Independent candidates: Based on number of votes cast in the ward in the last general election for governor (*R.C. 3513.257*, *3513.261*):

Number of votes cast	Number of valid signatures required
Less than 5,000	25 signatures or 5 percent of vote (whichever is less)
5,000 or more	1 percent of vote

- **FILED WITH**: Appropriate county board of elections office (*R.C. 3513.05*)

  Note: *If the municipal corporation is located in more than one county, the petition is filed with the board of elections in the most populous county.*

Nonpartisan Candidates

Qualifications

- **RESIDENCY REQUIREMENTS**:
  Mayor - Village with population of 2,000 - 4,999: One year in the village immediately preceding election (*R.C. 3.15*, *733.24*)
  Mayor - City: Resident of the city (*R.C. 3.15*)
  Legislative authority: One year in the village, city or ward immediately preceding election (*R.C. 3.15*, *731.02*, *731.12*)
  All other offices: Resident of the city or village (*R.C. 3.15*)

- **MINIMUM AGE**: 18 years, as of the date of the general election (*OH Const. Art. V §1*, *Art. XV §4*)

- **OTHER**: Registered elector of the city or village (*OH Const. Art. V §1*, *Art. XV §4*, *R.C. 3.15*, *731.02*, *731.12*, *733.09*, *733.10*, *733.24*, *733.42*, *733.49*)
  Director of law: Must be an attorney admitted to practice in this state (*R.C. 733.50*)

- **PETITION FILING DEADLINE**: By 4 p.m. on August 5, 2015 (90 days before the general election) (*R.C. 3513.251*, *3513.261*)

- **FILING FEES**: $30 for village office; $45 for city office (*R.C. 3513.10*, *3513.261*)

- **PETITION FORM NUMBER**: *#3-O*

- **SIGNATURE REQUIREMENT**: 50 valid signatures (*R.C. 3513.251*)

- **FILED WITH**: Appropriate county board of elections office (*R.C. 3513.05*)

  Note: *If the municipal corporation is located in more than one county, the petition is filed with the board of elections in the most populous county.*

Municipal Court Judge

R.C. 1901.07 prescribes the method for nominating candidates for municipal court judge based on the jurisdiction of the court and the applicability of municipal charter provisions. Candidates for municipal court judge should review closely *R.C. 1901.07* to determine particular filing requirements in their jurisdiction. All candidates for municipal court judge are nominated either by nominating petition or by primary election. If two or more judges of the same court are to be elected, each person filing a declaration of candidacy or a nominating petition as a candidate for election to the office of judge of the municipal court must indicate which office is being sought by stating when the term of office commences.

Term of Office Six years; commencement dates vary (*R.C. 1901.07*)

Qualifications

- **MAXIMUM AGE**: 70 years
  (*OH Const. Art. IV §6*)
- **RESIDENCY REQUIREMENT**: Resident of the territorial jurisdiction of the court
  (*R.C. 3.15*, *1901.06*)
- **EXPERIENCE**: Six years admitted to, and engaged in, the practice of law in this state, or prior service as a judge of a court of record in the United States, or both
  (*R.C. 1901.06*)
- **OTHER**:
  Registered elector in the territorial jurisdiction of the court (*R.C. 1901.06*)

  Candidates for judge must designate the term of office on the declaration of candidacy or nominating petition if more than one office of that court is to be elected at the election. (*R.C. 3513.08*, *3513.28*)
- **FILING DEADLINES**: By 4 p.m. on February 4, 2015 (90 days before the primary election) for party candidates; or by 4 p.m. on May 4, 2015 (day before the primary election) for independent or nonpartisan candidates
  (*R.C. 1901.07*, *3513.05*, *3513.257*, *3513.261*)
- **FILING FEE**: $80 (*R.C. 3513.10*, *3513.261*)
- **PETITION FORM NUMBERS**:
  #2-H for party candidates
  #3-I for independent and nonpartisan candidates

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- **SIGNATURE REQUIREMENTS**:

  Note: *In certain charter municipal corporations, the petition, signature or filing requirements may differ. Please review the appropriate Revised Code or charter provisions for requirements specific to your court.*

  Major party candidates: 50 valid signatures
  (*R.C. 1901.07*, *3513.05*)

  Minor party candidates: 25 valid signatures
  (*R.C. 1901.07*, *3513.05*)

  Independent or nonpartisan candidates: 50 valid signatures, unless otherwise provided in law (*R.C. 1901.07*, *3513.05*, *3513.257*)

  By nominating petition only: Municipal courts specified in *R.C. 1901.07(C)(1)-(6)*: Akron, Cleveland and Toledo municipal courts; and the Auglaize, Brown, Carroll, Clermont, Crawford, Franklin, Hamilton, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Putnam, Sandusky, and Wayne county municipal courts.

  Note: *An individual who is interested in being a candidate for the Akron, Cleveland, or Toledo municipal court or the Franklin County municipal court are encouraged to review the municipality's charter for the appropriate filing deadline and any additional filing requirements.*

- **FILED WITH:** Appropriate county board of elections office (*R.C. 3513.05*)

  Note: *If the court is located in more than one county, the petition is filed with the board of elections in the most populous county unless otherwise provided for in law.*

Municipal Court Clerk

Requirements for candidates for municipal court clerk are specified in *R.C. 1901.31*. Generally, municipal court clerks are elected in municipal court jurisdictions with populations of 100,000 or more and appointed in jurisdictions with populations under 100,000, but there are numerous exceptions (e.g., Akron, Barberton and Toledo municipal courts, and the Hamilton, Miami, Montgomery, Portage and Wayne county municipal courts).

Elected clerks are nominated and elected in the same manner provided for judges of the court. Please review the appropriate code sections for requirements specific to your court.

Note: *In certain charter municipal corporations, the petition, signature or filing requirements may differ.*

Term of Office Six years, commencing January 1, 2015 (*R.C. 1901.31*)

Qualifications

- **RESIDENCY REQUIREMENT**: Resident of the territorial jurisdiction of the court (*R.C. 3.15*, *1901.06*)
- **MINIMUM AGE**: 18 years, as of the date of the general election (*OH Const. Art. V §1*, *Art. XV §4*)
- **OTHER**: Registered elector in the territorial jurisdiction of the court (*R.C. 1901.06*, *1901.31*)
- **PETITION FILING DEADLINES**: By 4 p.m. on February 4, 2015 (90 days before the primary election) for party candidates; or by 4 p.m. on May 4, 2015 (day before the primary election) for independent candidates (*R.C. 1901.07*, *3513.05*, *3513.257*, *3513.261*)
- **FILING FEE**: $80 (*R.C. 3513.10*, *3513.261*)
- **PETITION FORM NUMBERS**:
  #2-H for party candidates
  #3-I for independent candidates

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- **SIGNATURE REQUIREMENTS**:
  Major party candidates: 50 valid signatures, unless otherwise provided in law (*R.C. 1901.31*, *3513.05*)

  Minor party candidates: 25 valid signatures, unless otherwise provided in law (*R.C. 1901.31*, *3513.05*)

  Independent or nonpartisan candidates: 50 valid signatures, unless otherwise provided in law (*R.C. 1901.31*, *3513.05*, *3513.257*)

- **FILED WITH**: Appropriate county board of elections office (*R.C. 3513.05*)

  Note: *If the court is located in more than one county, the petition is filed with the board of elections in the most populous county unless otherwise provided for in law.*

Township Offices

In 2015, the fiscal officer and one trustee will be elected to full terms in each township. Candidates for township office are nominated by nominating petition as nonpartisan candidates, unless a majority of the voters of the township have adopted provisions to hold a primary election. (*R.C. 3513.01*, *3513.253*)

Term of Office

- **FISCAL OFFICER:** Four years, commencing April 1, 2016 (*R.C. 507.01*)
- **TRUSTEE:** Four years, commencing January 1, 2016 (*R.C. 505.01*)

Qualifications

- **RESIDENCY REQUIREMENT**: Resident of the township (*R.C. 3.15*)
- **MINIMUM AGE**: 18 years, as of the date of the general election (*OH Const. Art. V §1*, *Art. XV §4*)
- **OTHER**: Registered elector of the township (*OH Const. Art. V §1*, *Art. XV §4*)
- **FILING DEADLINE**: By 4 p.m. on August 5, 2015 (90 days before the general election) (*R.C. 3513.253*)
- **FILING FEE**: $30 (*R.C. 3513.10*, *3513.261*)
- **PETITION FORM NUMBER**: *#3-R*
- **SIGNATURE REQUIREMENT**: 25 valid signatures (*R.C. 3513.253*)
- **FILED WITH**: Appropriate county board of elections office (*R.C. 3513.253*)

Board of Education

The number of members of a board of education to be elected in 2015 differs in each school district. Nomination of candidates for board of education may be made by: Nominating petition (*R.C. 3513.254*, *3513.255*) or, if approved by the board of education, by a nonpartisan primary election held on the same day as the primary election for nominating all other candidates for public office in that year. (*R.C. 3513.256*)

Term of Office Four years, commencing January 1, 2016 (*R.C. 3313.09*)

Qualifications

- **RESIDENCY REQUIREMENT**: Resident in the territory comprising the district (*R.C. 3.15*, *3313.01*)
- **MINIMUM AGE**: 18 years, as of the date of the general election (*OH Const. Art. V §1*, *Art. XV §4*)
- **OTHER**: Registered elector in the territory comprising the district (*R.C. 3313.01*)
- **PETITION FILING DEADLINES**:
  Nonpartisan Primary: 4 p.m. on February 4, 2015 (90 days before the primary election) (*R.C. 3513.256(A)*)
  No primary: 4 p.m. on August 5, 2015 (90 days before the general election) (*R.C. 3513.254*, *3513.255*)
- **FILING FEE**: $30 (*R.C. 3513.10*, *3513.261*)
- **PETITION FORM NUMBERS - NO PRIMARY**:
  See page 16 for additional information on group petitions.
  City, local or exempted village board:
  #3-T for individual candidate
  #3-U for group of candidates
  #3-V for newly formed local school board

  Governing board of educational service center (ESC):
  #3-W for individual candidate (at-large or district)
  #3-X for group of at-large candidates
  #3-Y for newly formed ESC, individual candidate
  #3-YA for newly formed ESC, group of candidates

(this section continues on the next page)

- **PETITION FORM NUMBERS - NONPARTISAN PRIMARY**:
  See page 16 for additional information on group petitions.
  #2-V for city, local, exempted village (individual candidate)
  #2-W for individual ESC candidate
  #2-X for newly formed ESC

- **SIGNATURE REQUIREMENTS**:

  City: based on the population of the school district (*R.C. 3513.254*):

Population of city school district	Number of valid signatures required
Fewer than 20,000	25
20,000 – 49,999	75
50,000 – 99,999	150
100,000 or more	300

  Local school district: 25 valid signatures (*R.C. 3513.254*)

  Exempted Village: 25 valid signatures (*R.C. 3513.254*)

  ESC: 50 valid signatures (*R.C. 3513.255*)

- **FILED WITH**: Appropriate county board of elections office (*R.C. 3513.254*)

  Non-ESC: If the school district is in more than one county, the petition is filed in the most populous county of the school district.

  ESC: If the ESC is in more than one county, the petition is filed with the board of elections of the county in which the ESC's central administrative offices are located. (*R.C. 3513.255*)

Elimination of Primary Election

Section 3513.02 of the Revised Code of Ohio provides that a municipal partisan primary election shall not be conducted under certain circumstances.

No primary election will be conducted for a particular political party if, in accordance with *R.C. 3513.02*, the following occurs:

- No valid declaration of candidacy is filed by a candidate of a political party for election to any of the offices to be voted for at the general election in that year, or
- Not more than one party declaration of candidacy is filed for each office to be voted upon at the general election.

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However, if the only office for which there is a primary contest is that of ward council member, a primary election will be held for that party only in the ward in which there is a contest, and only the names of the candidates for that ward office will appear on the party's ballot. (*R.C. 3513.02*)

Minor Parties

Please contact the Ohio Secretary of State's elections division at (614) 466-2585 for information on requirements.

Write-In Candidates

Any person wishing to be a write-in candidate must file a *Declaration of Intent to be a Write-in Candidate*, Secretary of State *Form #13*.

Only write-in candidates who have filed a valid declaration of intent will have votes counted in the election for which the candidate filed. (*R.C. 3513.041*)

A write-in candidate must meet all of the eligibility requirements for the office being sought. (See specific office for qualifications.)

A write-in candidate must file his or her *Form #13* with the appropriate county board of elections. Please review the "Filed With" section of the office being sought for additional guidance.

A declaration of intent to be a write-in candidate in the primary election must be filed not later than 4 p.m. on February 23, 2015* (72 days before the primary election). (*R.C. 3513.041*)

A declaration of intent to be a write-in candidate in the general election must be filed not later than 4 p.m. on August 24, 2015* (72 days before the general election). (*R.C. 3513.041*)

A write-in candidate must pay the same filing fee as any other candidate for the office. (*R.C. 3513.10*)

Political Party Affiliation of Candidates for Party Nomination

A person may be a candidate for nomination of any political party at a primary election (regardless of party affiliation established by voting in a prior partisan primary) if either of the following applies:

*Note: In some instances, the statutory deadline falls on a day when the offices of the Secretary of State and boards of elections are closed. In those instances, the deadlines are extended pursuant to R.C. 1.14 to the next succeeding day when the appropriate office is open for regular business hours. The preceding dates reflect the extended deadline.

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- The person does not hold an elective office, or
- The person holds an elective office other than one for which candidates are nominated at a primary election.

However, a person holding an elective office for which candidates are nominated at a party primary may become a candidate for a different political party if the person completes and files the Secretary of State's prescribed *Form #10-Y*, Declaration of Intent to Change Political Party Affiliation, by 4 p.m. on the 30th day before the filing deadline for the primary election. The completed *Form #10-Y* must be filed with the same county board of elections with which the person is required to file his or her declaration of candidacy and petition.

A person may file such declaration of intent only once during a period of 10 years after filing a first declaration of intent. (*R.C. 3513.191*)

Please see *R.C. 3513.04* and *3513.052* for further candidacy information.

Independent Candidates

An independent candidate must actually be unaffiliated from any political party, and the required claim of being unaffiliated must be made in good faith for the candidate to be qualified to run as an independent candidate. *Morrison v. Colley, 467 F.3d 503 (6th Cir. 2006); Jolivette v. Husted*, 694 F.3d 760 (6th Cir. 2012).

At the time a prospective independent candidate (other than a judicial candidate) files his or her nominating petition, the candidate may request to have the designation "nonparty candidate" or "other party candidate" printed underneath his or her name on the ballot (the designation "independent" may not appear on the ballot). Such request must be given to the office at which the nominating petition was filed. (*R.C. 3505.03*, *3513.257*)

Please see specific office being sought for qualifications, signature requirements and filing deadlines.

Restrictions on Filing for Multiple Offices

No person shall seek nomination or election to any of the following offices or positions at the same election by filing a declaration of candidacy and petition, declaration of intent to be a write-in candidate, or a nominating petition, or by becoming a candidate through a party nomination in a primary election, or by filling of a vacancy

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under *R.C. 3513.30* or *3513.31*:

1. Two or more state offices;
2. Two or more county offices;
3. A state office and a county office;
4. A federal and a state or county office; or
5. Any combination of two or more municipal or township offices, positions as a member of a city, local, or exempted village board of education, or position as a member of a governing board of an educational service center. (*R.C. 3513.052*)

The only exception to this prohibition is if a person "timely withdraws" his or her candidacy. Therefore, a candidate who timely withdraws his or her candidacy prior to board action on his or her nominating petition and prior to the filing deadline may file a new petition for the same or a different office in the same election as the withdrawn petition. (State ex rel. *Coble v. Lucas County Board of Elections* (2011),130 Ohio St.3d 132, 956 N.E.2d 282, 2011-Ohio-4550.)

Pursuant to *R.C. 3513.052(G)(2)*, "timely withdraws" means either of the following:

1. Withdrawing as a candidate before the applicable deadline for filing a declaration of candidacy, declaration of intent to be a write-in candidate, or nominating petition for the subsequent office for which the person is seeking to become a candidate at the same election, or
2. Withdrawing as a candidate before the applicable deadline for the filling of a vacancy under section *R.C. 3513.30* or *R.C. 3513.31* of the Revised Code, if the person is seeking to become a candidate for a subsequent office at the same election under either of those sections.

A candidate may only withdraw his or her candidacy. Once filed, a candidate may not withdraw the petition or other forms used to initiate his or her candidacy.

Petitions

Boards of elections will generally provide a prospective candidate with a sufficient number of petition forms. Prospective candidates are permitted to make copies of the forms in the manner the forms were provided.

Petitions contain three separate sections:

1. The Statement of Candidacy;
2. The Nominating Petition; and
3. The Circulator's Statement.

Group Petitions

Ohio law provides for a "group petition" to be used by candidates nominated only by nominating petition for the following offices: member of a board of education, township trustee (in years when two trustees are to be elected), and offices of villages with under 2,000 population. (*R.C. 3513.261*)

If a group of candidates for one of these offices wants to jointly circulate and file a single petition, they may do so by using the appropriate form:

#3-S township office;
#3-MA offices in villages with under 2,000 population;
#3-U city, local, or exempted village board of education;
#3-X at-large members of education service center; or
#3-YA members of newly formed educational service center.

Each of the candidates named in the group petition must sign the "Statement of Candidacy," and each must pay a separate filing fee. All signatures affixed to the petition are credited to each candidate named on the petition.
(*R.C. 3513.10*, *3513.261*)

General Rules Governing Petitions

1. The "Statement of Candidacy" portion of each petition must be completely filled in and signed by the candidate(s) before being circulated.
(*R.C. 3513.07*, *3513.09*, *3513.261*)
2. Only qualified electors may sign the nominating section of a petition. An elector's qualifications are determined as of the date the petition is filed. (*R.C. 3501.38(A)*)
3. Each signature, written in ink, must be an original signature of an elector or the elector's duly appointed attorney-in-fact who is acting pursuant to *R.C. 3501.382*. "Signature" is defined in statute as a person's written, cursive-style legal mark written in his or her own hand unless the elector does not use a cursive-style mark during the course of his or her regular business or legal affairs.
(*R.C. 3501.38 (B)*, *3501.011*)

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4. Each signer's voting residence address and the date of signing must be placed on the petition after his or her signature. The voting residence address written on the petition must be the address appearing in the registration records at the board of elections. (*R.C. 3501.38 (C)*)

5. Petitions for a candidate for party nomination must be signed and circulated by persons who are members of the same political party as the candidate. (*R.C. 3513.07*) An elector is considered to be a member of a political party if he or she voted in the primary election of that party within the preceding two calendar years, or if he or she did not vote in any other party's primary election within the preceding two calendar years. (*R.C. 3513.05, 7th paragraph*)

6. A candidate may circulate his or her own petition, although the candidate may not sign his or her own petition as an elector. For the purpose of circulating his or her own petition, a candidate is exempted from the party affiliation requirements described in number 5 of this section. (*R.C. 3513.191(C)(4)*) A circulator may not sign the same petition paper that he or she is circulating; a circulator may, however, sign a petition paper being circulated for the same candidacy by a different circulator.

7. A circulator must be at least 18 years of age. (*R.C. 3503.06(C)(1)*, *Citizens in Charge v. Husted*, Case No. 2:13-cv-00935 (S.D. Ohio, Nov. 13, 2013))

8. After circulating the petition, the circulator must sign a statement, under penalty of election falsification indicating the following:

   a. The number of signatures contained on the petition;

   b. That the circulator witnessed the affixing of each signature on the petition;

   c. That all signers, to the best of the circulator's knowledge and belief, were qualified to sign; and

   d. That each signature is, to the best of the circulator's knowledge and belief, the signature of the person whose signature it purports to be.

   If a circulator knowingly permits an unqualified person to sign a petition paper or permits a person to write a name other than the person's own on the petition paper, that petition paper is invalid; otherwise, the signature of a person not qualified to sign shall be rejected, but shall not invalidate the other valid signatures on the petition paper. (*R.C. 3501.38 (E) and (F)*)

9. Once a candidate's petition has been filed with the appropriate election official, it cannot be changed, supplemented, or returned to the candidate. (*R.C. 3501.38(I)*)

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10. The original petition with the candidate's original signature must be filed at the same time as all part petitions are filed. (*R.C. 3501.38(K)*, *3513.09*)
11. A signature on an independent or nonpartisan candidate's nominating petition is not valid if the signature is dated more than one year before the date the nominating petition was filed. (*R.C. 3513.262*, *3513.263*)
12. Each petition paper shall be circulated by one person only, and shall contain signatures of qualified electors of one county only. When petitions are circulated in a district that contains more than one county, separate petition papers must be circulated in each county. (*R.C. 3501.38*, *3513.05*, *3513.07*, *3513.261*)
13. No petition may contain more than three times the minimum number of required signatures. (*R.C. 3513.05*, *3513.257*, *3513.259*)
14. All petitions must contain the following statement in boldface capital letters: **"WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE."** (*R.C. 3501.38(J)*, *3599.36*)

    Note: *The penalties for a fifth degree felony are six to 12 months in prison and/or a fine of $2,500.*
15. All petitions remain open for public inspection, under reasonable regulations, at the board of elections at which they were filed. (*R.C. 3513.05*, *3513.262*)

Protests

Generally

Protests against the candidacy of any person must be in writing, must specify the legal ground(s) for the protest, and must be filed with the board of elections where the candidate filed his/her declaration of candidacy, nominating petition, or declaration of intent to be a write-in candidate. If the candidate filed with the office of the Secretary of State, the protest must be filed with the Secretary of State. (*R.C. 3513.041*, *3513.05*, *3513.262*, *3513.263*)

After a valid protest is filed, the board of elections or, if applicable, the Secretary of State, must set a time and place for hearing the protest and give notice to both the person whose candidacy is being protested and the protestor. Both the protestor and the protested candidate, or his or her respective legal counsel, will have the opportunity to address the board or Secretary of State hearing officer at the hearing. (*R.C. 3513.041*, *3513.05*, *3513.262*, *3513.263*)

Partisan Primary Candidacy

Protests against any candidate in a partisan primary may be made by the controlling committee of that party, or by any qualified elector who is a member of the same party as the candidate and who is eligible to vote for the candidate whose petition is the subject of the protest. (*R.C. 3513.05*)

The deadline to file a protest against any party candidate who filed a declaration of candidacy for the primary is 4 p.m. on February 20, 2015 (74 days before the primary election). (*R.C. 3513.05*)

Any elector eligible to vote on the candidacy of a write-in candidate may protest that candidacy. The deadline to file a protest against a write-in candidate for the primary is 4 p.m. on February 27, 2015 (67 days before the primary election). (*R.C. 3513.041*)

Independent Candidacy

Protests against an independent candidate may be made by any qualified elector who is eligible to vote for the candidate whose petition is the subject of the protest.

The deadline to file a protest against any candidate who filed a nominating petition as an independent candidate is 4 p.m. on July 30, 2015. (*R.C. 3513.262*)

Nonpartisan Candidacy

Any elector eligible to vote on the candidacy of a candidate for nonpartisan office may protest that candidacy. The deadline to file a protest against any candidate who filed a nominating petition as a nonpartisan candidate is 4 p.m. on August 21, 2015 (74 days before the general election). (*R.C. 3513.263*)

Write-In Candidacy - General Election

Any elector eligible to vote on the candidacy of a write-in candidate may protest that candidacy. The deadline to file a protest against any candidate who filed a declaration of intent to be a write-in candidate is 4 p.m. on August 28, 2015 (67 days before the general election). (*R.C. 3513.041*)

Unexpired Term Elections (Vacancy in Office)

Several statutes govern candidacies for unexpired term elections. *R.C. 3513.31* is a general statute that always should be consulted in connection with an unexpired term election for an office that, under Ohio law, is subject to party primaries. *R.C. 3513.31(I)* provides how and when party nominees are selected for unexpired term elections for such offices, while *R.C. 3513.31(J)* describes how persons become independent candidates for those unexpired term elections.

Candidates seeking nomination/election to an office for the remainder of an unexpired term must include the term-ending date on the petition. Ohio law requires each person filing a declaration of candidacy or a nominating petition as a candidate for the unexpired term of any office to designate the date on which that unexpired term will end. (*R.C. 3513.08*, *3513.28*) Failure to provide the correct term-ending date on the petition may result in the petition being invalidated.

Vacancy on Ballot Due to Death or Withdrawal of Candidate

A candidate may withdraw his or her candidacy by filing a written statement of withdrawal with the appropriate board of elections at any time prior to the primary or general election. (*R.C. 3513.30*)

If a candidate dies, the candidate's party organization, committee or family should notify the appropriate county board of elections of the death.

The law provides various procedures for the replacement of a candidate who dies or withdraws during the election cycle. The procedures to be followed will be dictated by the specific facts surrounding the vacancy on the ballot (e.g., the office involved, why the vacancy occurred, the time remaining before the election, etc.). The two statutes that generally govern vacancies on the ballot are: *R.C. 3513.30* (death of a candidate before a primary election, withdrawal of candidacy before or after a primary election) and *R.C. 3513.31* (filling vacancies in party, independent, and nonpartisan nominations).

Municipal Offices (Other Than Judge and Clerk of Courts)

VILLAGES

Vacancies in elective office of villages that have adopted a limited form of home rule will be filled as provided by the applicable home-rule provisions.

In all statutory (non-home rule) villages, the office of mayor is the only office requiring an election to fill an unexpired term, and then only if the following two conditions exist:

- The vacancy occurs more than 40 days before the next regular municipal election, and
- The unexpired term will end more than one year after that election.

Vacancies in other statutory village offices are filled by an appointment for the entire unexpired term. (*R.C. 731.43*, *733.25*, *733.31*)

CITIES

In all cities operating under a charter or other plan of limited home-rule government, the applicable provisions of the charter or home-rule plan will control the filling of vacancies.

In statutory (non-home rule) cities, vacancies in municipal offices for mayor, director of law, auditor, treasurer, and president of council, are filled by an election for the unexpired term if the following two conditions exist:

- The vacancy occurs more than 40 days before the next regular municipal election, and
- The unexpired term will end more than one year after that election.

Vacancies in other offices are filled by an appointment for the remainder of the unexpired term. (*R.C. 731.43*, *733.08*, *733.31*)

Municipal Court Judge and Clerk

JUDGE

Except where otherwise provided by charter, a vacancy in the office of a municipal judgeship that does not appear on this year's ballot and that occurs after the 100th day before the date of the primary election, and prior to the 40th day before the November 3, 2015 general election, shall be filled by an election for the unexpired term. (*R.C. 3.02*, *1901.10*)

CLERK

A vacancy in the office of an elected municipal court clerk is filled according to *R.C. 1901.31*.

Township Offices

A vacancy occurring in a township elective office that does not appear on this year's ballot shall be filled by an election for the unexpired term if the vacancy occurs prior to the 40th day before the November 3, 2015 general election. (*R.C. 503.24*)

Boards of Education

Each person selected to fill a vacancy on a board of education shall hold office for the shorter of the following periods:

- Until the completion of the unexpired term, or
- Until the first day of January immediately following the next regular board of education election taking place more than 90 days after a person is selected to fill the vacancy.

If, prior to the 90th day (August 5, 2015) before the general election, a person is appointed to a board of education term expiring on December 31, 2017, an election for the remainder of the unexpired term shall be held on November 3, 2015. (*R.C. 3313.11*)

Campaign Finance Reporting

At the time petitions of candidacy are filed, each candidate should receive materials from the board of elections about campaign finance reporting and compliance.

Additional information regarding campaign finance rules, reporting requirements, and filing deadlines may be found in the online *Campaign Finance Handbook*, *2015 Ohio Elections Calendar*, and *other publications* located on the Ohio Secretary of State's website at *www.OhioSecretaryofState.gov*.

Also, please note that some charter municipalities have campaign finance disclosure and limitations in addition to those set forth in state law. Municipal candidates should contact the appropriate municipal authority for information on these local regulations, if applicable.

Personal Financial Disclosure Statement

Any individual who becomes a candidate for or holds a state, county, or city elected office, or the position of school board member in a school district with more than 12,000 students average daily membership, is required to file a personal financial disclosure statement. All public officials and candidates for elected office must file statements with the Ohio Ethics Commission, except members of and candidates for the General Assembly, who file with the Joint Legislative Ethics Committee, and judges and judicial candidates, who file with the Board of Commissioners on Grievances and Discipline of the Supreme Court.

For further information on the filing requirements and deadlines or to find a copy of a blank statement, visit the Ohio Ethics Commission's website at: *www.ethics.ohio.gov*. If further information is needed, please contact the Commission at (614) 466-7090.

Judicial candidates can find information at *www.supremecourt.ohio.gov/Judiciary/candidates/default.asp* or call the office of the Board of Commissioners on Grievances and Discipline at (614) 387-9370.

2015 Ohio Elections Calendar

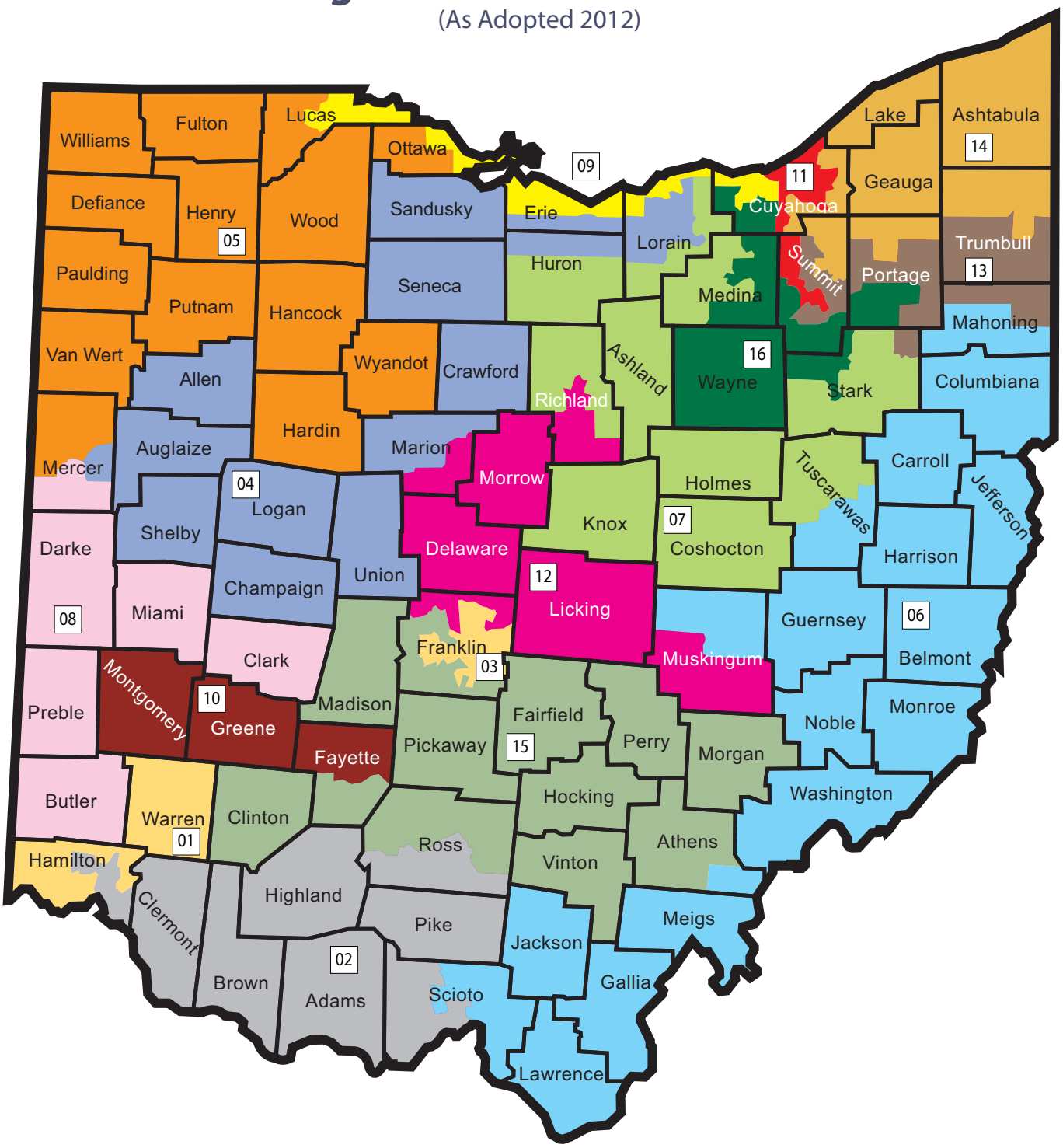
Click here to access the 2015 Ohio Elections Calendar.

Most Populous Counties by District

Ohio Congressional		Ohio House of Representatives				Ohio Senate		State Board of Education		Ohio Court of Appeals	
1	Hamilton	1	Wayne	51	Butler	1	Hancock	1	Allen	1	Hamilton
2	Hamilton	2	Richland	52	Butler	2	Wood	2	Lucas	2	Montgomery
3	Franklin	3	Wood	53	Butler	3	Franklin	3	Montgomery	3	Allen
4	Lorain	4	Allen	54	Warren	4	Butler	4	Hamilton	4	Scioto
5	Lucas	5	Columbiana	55	Lorain	5	Montgomery	5	Cuyahoga	5	Stark
6	Columbiana	6	Cuyahoga	56	Lorain	6	Montgomery	6	Franklin	6	Lucas
7	Stark	7	Cuyahoga	57	Lorain	7	Warren	7	Trumbull	7	Mahoning
8	Butler	8	Cuyahoga	58	Mahoning	8	Hamilton	8	Stark	8	Cuyahoga
9	Cuyahoga	9	Cuyahoga	59	Mahoning	9	Hamilton	9	Franklin	9	Summit
10	Montgomery	10	Cuyahoga	60	Lake	10	Greene	10	Clermont	10	Franklin
11	Cuyahoga	11	Cuyahoga	61	Lake	11	Lucas	11	Cuyahoga	11	Lake
12	Franklin	12	Cuyahoga	62	Warren	12	Allen			12	Butler
13	Summit	13	Cuyahoga	63	Trumbull	13	Lorain				
14	Lake	14	Cuyahoga	64	Trumbull	14	Clermont				
15	Franklin	15	Cuyahoga	65	Clermont	15	Franklin				
16	Cuyahoga	16	Cuyahoga	66	Clermont	16	Franklin				
		17	Franklin	67	Delaware	17	Ross				
		18	Franklin	68	Knox	18	Portage				
		19	Franklin	69	Medina	19	Delaware				
		20	Franklin	70	Medina	20	Fairfield				
		21	Franklin	71	Licking	21	Cuyahoga				
		22	Franklin	72	Licking	22	Medina				
		23	Franklin	73	Greene	23	Cuyahoga				
		24	Franklin	74	Greene	24	Cuyahoga				
		25	Franklin	75	Portage	25	Cuyahoga				
		26	Franklin	76	Geauga	26	Marion				
		27	Hamilton	77	Fairfield	27	Summit				
		28	Hamilton	78	Pickaway	28	Summit				
		29	Hamilton	79	Clark	29	Stark				
		30	Hamilton	80	Miami	30	Belmont				
		31	Hamilton	81	Williams	31	Licking				
		32	Hamilton	82	Defiance	32	Trumbull				
		33	Hamilton	83	Hancock	33	Mahoning				
		34	Summit	84	Mercer						
		35	Summit	85	Champaign						
		36	Summit	86	Marion						
		37	Summit	87	Crawford						
		38	Summit	88	Sandusky						
		39	Montgomery	89	Erie						
		40	Montgomery	90	Scioto						
		41	Montgomery	91	Highland						
		42	Montgomery	92	Ross						
		43	Montgomery	93	Lawrence						
		44	Lucas	94	Athens						
		45	Lucas	95	Belmont						
		46	Lucas	96	Jefferson						
		47	Lucas	97	Muskingum						
		48	Stark	98	Tuscarawas						
		49	Stark	99	Ashtabula						
		50	Stark								

Ohio Congressional Districts 2012-2022

(As Adopted 2012)



Ohio House Districts 2012-2022

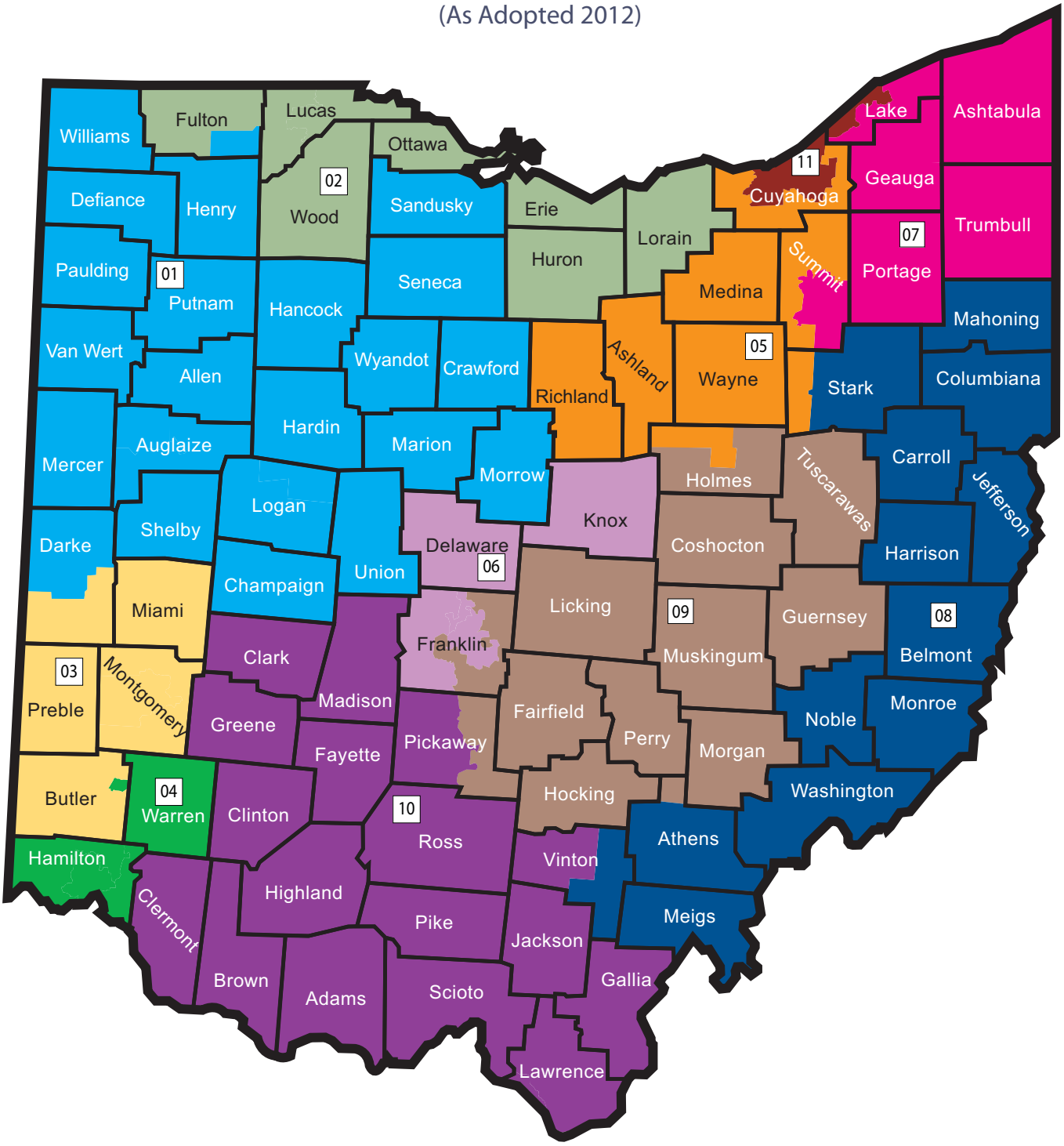
(As Adopted 2012)

Ohio Senate Districts 2012-2022

(As Adopted 2012)

State Board of Education Districts 2012-2022

(As Adopted 2012)



Ohio Court of Appeals Districts

(Oh. Const. Art. IV, Sec. 3 & RC 2501.01)

Jon Husted

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