

2008 OHIO PRESIDENTIAL GUIDE



JENNIFER BRUNNER OHIO SECRETARY OF STATE

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KEY ELECTION DATES

Presidential Primary Filing Deadline	Jan. 4, 2008
Presidential Primary Elections (Polls are open 6:30 a.m. - 7:30 p.m.)	March 4, 2008
Democratic Party Nominating Convention (Denver, CO)	August 25-28, 2008
Independent Joint Candidates: Filing deadline to have names printed on ballot.....	August 21, 2008
Republican Party Nominating Convention (St. Paul, MN)	September 1 - September 4, 2008
Deadline for political parties to certify presidential and vice presidential nominees	September 5, 2008
Joint Write-in Candidates: Filing deadline for General Election	September 3, 2008
General Election (Polls are open 6:30 a.m. - 7:30 p.m.).....	November 4, 2008
Meeting of the Electoral College	December 13, 2008

DEFINITIONS

As used in discussing the provisions relating to a presidential candidate's access to the ballot in Ohio:

"Elector" is a U.S. citizen who will be at least 18 years old on or before the Nov. 4, 2008 general election, and who is a resident of, and registered to vote in, Ohio for at least 30 days immediately prior to that election.

Seventeen year-old citizens who will be 18 years old on or before the Nov. 4, 2008 general election may register and vote in the March 4 primary to nominate party candidates, but they cannot vote on the election of issues, questions, or party officers on the March 4 ballot.

"Political party" means any group of electors meeting the requirements of Ohio law for the formation and existence of a political party.

Please note: As of this guide's publication date, two political parties – Democratic and Republican – had legal status in Ohio.

However, any political party that obtains legal status under R.C. 3517.01 and Secretary of State Directive 2007-09 by November 26, 2007, will be eligible to hold a primary on March 4, 2008, to nominate party candidates for all offices to be elected at the 2008 general election.

"Delegate" is an Ohio elector who represents a presidential candidate at a political party nominating convention.

"Alternate" or **"alternate delegate"** is an Ohio elector who substitutes as a presidential candidate's representative when a delegate cannot perform his or her duties at the party nominating convention.

"District" refers to one of Ohio's 18 congressional districts. Each district delegate or alternate delegate is elected from the Ohio congressional district in which his or her voting residence is located.

"At-large delegate" is a national convention delegate or alternate delegate who is either elected statewide or appointed by a political party pursuant to party rules.

"Independent candidates" are joint candidates for president and vice president who run without the designation of a political party. They do not seek nomination through the primary process, but appear on Ohio's general election ballot by filing valid nominating petitions by 4 p.m. August 21, 2008.

"Write-in candidates" are joint candidates for president and vice president whose names are not printed on the general election ballot, but who become eligible to receive votes at the general election by filing a declaration of intent to be joint write-in candidates by 4 p.m. on Sept. 3, 2008.

"Board of elections" refers to the bipartisan body of election officials responsible for conducting elections in a county. Each of Ohio's 88 counties has its own board of elections.

"R.C." is used when citing a section of the Ohio Revised Code. You may reference the Ohio Revised Code online at: codes.ohio.gov/orc.

QUALIFICATIONS FOR OFFICES OF PRESIDENT AND VICE PRESIDENT

A candidate for the office of president of the United States must be a natural born citizen of the United States, a U.S. resident for at least 14 years, and at least 35 years old on or before the day of the election. (U.S. Constitution, Article II, section 1)

A candidate for the office of vice president of the United States must have the same qualifications as a candidate for president.

FORMS OF CANDIDACY AND FILING DEADLINES

Forms of Candidacy

Presidential and vice presidential candidates must file jointly with, or be certified jointly to, the Ohio secretary of state's office (U.S. Constitution, Amendment XII; R.C. 3513.12, 3513.121). Generally, a presidential candidacy may take one of the following forms in Ohio:

- Participation in a party primary as provided by law and party rules;
- Joint candidacy of a minor or intermediate political party having legal status in Ohio;
- Independent joint candidacy; or
- Joint write-in candidacy.

The form of candidacy determines the method by which candidates obtain access to the Ohio ballot for the presidential primary or general election as discussed in this guide.

FILING DEADLINES

The statutory filing or certification deadlines are as follows:

Candidacy for Party Primary	January 4, 2008, 4 p.m.
Independent Joint Candidates	August 21, 2008, 4 p.m.
Certification of Major Party Candidates	September 5, 2008, 4 p.m.
Certification of Minor or Intermediate Political Party Candidates	September 5, 2008, 4 p.m.
Joint Write-in Candidates	September 3, 2008, 4 p.m.

BALLOT ACCESS - MAJOR POLITICAL PARTIES

The presidential and vice presidential nominees of major political parties are not nominated through primary elections, but are selected by delegates at each party's national convention. The number of delegates and alternates to be sent to a convention is determined by the national party committee's written rules governing the primary process in each state.

The two major political parties currently having legal status in Ohio – the Democratic and Republican parties – have filing requirements and deadlines in addition to those provided for by statute.

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OHIO DEMOCRATIC PRESIDENTIAL PRIMARY

Anyone interested in participating as a candidate in the Democratic presidential nominating process should:

1. Review the relevant materials of the state and national Democratic Party organizations, including the party rules, and the Ohio Democratic Party's "2008 Ohio Delegate Selection Plan." Please visit www.ohiodems.org or contact the Ohio Democratic Party for a copy of the plan;
2. If you are interested in being designated as a delegate or alternate delegate, obtain the written consent of the two people, your first and second choices for the Democratic Party's presidential candidate, whom you want to support as a delegate or alternate delegate; and
3. Obtain the appropriate forms, and file those forms as provided by Ohio law.

Additional information may be obtained by contacting the Ohio Democratic Party, 271 E. State Street, Columbus, OH 43215; telephone (614) 221-6563; fax (614) 221-0721. Web site: www.ohiodems.org. Additional information about the Democratic National Convention is available at www.demconvention.com.

In addition to its delegate selection plan, the Ohio Democratic Party has provided the following information, which is also available on the Ohio Democratic Party's Web site (www.ohiodems.org):

HOW TO BECOME A DELEGATE OR ALTERNATE

2008 Democratic National Convention

Delegates and alternates are selected either at a Congressional District Caucus held in each CD on January 3, 2008 or by the State Executive Committee on May 10, 2008. There are also 18 delegates who are ex-officio (members of Congress or the Democratic National Committee (DNC)).

District Delegates & Alternates

There are 92 district delegates and 16 district alternates. The distribution is indicated on the chart below. To become a delegate or alternate you must file a "Declaration of Candidacy" form with the Ohio Democratic Party by 5:00 p.m. on January 1, 2008. These forms are now available at our Web site, www.ohiodems.org. We will accept faxes. You have to pledge your support to a presidential candidate in order to run as a district delegate or alternate. The presidential candidate may limit the number of candidates running in each district. You must be registered to vote (18 before November 4, 2008) in the district in which you are running.

All caucuses are held on January 3, 2008. There will be individual caucuses for each Presidential Caucus. These may be held in the same building. Locations of all caucuses will be announced no later than December 23, 2007. Voters who sign a statement of support indicating their presidential preference may vote, but only at one caucus. There will be separate votes for male and female delegates. A separate election will be held for alternates. Voting will be by signed ballot. This is not a secret ballot, ballots will be open to inspection. Caucus chairs will announce the name of each candidate and may allow each to speak for a limited time. The chair will indicate the importance of meeting the affirmative action goals of the delegation.

Ranking of delegates will be based on this vote and the outcome of the March primary.

Statewide Delegates and Alternates

Statewide delegates will be selected by the State Executive Committee on May 10, 2008. To become a delegate or alternate you must file a "Declaration of Candidacy" form with the Ohio Democratic Party by 5:00 p.m. on May 3, 2008. These forms are currently available. We will accept faxes. You have to pledge your support to a presidential candidate in order to run as a delegate or alternate. The presidential candidate may limit the number of candidates running (only if over two times the number to be selected file).

The State Executive Committee will first select the "Party Leader and Elected Official Delegates" (PLEO's). Preference is given to big city mayors, statewide elected officials, legislative leadership, and members of the legislature for these positions. After this election, "At-large" delegates and alternates will be selected. Preference will be given to delegates and alternates in order to achieve the equal division of men and women and to reach our affirmative action goals.

Presidential candidates will receive delegates and alternates based on the vote at the March 4, 2008 primary

Delegates and alternates will be selected as summarized on the following chart:

Type	Delegates	Alternates	Date of Selection	Selecting Body	Filing Requirements
District Level	92	16	March 4 January 3	Primary Pre-Primary Caucus	January 1 with the Ohio Democratic Party
Members of Congress	7	None	March 1	Automatic	None
Unpledged DNC	11	None	March 1	Automatic	None
Unpledged Add-ons	2	None	May 10	State Executive Committee	May 10 Nominated by State Chair
Governor	1	None	Ex-Officio	Automatic	None
PLEOs	18	0	May 10	State Executive Committee	May 3 with the Ohio Democratic Party
At-large	31	8	May 10	State Executive Committee	May 3 with the Ohio Democratic Party January 4 with Secretary of State
Total	162	24			

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Selection of Standing Committee Members (for Credentials, Platform, and Rules Committee)

Members per Committee	Total Members	Selection Date	Filing Requirements and Deadlines
7	21	May 24	Nomination by candidate or authorized representative by May 19

Apportionment of Congressional District Delegates & Alternates

District	Delegates			Alternates			1st Delegate
	Males	Females	Total	Males	Females	Total	
1	2	2	4	1	0	1	Male
2	2	2	4	0	1	1	Female
3	2	3	5	1	0	1	Female
4	2	2	4	0	0	0	Male
5	2	2	4	0	1	1	Female
6	3	2	5	0	1	1	Male
7	2	2	4	1	0	1	Male
8	2	2	4	0	0	0	Male
9	3	3	6	0	1	1	Female
10	3	3	6	0	1	1	Female
11	4	4	8	0	1	1	Female
12	3	2	5	0	1	1	Male
13	3	3	6	1	0	1	Male
14	3	3	6	1	0	1	Male
15	2	2	4	1	0	1	Male
16	2	3	5	1	0	1	Female
17	3	4	7	1	0	1	Female
18	3	2	5	0	1	1	Male
Total	46	46	92	8	8	16	

BALLOT ACCESS METHOD - DEMOCRATIC PRESIDENTIAL PRIMARY

PETITION METHOD - AT-LARGE DELEGATE

Under the delegate selection plan published by the Ohio Democratic Party, the only way a presidential candidate may obtain access to the Democratic presidential primary ballot is by having one or two qualified electors file as at-large delegates. This will result in the presidential candidate's name appearing on the Democratic primary ballot in each of Ohio's 18 congressional districts.

Secretary of State Forms for use by a Single At-large Democratic Candidate:

2-N Declaration of Candidacy and Petition – At-large Delegate or Alternate - Single Candidate

2-R Consent for use of Name as First Choice for the Presidency - Single Candidate

2-S Consent for use of Name as Second Choice for the Presidency - Single Candidate

Petition and Signature Requirements

Candidates for at-large delegate file the Declaration of Candidacy and Petition (Form 2-N), designating their first and second choices for nomination as the Democratic candidate for president.

The Declaration of Candidacy and Petition may consist of separate petition papers, each of which must contain signatures of electors of only one county. If a petition paper contains signatures of electors from more than one county, the office of the secretary of state will determine the county from which the majority of signatures came, and only signatures from that county shall be counted. Any other signature on that petition paper will be invalidated. (R.C. 3513.05)

The petition must contain signatures of at least 1,000 – but not more than 3,000 – qualified Ohio electors affiliated with the Democratic Party. For purposes of signing or circulating a petition in 2007, Ohio election law considers an elector to be affiliated with the Democratic Party if the elector either voted in the primary elections only of the Democratic Party in 2005, 2006 or 2007, or did not vote in any other political party's primary elections in those years.

Each petition paper must be circulated by one qualified Ohio elector, and is governed by the rules set forth in R.C. 3501.38 and R.C. 3503.06. The secretary of state's office has prescribed forms that satisfy the statutory requirements. Forms may be obtained from the Ohio Secretary of State's Elections Division, 180 E. Broad St., 15th Floor, Columbus, OH 43215 or downloaded from the secretary of state's Web site: www.sos.state.oh.us.

Additional Forms to be Filed

Each candidate for at-large delegate also must file the Consent for Use of Name forms (Forms 2-R and 2-S), signed by the presidential candidates designated in the declaration of candidacy as the delegate or alternate's first and second choices for the Democratic nomination for president.

When and Where to File

A candidate for at-large delegate must file a properly completed and signed Declaration of Candidacy and Petition, along with the Consent for Use of Name forms, with the Ohio Secretary of State's Elections Division, 180 E. Broad St., 15th Floor, Columbus, OH 43215, by 4 p.m. on January 4, 2008.

Filing Fee

No filing fee is required of any candidate for delegate or alternate to a political party's convention.

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OHIO REPUBLICAN PRESIDENTIAL PRIMARY

Anyone interested in participating as a candidate in the Republican presidential nominating process should:

1. Review the relevant materials of the national and state Republican Party organizations, including the party rules, and the 2008 Ohio Republican Presidential Primary information printed below;
2. If you are interested in being designated as a delegate or alternate delegate, obtain the written consent of the two people, your first and second choices as the Republican Party's presidential candidate, whom you want to support as a delegate or alternate delegate; and
3. Determine which method you will use to obtain access to the Ohio Republican Party primary election ballot, obtain the appropriate forms, and file those forms as provided by Ohio law.

Additional information may be obtained by contacting the Ohio Republican Party, 211 S. Fifth Street, Columbus, OH 43215; telephone (614) 228-2481; fax (614) 228-1093; Web site: www.ohiogop.org.

Additional information about the Republican National Convention is available at www.gopconvention2008.com.

The following information was provided by the Ohio Republican Party:

2008 OHIO REPUBLICAN PRESIDENTIAL PRIMARY

General Guidelines and Information

Candidates Filing Deadline: FRIDAY, JANUARY 4, 2008

Primary Election: TUESDAY, MARCH 4, 2008

Total Number of Delegates and Alternate Delegates:

88 Delegates/ 85 Alternate Delegates

At Large Delegates and Alternate Delegates:

34 At Large Delegates/31 Alternate Delegates

District Delegates and Alternate Delegates:

54 (3 from each of the 18 congressional districts)

Filing Requirements for Delegates and Alternate Delegates Under ORC Section 3513.121:

Under Ohio Revised Code Section 3513.121, any presidential candidate who is eligible to receive payments under the "Presidential Primary Matching Payment Account Act" may file a Declaration of Candidacy and a list of at-large and district delegates and alternate delegates with the Ohio secretary of state, bypassing the petition process. The delegates must be selected in accordance with Article X of the Ohio Republican Party State Central and Executive Committee Permanent Rules.

Filing Requirements for Delegates and Alternate Delegates Not Meeting the Requirements of ORC Section 3513.121:

At-Large Delegates and Alternate Delegates: For those candidates who do not qualify under Ohio Revised Code Section 3513.121, petitions for each at-large delegate and at-large alternate delegate must be signed by at least 1,000 but no more than 3,000 registered Republicans and filed with the office of the Ohio secretary of state.

District Delegates and Alternate Delegates: For those candidates who do not qualify under the above provisions, petitions for each district delegate and district alternate delegate must be filed with the county board of elections in the county with the largest portion of the population of that congressional district. Petitions must be signed by at least 50 but not more than 150 registered Republicans from the congressional district. Consent forms from the presidential candidate, listing those people he/she wishes to represent him/her, must also be filed.

PRIMARY ELECTION

Ohio is a "winner-take-all" state. The presidential candidate's name is the only name that appears on the ballot for at-large delegates and at-large alternate delegates and for district delegates and district alternate delegates.

The winner of the primary election statewide receives all of the at-large delegates and at-large alternate delegates. The winner within each congressional district receives all three district delegates and district alternate delegates.

While delegate and alternate delegate candidates sign a pledge of support for their chosen contender, they are not bound by any legally enforceable restraints to vote for that contender at the nominating convention.

Ohio Law and the Ohio Republican Party State Committee Rules provide no automatic role for party leaders or officeholders, other than through individual campaigns of the various presidential candidates.

Gender Representation

The current rules of the Ohio Republican Party mandate that the delegation consist of 50 percent men and 50 percent women, with the following breakdown for the Year 2008:

Delegates

Odd-numbered Congressional Districts: 2 women, 1 man

Even-numbered Congressional Districts: 2 men, 1 woman

Alternate Delegates

Odd-numbered Congressional Districts: 2 men, 1 woman

Even-numbered Congressional Districts: 1 man, 2 women

The at-large delegates and at-large alternate delegates are chosen throughout the state by the candidates, with no requirements other than to bring the delegation to a 50/50 split.

Following certification of the election results by the secretary of state, the Republican state chairman and the chairman of the presidential campaign(s) shall issue a joint notice announcing the first meeting of the delegation.

Vacancies on the delegation are filled by the designated presidential campaign official.

DELEGATE OR ALTERNATE DELEGATE TO THE 2008 REPUBLICAN NATIONAL CONVENTION

1) Who Selects Delegates and Alternate Delegates?

Delegates and alternate delegates are chosen by the presidential candidates, not the Ohio Republican Party. To become a delegate or alternate delegate, contact the Republican Presidential candidate of your choice to notify them of your interest in serving as a delegate or alternate delegate and becoming involved in their campaign. Along with your letter, you should send a resume or information outlining your party and campaign background.

2) How Many Ohio Delegates are There?

Ohio will send a total of 88 delegates and 85 alternate delegates (a total of 173 individuals) to the 2008 Convention. The breakdown is as follows:

34 Delegates at Large (Including 3 National Committee Members)

31 Alternate Delegates at Large

54 District Delegates (3 from each congressional district)

54 Alternate Delegates (3 from each congressional district)

3) Are There Gender Requirements to the Delegation?

The Permanent Rules of the Ohio Republican Party mandate that the delegation must consist of a 50/50 split of men and women.

The 34 delegates at-large and 31 alternate delegates at-large are chosen throughout the state by the candidate, with no gender requirements other than to bring the delegation to a 50/50 split. The 54 district delegates and alternate delegates are chosen as follows:

In 2008, in odd-numbered congressional districts, the first delegate chosen will be a woman, thus giving odd-numbered districts two women and one man. Even-numbered Congressional Districts will have two men and one woman.

The selection of alternate delegates is the same as for the delegates, except odd-numbered districts will have two men and one woman and even-numbered districts, two women and one man.

4) How Delegates are Allotted to Candidates

Delegate and alternate delegate allotment is based upon congressional district. The candidate who wins a majority of votes in a congressional district receives that district's delegates and alternates.

5) When and Where is the 2008 Republican National Convention?

The 2008 Republican National Convention will be held September 1-4, 2008 in Minneapolis.

6) Who Pays for Delegate and Alternate Delegate Travel and Lodging?

Those who serve as delegates and alternate delegates are responsible for their own travel and lodging expenses at the convention.

Ballot Access Methods - Republican Presidential Primary

1. PETITION METHOD (R.C. 3513.12)

A presidential candidate who is not eligible to receive federal matching funds, or who wants to use the petition process, may obtain access to the Republican Party's presidential primary ballot through the filing of petitions for delegate and alternate delegate candidates.

Under the petition method, the presidential candidate gains access to the party's primary ballot by having candidates for delegate and alternate delegate to the party's national convention who have pledged their support to the candidate file a declaration of candidacy and petition.

Under the rules of the Ohio Republican Party, the delegates and alternates are elected both from the state at-large and by congressional district.

Candidates for delegate or alternate delegate may file either as an individual or as a group.

SELECTING DELEGATE AND ALTERNATE CANDIDATES

Generally

Each candidate for delegate or alternate delegate filing under the petition method must file a Declaration of Candidacy and Petition with the appropriate election officials.

Individual candidates for district delegates or alternate delegates file with the board of elections of the most populous county in the congressional district. Individual candidates for at-large delegates or alternate delegates file with the secretary of state.

The Declaration of Candidacy and Petition may consist of separate petition papers, each of which must contain signatures of electors of only one county. If a petition paper contains signatures of electors from more than one county, even if in the same congressional district, the election officials who accepted the filing will determine the county from which the majority of signatures came, and only signatures from that county shall be counted. Any other signature on that petition paper will be invalidated. (R.C. 3513.05)

Each petition paper must be circulated by one qualified Ohio elector, and is governed by the rules set forth in R.C. 3501.38 and R.C. 3503.06. The secretary of state's office has prescribed forms that satisfy the statutory requirements. Forms may be obtained from the Ohio Secretary of State's Elections Division, 180 E. Broad St., 15th Floor, Columbus, OH 43215 or downloaded from the secretary of state's Web site: www.sos.state.oh.us.

DISTRICT DELEGATE OR ALTERNATE - SINGLE (INDIVIDUAL) CANDIDATE

Forms for use by a Single District Candidate:

2-P Declaration of Candidacy – District Delegate or Alternate - Single Candidate

2-R Consent for use of Name as First Choice for the Presidency - Single Candidate

2-S Consent for use of Name as Second Choice for the Presidency - Single Candidate

Petition and Signature Requirements

A candidate for district delegate or alternate delegate is elected from the congressional district in which his or her voting residence address is located. The delegate or alternate delegate candidate files a Declaration of Candidacy and Petition (Form 2-P), which designates the district delegate or alternate delegate candidate's first and second choices for president.

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The Declaration of Candidacy and Petition, for a district delegate or district alternate candidate, must contain signatures of at least 50, but not more than 150, qualified electors from that congressional district.

To be qualified to sign or circulate the petition, an elector must be affiliated with the Republican Party, as defined by Ohio election law. For purposes of signing or circulating a petition for a Republican candidate in 2007, an elector is considered affiliated with the Republican Party if the elector either voted at primary elections only of the Republican Party in 2005, 2006 and 2007, or did not vote in any other political party's primary election in those years.

Additional Filing Requirements

The district delegate or district alternate delegate candidate also must file the appropriate Consent for Use of Name forms (Forms 2-R and 2-S) signed by his or her first or second choice, as appropriate, for president.

When and Where to File

The properly completed and signed forms must be filed no later than 4 p.m. on January 4, 2008, with the board of elections of the most populous county in the congressional district. (R.C. 3513.05)

Following is a list of Ohio's 18 congressional districts, the most populous county of each district, and the city of the most populous county in which the county board of elections office is located:

Congressional District	Most Populous County	Congressional District	Most Populous County
1st	Hamilton (<i>Cincinnati</i>)	10th	Cuyahoga (<i>Cleveland</i>)
2nd	Hamilton (<i>Cincinnati</i>)	11th	Cuyahoga (<i>Cleveland</i>)
3rd	Montgomery (<i>Dayton</i>)	12th	Franklin (<i>Columbus</i>)
4th	Richland (<i>Mansfield</i>)	13th	Summit (<i>Akron</i>)
5th	Wood (<i>Bowling Green</i>)	14th	Lake (<i>Painesville</i>)
6th	Columbiana (<i>Lisbon</i>)	15th	Franklin (<i>Columbus</i>)
7th	Greene (<i>Xenia</i>)	16th	Stark (<i>Canton</i>)
8th	Butler (<i>Hamilton</i>)	17th	Trumbull (<i>Warren</i>)
9th	Lucas (<i>Toledo</i>)	18th	Tuscarawas (<i>New Philadelphia</i>)

Filing Fee

No filing fee is required of any candidate for delegate or alternate to a political party's convention.

AT-LARGE DELEGATE AND ALTERNATE DELEGATE – SINGLE (INDIVIDUAL) CANDIDATE

At-large delegates and alternate delegates to the Republican national nominating convention are elected on a statewide basis.

Prescribed forms for use by a Single At-large Candidate:

2-N Declaration of Candidacy – At-large Delegate or Alternate - Single Candidate

2-R Consent for use of Name as First Choice for the Presidency - Single Candidate

2-S Consent for use of Name as Second Choice for the Presidency - Single Candidate

Petition and Signature Requirements

A candidate for at-large delegate or alternate delegate files a Declaration of Candidacy and Petition (Form 2-N) that designates the candidate's first and second choices for nomination as the Republican candidate for president.

The petition must contain signatures of at least 1,000 qualified Ohio electors affiliated with the Republican Party.

For purposes of signing or circulating a petition in 2007, an elector is considered affiliated with the Republican Party if the elector either voted in the primary elections only of the Republican Party in 2005, 2006 and 2007, or did not vote in any other political party's primary elections in those years.

Additional Forms to be Filed

Each at-large delegate or alternate candidate also must file the appropriate Consent for Use of Name forms (Form 2-R, Form 2-S), signed by the presidential candidates designated in the declaration of candidacy as the delegate or alternate's first and second choices for party nomination for president.

When and Where to File

A candidate for at-large delegate or alternate delegate must file properly completed and signed Declaration of Candidacy and Petition and Consent for Use of Name forms with the Ohio Secretary of State's Elections Division, 180 E. Broad St., 15th Floor, Columbus, OH 43215, by 4 p.m. on January 4, 2008.

Filing Fee

No filing fee is required of any candidate for delegate or alternate to a political party's convention.

DELEGATES AND ALTERNATES – GROUP PETITION

Prescribed forms for use by a group of several candidates:

2-O Declaration of Candidacy – At-large Delegate or Alternate - Several Candidates

2-Q Declaration of Candidacy – District Delegate or Alternate - Several Candidates

2-T Consent for use of Name as First Choice for the Presidency - Several Candidates

2-U Consent for use of Name as Second Choice for the Presidency - Several Candidates

If a group of candidates for delegate or alternate delegate files with the Ohio secretary of state a properly completed petition that designates the same two people as the first and second choices for president, and the appropriate Consent for Use of Name forms (Form 2-T and Form 2-U), then that single petition will suffice for all of the candidates for delegate or alternate named in the petition.

Note: A group petition may be filed only if the group of candidates listed on the petition is equal in number to the whole number of delegate or alternate candidates to be elected on either an at-large or district basis.

Petition and Signature Requirements

The signature requirement for a group petition is the same as for a petition filed by a single delegate or alternate candidate:

District (Form 2-Q): signatures of at least 50, but not more than 150, qualified electors

At-large (Form 2-O): signatures of at least 1,000, but not more than 3,000, qualified electors

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For purposes of signing or circulating a petition in 2007, an elector is considered affiliated with the Republican Party if the elector either voted in the primary elections only of the Republican Party in 2005, 2006 and 2007, or did not vote in any other political party's primary elections in those years.

When and Where to File

Group petitions for delegate or alternate at-large candidates must be filed with the Ohio Secretary of State's Elections Division, 180 E. Broad St., 15th Floor, Columbus, OH 43215, by 4 p.m. on January 4, 2008.

Filing Fee

No filing fee is required of any candidate for delegate or alternate to a political party's convention.

2. MATCHING FUNDS METHOD (R.C. 3513.121)

A. Eligibility

A Republican presidential candidate who is eligible to receive payments under the Presidential Primary Matching Payment Account Act (88 Stat. 1297, 26 U.S.C.A. 9031), may be certified to the Ohio presidential primary ballot by the filing of declarations of candidacy (no petition containing signatures of Ohio electors) by the presidential candidate, and the candidates for delegate and alternate delegate who have pledged to support that presidential candidate.

B. Presidential Candidates – What, When and Where to File

Each presidential candidate filing for the Republican primary election under the matching funds method must file the following documents with the Ohio Secretary of State's Elections Division:

1. The FEC letter establishing the candidate's eligibility – valid as of the date the candidate files in Ohio – to receive presidential primary matching payments;
2. The appropriate declarations of candidacy (no petition):
 - Form 1-A, Declaration of Candidacy for Party Primary Election for President – Designation of Delegates and Alternates Elected by Congressional District, indicating the Ohio congressional districts in which the presidential candidate wishes to appear on the ballot and including the presidential candidate's list of approved district delegates and alternate delegates in each congressional district; and
 - Form 1-B, Declaration of Candidacy for Party Primary Election for President – Designation of Delegates At-large and Alternates At-large, including the presidential candidate's list of approved delegates and alternate delegates to be elected on the statewide ballot.

These documents must be filed, in person or by mail, at the same time with the Ohio Secretary of State's Elections Division, 180 E. Broad Street, 15th Floor, Columbus, OH 43215, by 4 p.m. on January 4, 2008.

C. Delegate or Alternate Delegates Under the Matching Funds Method

District Delegate and District Alternate – Single (Individual) Candidate

Single (individual) candidates for district delegate or district alternate delegate who are designated by a Republican presidential candidate filing under the matching funds method must file the following documents with the secretary of state by 4 p.m. on January 4, 2008:

1. Secretary of State Form No. 2-PA, Declaration of Candidacy Party Primary Election for District Delegate or District Alternate to the National Convention (Single Candidate), that includes a signed statement indicating the delegate or alternate delegate's first and second choices for president;
2. Secretary of State Form No. 2-R, Consent for Use of Name as First Choice for the Presidency - Single Candidate, bearing the original signature of the delegate or alternate delegate's first choice for president; and
3. Secretary of State Form No. 2-S, Consent for Use of Name as Second Choice for the Presidency - Single Candidate, bearing the original signature of the delegate or alternate delegate's second choice for president.

At-large Delegate and At-large Alternate Delegate

Candidates for at-large delegate and at-large alternate delegate for a Republican presidential candidate who submit a declaration of candidacy under the matching funds method are selected in accordance with rules adopted by the state central committee of the presidential candidate's political party.

A candidate for at-large delegate or at-large alternate delegate who is designated by a Republican presidential candidate filing under the matching funds method must file the following documents with the secretary of state by 4 p.m. on January 4, 2008:

1. Secretary of State Form No. 2-NA, Declaration of Candidacy Party Primary Election for Delegate At-large or Alternate At-large to the National Convention (Single Candidate), that includes a signed statement indicating the delegate or alternate delegate's first and second choices for president;
2. Secretary of State Form No. 2-R, Consent for Use of Name as First Choice for the Presidency - Single Candidate, bearing the original signature of the at-large delegate or alternate delegate's first choice for president; and
3. Secretary of State Form No. 2-S, Consent for Use of Name as Second Choice for the Presidency - Single Candidate, bearing the original signature of the at-large delegate or alternate delegate's second choice for president.

D. No Filing Fee

No filing fee is required of any presidential candidate or candidate for delegate or alternate delegate.

BALLOT ACCESS - MINOR POLITICAL PARTY

Definition

"Minor political party" means any political party organized under the laws of this state whose candidate for governor or nominees for presidential electors received less than ten percent but not less than five percent of the total vote cast for such office at the most recent regular state election, or which has filed with the secretary of state, subsequent to any election in which it received less than five percent of such vote, a petition signed by qualified electors equal in number to at least one percent of the total vote cast for such office in the last preceding regular state election, except that a newly formed political party shall be known as a minor political party until the time of the first election for governor or president which occurs not less than twelve months subsequent to the formation of such party, after which election the status of such party shall be determined by the vote for the office of governor or president. (R.C. 3501.01(F)(3))

(See special notice)

OHIO SECRETARY OF STATE

Special notice:

Excerpt from Secretary of State Directive 2007-09:

[O]n September 6, 2006, the Court of Appeals for the Sixth Circuit held in *Libertarian Party of Ohio v. Blackwell*, 462 F.3d 579 (2006), that . . . the deadline for filing the petition under R.C. 3517.01(A)(1) placed an unconstitutional burden on the First Amendment rights of political parties seeking to gain access to the ballot in Ohio.

In order to address this void in Ohio law, I have approached the Ohio General Assembly to urge them to act on the Sixth Circuit's ruling by amending R.C. 3517.01(A)(1) and 3517.012. However, until the General Assembly acts, there must be a means for Ohio citizens to exercise their First Amendment rights to free speech and association by organizing political parties and participating in the electoral process.

Consequently, in accordance with my role as chief election officer under R.C. 3501.04 and my duties under R.C. 3501.05, I will grant legal recognition to and allow ballot access for any political party that submits a petition to this office that meets the following requirements:

1. It contains the valid signatures of qualified electors equal in number to at least 0.5 percent of the total number of votes cast for governor in the 2006 general election, which amount is 20,114 ($4,022,754 \times 0.005 = 20,113.77$);
2. It declares the intention to organize a political party;
3. It states the name of the political party in the declaration;
4. It declares the intent to participate in the next primary election; and
5. It is filed with the office of the secretary of state no later than one hundred (100) days before the primary election. However, because the 100th day before the March 4, 2008 primary election – i.e., November 25, 2007 – falls on a Sunday, the deadline is extended by operation of law (R.C. 1.14) to Monday, November 26, 2007.

Individuals or groups of individuals who desire to organize a political party in Ohio, but who do not intend to participate in the primary election, may certify candidates for the general election ballot for president and vice president only, in accordance with R.C. 3505.10(B)(3). To be granted party status for the purpose of certifying only presidential and vice presidential candidates for the general election ballot, the organizers of the political party must file with the secretary of state's office a petition that meets requirements 1 through 3 listed above. Additionally, the petition must include language that the organizers intend to certify only candidates for president and vice president under R.C. 3505.10(B)(3). The petition must be filed no later than eighty (80) days before the 2008 general election. However, because the 80th day before the November 4, 2008 general election – i.e., August 16, 2008 – falls on a Saturday, the filing deadline is extended by operation of law (R.C. 1.14) to Monday, August 18, 2008.

Political parties that certify candidates for president and vice president in this manner in accordance with R.C. 3505.10(B)(3) must certify the names of their candidates for president and vice president no later than sixty (60) days before the day of the general election (Friday, September 5, 2008).

Anyone who desires to organize a political party in Ohio may follow these guidelines. However, please be aware that the Ohio General Assembly may impose different requirements for political party recognition and access to the ballot than the requirements in this directive, and any statutory changes will supersede the requirements of this directive.

Holding a Primary Election

Any newly formed political party attaining legal status, pursuant to R.C. 3517.01 and Secretary of State Directive 2007-09 as of November 26, 2007, will be entitled to hold a primary election on March 4, 2008.

Signature Requirement

Candidates participating in a minor political party's presidential primary obtain ballot access using the same methods as candidates participating in a major party's presidential primary. However, if a candidate seeking a minor party's nomination uses the petition method of R.C. 3513.12, his or her candidates for delegate and alternate are required to submit only one-half the number of signatures required for those of major party candidates. (R.C. 3513.05)

Alternative to Holding a Primary Election

A newly formed political party is not required to hold a primary election to select its candidates for president and vice president.

As an alternative, Ohio law (R.C. 3505.10) provides that authorized officials of a minor political party may certify the names of its candidates for president and vice president to the secretary of state, for placement on the ballot, in accordance with its party rules. Certification under R.C. 3505.10 must be made by 4 p.m. on September 5, 2008, and must be accompanied by the party's list of 20 presidential electors.

BALLOT ACCESS - INDEPENDENT CANDIDATES

Independent joint candidates for president and vice president run without a political party designation. Instead of participating in the primary process, they participate in Ohio's general election by filing either a valid and sufficient joint nominating petition or a declaration of intent to be joint write-in candidates.

Independent Joint Candidates - Names Printed on the Ballot

What to File

Persons wanting their names to be printed on the general election ballot for the offices of president and vice president must file with the Ohio secretary of state:

1. A valid and sufficient Joint Nominating Petition (Form 3-A) that complies with R.C. 3513.257 and R.C. 3501.38. The nominating petition must contain the names and signatures of both the candidate for president and the candidate for vice president, and at least 5,000 – but not more than 15,000 – signatures of qualified Ohio electors (any qualified Ohio elector may sign the petition, regardless of the elector's political party affiliation); and
2. A slate of presidential electors. Joint candidates must file a list of names of 20 electors who will represent them in the Electoral College, should the candidates win the general election. (R.C. 3513.257)

OHIO SECRETARY OF STATE

Desired Ballot Designation

Independent candidates who are nominated by petition may be designated in one of the following three ways on the ballot:

- "Nonparty candidates";
- "Other-party candidates"; or
- No designation. (R.C. 3513.257)

In accordance with Secretary of State Advisory 2007-05 and the opinion of the United States Court of Appeals for the Sixth Circuit in the case of *Morrison v. Colley*, 467 F.3d 503 (6th Cir. 2006), an independent candidate must actually be unaffiliated or disaffiliated from any political party, and the required claim of unaffiliation by an independent candidate *must be made in good faith for the candidate to be qualified to run as an "independent" candidate*. (For example, if an independent candidate votes in a party primary election after filing as an independent, the candidate is not actually unaffiliated, and the candidate's claim of independence was either not made in good faith or is no longer current. Similarly, if an independent candidate was on a political party's central or executive committee at the time he or she filed as an independent candidate, or becomes such a committee member at any time during his or her independent candidacy, the candidate is not actually unaffiliated, and the candidate's claim of independence was either not made in good faith or is no longer current.)

When an independent candidate files his/her joint nominating petition and slate of presidential electors, he/she must advise the secretary of state's office if he/she wants either "nonparty candidate" or "other-party candidate" printed on the ballot below his/her name. If the candidate does not request either the "nonparty candidate" or "other-party candidate" ballot designation, then no designation will be printed on the ballot below his/her name.

Filing Fee

None.

When and Where to File

Candidates must file the necessary documents, all at the same time, with the Ohio Secretary of State's Elections Division, 180 E. Broad St., 15th Floor, Columbus, OH 43215, by 4 p.m., August 21, 2008.

Joint Write-In Candidates

What to File

Joint write-in candidates must file with the Ohio secretary of state:

1. A properly completed Declaration of Intent to be Joint Write-in Candidates (Form 13-A).
The declaration of intent must contain the names and signatures of both the candidate for president and the candidate for vice president. (**Please note:** Only candidates who have filed declarations of intent are eligible to have votes counted in the general election.); and
2. A slate of presidential electors. Joint write-in candidates must file a list of names of 20 electors who will represent them in the Electoral College, should the candidates win the general election. (R.C. 3513.257)

Filing Fee

None.

When and Where to File

Candidates must file the necessary documents, all at the same time, with the Ohio Secretary of State's Elections Division, 180 E. Broad St., 15th Floor, Columbus, OH 43215, by 4 p.m., September 3, 2008.

CAMPAIGN FINANCE REQUIREMENTS

All candidates for the offices of president and vice president, including write-in candidates, are required to comply with all campaign finance laws and to file certain financial statements with the Federal Election Commission.

Candidates are advised to contact the Federal Election Commission, 999 E St., NW, Washington, DC 20463, telephone (800) 424-9530, for more information on these requirements before accepting contributions or making expenditures.

THE ELECTORAL COLLEGE

(U.S. Constitution, Art. II, §1, and Amendment XII; 3 U.S.C. 1; R.C. 3505.10, 3505.39, 3505.40, 3513.11 and 3513.111)

A . ALLOCATION AND SELECTION OF PRESIDENTIAL ELECTORS

Each state is allocated a number of presidential electors equal to the number of its U.S. Senators and the number of its U.S. Representatives. Thus, Ohio will have 20 presidential electors in 2008.

The legislature of each state prescribes the method for appointing presidential electors. A political party or independent candidate in every state submits to the state's chief election official a list of individuals pledged to its candidate for president, equal in number to the state's electoral vote.

B. APPOINTMENT AND DUTIES OF OHIO'S PRESIDENTIAL ELECTORS

Each major political party in the state may hold a state convention at a time and place fixed by the party's state central committee, no later than 40 days prior to the general election, for nominating candidates for election as presidential electors. Within five days after that convention, the party chairman and secretary certify in writing to the secretary of state, the names of all persons nominated as candidates for presidential electors. (R.C. 3513.11)

If a major political party does not hold a state convention pursuant to R.C. 3513.11, then the executive committee of the party's state central committee must nominate candidates for election as presidential electors in accordance with party rules. These nominations must occur no later than 40 days prior to the presidential election. Within five days after these candidates are nominated, the chairman or secretary of the executive committee, or, in the absence of the chairman or secretary, a designated committee member, must certify in writing to the secretary of state, the names of all persons so nominated. (R.C. 3513.111)

An intermediate or minor party in the state must certify in writing to the secretary of state, the names of persons designated in accordance with the party's rules. (R.C. 3505.10)

OHIO SECRETARY OF STATE

C. MEETING OF THE ELECTORAL COLLEGE, ELECTION OF PRESIDENT AND VICE PRESIDENT

After completing the canvass of the general election, the secretary of state mails to each newly-elected presidential elector a certificate of election and notice of the meeting of Ohio's Electoral College voters. At the designated time and place, all of the state's presidential electors meet, organize, and discharge their duties. A presidential elector must cast his or her electoral vote for the nominees for president and vice president of the political party that certified him or her as a presidential elector. (R.C. 3505.39, 3505.40)

On the Monday following the second Tuesday of December in a presidential election year, each state's presidential electors meet in their respective state capitols and cast their electoral votes, one for president and one for vice president. The electoral votes are then sealed and transmitted to the president of the U.S. Senate, who, on the following January 6, opens and reads them before both houses of Congress. The presidential candidate who receives the absolute majority of electoral votes is declared president; the vice presidential candidate who receives the absolute majority of electoral votes is declared vice president.

In 2008, the presidential electors will meet at noon on December 15.

D. COMPENSATION

Each presidential elector receives \$10.00 for each day's attendance in Columbus, plus mileage. This compensation and mileage must be upon vouchers issued by the secretary of state, and paid by the treasurer of state, out of the general fund. (R.C. 3505.39)

2008 FILING LOCATIONS FOR OHIO'S 18 CONGRESSIONAL DISTRICTS

Congressional District - Most Populous County/Filing Location Office Hours

District 1

Hamilton County Board of Elections

824 Broadway, Cincinnati, OH 45202
Tel. (513) 632-7000 or 632-7077 / Fax: (513) 579-0988
E-mail: hamilton@sos.state.oh.us
Web site: www.hamilton-co.org/boe
8:00 a.m. - 4:00 p.m.
(Monday through Friday)

District 2

Hamilton County Board of Elections

824 Broadway, Cincinnati, OH 45202
Tel. (513) 632-7000 or 632-7077 / Fax: (513) 579-0988
E-mail: hamilton@sos.state.oh.us
Web site: www.hamiltonctyelections.org
8:00 a.m. - 4:00 p.m.
(Monday through Friday)

District 3

Montgomery County Board of Elections

451 W. 3rd St., P. O. Box 8705, Dayton, OH 45481-8705

Tel. (937) 225-5656 / Fax (927) 496-7798

E-mail: montgome@sos.state.oh.us

Web site: www.mcboe.org

8:00 a.m. - 4:00 p.m.

(Monday through Friday)

District 4

Richland County Board of Elections

1495 W. Longview Ave., Suite 101, Mansfield, OH 44906

Tel. (419) 774-5530 / Fax: (419) 774-5534

E-mail: richland@sos.state.oh.us

Web site: richlandcountyoh.us/boe.htm

8:00 a.m. - 4:00 p.m.

(Monday through Friday)

District 5

Wood County Board of Elections

One Court House Sq., Bowling Green, OH 43402

Tel. (419) 354-9120 / Fax: (419) 354-1730

E-mail: dhazard@co.wood.oh.us

Web site: www.co.wood.oh.us/boe

8:30 a.m. - 4:30 p.m.

(Monday through Friday)

District 6

Columbiana County Board of Elections

41 N. Park Ave., Lisbon, OH 44432

Tel. (330) 424-1448 / Fax: (330) 424-6661

E-mail: columbia@sos.state.oh.us

8:30 a.m. - 4:30 p.m.

(Monday through Friday)

District 7

Greene County Board of Elections

651 Dayton-Xenia Rd., Xenia, OH 45385

Tel. (937) 562-7470 / Fax: (937) 562-7477

E-mail: greene@sos.state.oh.us

Web site: www.co.greene.oh.us/elections.asp

8:00 a.m. - 4:30 p.m.

(Monday through Friday)

District 8

Butler County Board of Elections

315 High St., Suite 1050, Hamilton, OH 45011-6016

Tel. (513) 887-3700 / Fax: (513) 887-5535

E-mail: butler@sos.state.oh.us

Web site: www.butlercountyelections.org

8:30 a.m. - 4:30 p.m.

(Monday through Friday)

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District 9

Lucas County Board of Elections

One Government Center, Suite 300, Toledo, OH 43604-2250
Tel. (419) 213-4001 / Fax: (419) 213-4069 or (419) 213-4092
E-mail: lucas@sos.state.oh.us
Web site: lucascountyvotes.org
8:30 a.m. - 4:30 p.m.
(Monday through Friday)

District 10

Cuyahoga County Board of Elections

2925 Euclid Ave., Cleveland, OH 44115-2497
Tel. (216) 443-3200 / Fax: (216) 443-6633
E-mail: cuyahoga@sos.state.oh.us
Web site: www.boe.cuyahogacounty.us
8:30 a.m. - 4:30 p.m.
(Monday through Friday)

District 11

Cuyahoga County Board of Elections

2925 Euclid Ave., Cleveland, OH 44115-2497
Tel. (216) 443-3200 / Fax: (216) 443-6633
E-mail: cuyahoga@sos.state.oh.us
Web site: www.boe.cuyahogacounty.us
8:30 a.m. - 4:30 p.m.
(Monday through Friday)

District 12

Franklin County Board of Elections

280 E. Broad St., 1st Flr, Columbus, OH 43215
Tel. (614) 462-3100 / Fax: (614) 462-3489
E-mail: boe@co.franklin.oh.us
Web site: www.franklincountyohio.gov/boe
8:00 a.m. - 5:00 p.m.
(Monday through Friday)

District 13

Summit County Board of Elections

470 Grant St., Akron, OH 44311-1157
Tel. (330) 643-5200 / Fax: (330) 643-5422
E-mail: summit@sos.state.oh.us
Web site: summitcountyboe.com
8:00 a.m. - 4:30 p.m.
(Monday through Friday)

District 14

Lake County Board of Elections

105 Main St., Painesville, P. O. Box 490, OH 44077-0490
Tel. (440) 350-2700 or 800-899-5253 ext 2700/ Fax: (440) 350-2670
E-mail: lake@sos.state.oh.us
Web site: www.lakeelections.com
8:00 a.m. - 4:30 p.m.
(Monday through Friday)

District 15

Franklin County Board of Elections

280 E. Broad St., 1st Flr., Columbus, OH 43215
Tel. (614) 462-3100 / Fax: (614) 462-3489
E-mail: boe@co.franklin.oh.us
Web site: www.franklincountyohio.gov/boe
8:00 a.m. - 5:00 p.m.
(Monday through Friday)

District 16

Stark County Board of Elections

201 Third St. NE, Canton, OH 44702-1296
Tel. (330) 451-8683 / Fax: (330) 451-7000
E-mail: boe@co.stark.oh.us
Web site: www.boe.co.stark.oh.us
8:30 a.m. - 4:30 p.m.
(Monday through Friday)

District 17

Trumbull County Board of Elections

2947 Youngstown Rd. SE, Warren, OH 44484
Tel. (330) 369-4050 / Fax: (330) 369-4160
E-mail: kelly@tcvote.com
Web site: www.electionohio.com/trumbull
8:30 a.m. - 4:30 p.m.
(Monday through Friday)

District 18

Tuscarawas County Board of Elections

101 E. High Ave., Court House Sq., New Philadelphia, OH 44663
Tel. (330) 343-8819 / Fax: (330) 343-3125
E-mail: tuscaraw@sos.state.oh.us
Web site: boe.co.tuscarawas.oh.us
8:30 a.m. - 4:30 p.m.
(Monday through Friday)

OHIO SECRETARY OF STATE

NUMERICAL LIST OF ELECTION FORMS

The following forms have been prescribed by the secretary of state for use in presidential elections.

Form Number	Name of Form	Date Last Prescribed
1-A	Declaration of Candidacy - Party Primary – President: District Delegates and Alternates	05/2007
1-B	Declaration of Candidacy - Party Primary – President: At-large Delegates and Alternates	05/2007
2-N	Declaration of Candidacy - Party Primary - At-large Delegate/Alternate to National Convention – Single Candidate (traditional)	06/2006
2-NA	Declaration of Candidacy - Party Primary -- At-large Delegate – Single Candidate (alternative)	06/2006
2-O	Declaration of Candidacy and Choice for U.S. President – Party Primary - At-large Delegate/Alternate to National Convention – Several Candidates (traditional)	06/2006
2-OA	Declaration of Candidacy and Choice for U.S. President – Party Primary - At-large Delegate/Alternate to National Convention - Several Candidates (alternative)	06/2006
2-P	Declaration of Candidacy - Party Primary - District Delegate/Alternate to National Convention – Single Candidate (traditional)	06/2006
2-PA	Declaration of Candidacy - Party Primary - District Delegate/Alternate to National Convention – Single Candidate (alternative)	06/2006
2-Q	Declaration of Candidacy - Party Primary - District Delegate/Alternate to National Convention – Several Candidates (traditional)	06/2006
2-QA	Declaration of Candidacy - Party Primary - District Delegate/Alternate to National Convention – Several Candidates (alternative)	06/2006
2-R	Consent for Use of Name as 1st Choice for Presidency - Single Candidate	06/2006
2-S	Consent for Use of Name as 2nd Choice for Presidency - Single Candidate	06/2006
2-T	Consent for Use of Name as 1st Choice for Presidency - Several Candidates	06/2006
2-U	Consent for Use of Name as 2nd Choice for Presidency – Several Candidates	06/2006
3-A	Nominating Petition - U.S. President and Vice President -	06/2006
6-H	Petition to Form Political Party	07/2007
13-A	Declaration of Intent to be Write-in Candidates for U.S. President and Vice President	06/2006

PROVISIONS OF THE OHIO REVISED CODE

Relating to Presidential Primary and General Elections
R.C. 3501.01

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

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

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

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

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

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

R.C. 3501.38

All declarations of candidacy, nominating petitions, or other petitions presented to or filed with the secretary of state or a board of elections or with any other public office for the purpose of becoming a candidate for any nomination or office or for the holding of an election on any issue shall, in addition to meeting the other specific requirements prescribed in the sections of the Revised Code relating to them, be governed by the following rules:

(A) Only electors qualified to vote on the candidacy or issue which is the subject of the petition shall sign a petition. Each signer shall be a registered elector pursuant to section 3503.11 of the Revised Code. The facts of qualification shall be determined as of the date when the petition is filed.

OHIO SECRETARY OF STATE

(B) Signatures shall be affixed in ink. Each signer may also print the signer's name, so as to clearly identify the signer's signature.

(C) Each signer shall place on the petition after the signer's name the date of signing and the location of the signer's voting residence, including the street and number if in a municipal corporation or the rural route number, post office address, or township if outside a municipal corporation. The voting address given on the petition shall be the address appearing in the registration records at the board of elections.

(D) Except as otherwise provided in section 3501.382 of the Revised Code, no person shall write any name other than the person's own on any petition. Except as otherwise provided in section 3501.382 of the Revised Code, no person may authorize another to sign for the person. If a petition contains the signature of an elector two or more times, only the first signature shall be counted.

(E)(1) On each petition paper, the circulator shall indicate the number of signatures contained on it, and shall sign a statement made under penalty of election falsification that the circulator witnessed the affixing of every signature, that all signers were to the best of the circulator's knowledge and belief qualified to sign, and that every signature is to the best of the circulator's knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code. On the circulator's statement for a declaration of candidacy or nominating petition for a person seeking to become a statewide candidate or for a statewide initiative or a statewide referendum petition, the circulator shall identify the circulator's name, the address of the circulator's permanent residence, and the name and address of the person employing the circulator to circulate the petition, if any.

(2) As used in division (E) of this section, "statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, or attorney general.

(F) Except as otherwise provided in section 3501.382 of the Revised Code, if a circulator knowingly permits an unqualified person to sign a petition paper or permits a person to write a name other than the person's own on a petition paper, that petition paper is invalid; otherwise, the signature of a person not qualified to sign shall be rejected but shall not invalidate the other valid signatures on the paper.

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

(H) Any signer of a petition or an attorney in fact acting pursuant to section 3501.382 of the Revised Code on behalf of a signer may remove the signer's signature from that petition at any time before the petition is filed in a public office by striking the signer's name from the petition; no signature may be removed after the petition is filed in any public office.

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

(2)(a) No declaration of candidacy, nominating petition, or other petition for the purpose of becoming a candidate may be withdrawn after it is filed in a public office. Nothing in this division prohibits a person from withdrawing as a candidate as otherwise provided by law.

(b) No petition presented to or filed with the secretary of state, a board of elections, or any other public office for the purpose of the holding of an election on any question or issue may be resubmitted after it is withdrawn from a public office. Nothing in this division prevents a question or issue petition from being withdrawn by the filing of a written notice of the withdrawal by a majority of the members of the petitioning committee with the same public office with which the petition was filed prior to the sixtieth day before the election at which the question or issue is scheduled to appear on the ballot.

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

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

(L) If a board of elections distributes for use a petition form for a declaration of candidacy, nominating petition, or any type of question or issue petition that does not satisfy the requirements of law as of the date of that distribution, the board shall not invalidate the petition on the basis that the petition form does not satisfy the requirements of law, if the petition otherwise is valid. Division (L) of this section applies only if the candidate received the petition from the board within ninety days of when the petition is required to be filed.

R.C. 3503.06

(A) No person shall be entitled to vote at any election, or to sign or circulate any declaration of candidacy or any nominating, or recall petition, unless the person is registered as an elector and will have resided in the county and precinct where the person is registered for at least thirty days at the time of the next election.

R.C. 3505.10

(A) On the presidential ballot below the stubs 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

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

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

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

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

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

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 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.

R.C. 3513.041

A write-in space shall be provided on the ballot for every office, except in an election for which the board of elections has received no valid declarations of intent to be a write-in candidate under this section. Write-in votes shall not be counted for any candidate who has not filed a declaration of intent to be a write-in candidate pursuant to this section. A qualified person who has filed a declaration of intent may receive write-in votes at either a primary or general election. Any candidate shall file a declaration of intent to be a write-in candidate before four p.m. of the sixty-second day preceding the election at which such candidacy is to be considered. If the election is to be determined by electors of a county or a district or subdivision within the county, such declaration shall be filed with the board of elections of that county. If the election is to be determined by electors of a subdivision located in more than one county, such declaration shall be filed with the board of elections of the county in which the major portion of the population of such subdivision is located. If the election is to be determined by electors of a district comprised of more than one county but less than all of the counties of the state, such declaration shall be filed with the board of elections of the most populous county in such district. Any candidate for an office to be voted upon by electors throughout the entire state shall file a declaration of intent to be a write-in candidate with the secretary of state before four p.m. of the sixty-second day preceding the election at which such candidacy is to be considered. In addition, candidates for president and vice-president of the United States shall also file with the secretary of state by that sixty-second day a slate of presidential electors sufficient in number to satisfy the requirements of the United States constitution.

Protests against the candidacy of any person filing a declaration of intent to be a write-in candidate may be filed by any qualified elector who is eligible to vote in the election at which the candidacy is to be considered. The protest shall be in writing and shall be filed not later than four p.m. of the fifty-seventh day before the day of the election. The protest shall be filed with the board of elections with which the declaration of intent to be a write-in candidate was filed. Upon the filing of the protest, the board with which it is filed shall promptly fix the time for hearing it and shall proceed in regard to the hearing in the same manner as for hearings set for protests filed under section 3513.05 of the Revised Code. At the time fixed, the board shall hear the protest and determine the validity or invalidity of the declaration of intent to be a write-in candidate. If the board finds that the candidate is not an elector of the state, district, county, or political subdivision in which the candidate seeks election to office or has not fully complied with the requirements of Title XXXV of the Revised Code in regard to the candidate's candidacy, the candidate's declaration of intent to be a write-in candidate shall be determined to be invalid and shall be rejected; otherwise, it shall be determined to be valid. The determination of the board is final.

The secretary of state shall prescribe the form of the declaration of intent to be a write-in candidate.

R.C. 3513.05

Each person desiring to become a candidate for a party nomination or for election to an office or position to be voted for at a primary election, except persons desiring to become joint candidates for the offices of governor and lieutenant governor and except as otherwise provided in section 3513.051 of the Revised Code, shall, not later than four p.m. of the seventy-fifth day before the day of the primary election, or if the primary election is a presidential primary election, not later than four p.m. of the sixtieth day before the day of the presidential primary election, file a declaration of candidacy and petition and pay the fees required under divisions (A) and (B) of section 3513.10 of the Revised Code. The declaration of candidacy and all separate petition

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papers shall be filed at the same time as one instrument. When the offices are to be voted for at a primary election, persons desiring to become joint candidates for the offices of governor and lieutenant governor shall, not later than four p.m. of the seventy-fifth day before the day of the primary election, comply with section 3513.04 of the Revised Code. The prospective joint candidates' declaration of candidacy and all separate petition papers of candidacies shall be filed at the same time as one instrument. The secretary of state or a board of elections shall not accept for filing a declaration of candidacy and petition of a person seeking to become a candidate if that person, for the same election, has already filed a declaration of candidacy or a declaration of intent to be a write-in candidate, or has become a candidate by the filling of a vacancy under section 3513.30 of the Revised Code for any federal, state, or county office, if the declaration of candidacy is for a state or county office, or for any municipal or township office, if the declaration of candidacy is for a municipal or township office.

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

Except as otherwise provided in this paragraph, if the declaration of candidacy is of one that is to be submitted only to electors within a district, political subdivision, or portion thereof, the petition shall be signed by not less than fifty qualified electors who are members of the same political party as the political party of which the candidate is a member. ***

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

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

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

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

A petition shall consist of separate petition papers, each of which shall contain signatures of electors of only one county. Petitions or separate petition papers containing signatures of electors of more than one county shall not thereby be declared invalid. In case petitions or separate petition papers containing signatures of electors of more than one county are filed, the board shall determine the county from which the majority of signatures came, and only signatures from such county shall be counted. Signatures from any other county shall be invalid. Each separate petition paper shall be circulated by one person only, who shall be the candidate or a joint candidate or a member of the same political party as the candidate or joint candidates, and each separate petition paper shall be governed by the rules set forth in section 3501.38 of the Revised Code.

The secretary of state shall promptly transmit to each board such separate petition papers of each petition accompanying a declaration of candidacy filed with the secretary of state as purport to contain signatures of electors of the county of such board. The board of the most populous county of a district shall promptly transmit to each board within such district such separate petition papers of each petition accompanying a declaration of candidacy filed with it as purport to contain signatures of electors of the county of each such board. The board of a county within which the major portion of the population of a subdivision, situated in more than one county, is located, shall promptly transmit to the board of each other county within which a portion of such subdivision is located such separate petition papers of each petition accompanying a declaration of candidacy filed with it as purport to contain signatures of electors of the portion of such subdivision in the county of each such board.

All petition papers so transmitted to a board and all petitions accompanying declarations of candidacy filed with a board shall, under proper regulations, be open to public inspection until four p.m. of the seventieth day before the day of the next primary election, or if that next primary election is a presidential primary election, the fifty-fifth day before that presidential primary election. Each board shall, not later than the sixty-eighth day before the day of that primary election, or if the primary election is a presidential primary election, not later than the fifty-third day before such presidential primary election, examine and determine the validity or invalidity of the signatures on the petition papers so transmitted to or filed with it and shall return to the secretary of state all petition papers transmitted to it by the secretary of state, together with its certification of its determination as to the validity or invalidity of signatures thereon, and shall return to each other board all petition papers transmitted to it by such board, together with its certification of its determination as to the validity or invalidity of the signatures thereon. All other matters affecting the validity or invalidity of such petition papers shall be determined by the secretary of state or the board with whom such petition papers were filed.

Protests against the candidacy of any person filing a declaration of candidacy for party nomination or for election to an office or position, as provided in this section, may be filed by any qualified elector who is a member of the same political party as the candidate and who is eligible to vote at the primary election for the candidate whose declaration of candidacy the elector objects to, or by the controlling committee of that political party. The protest shall be in writing, and shall be filed not later than four p.m. of the sixty-fourth day before the day of the primary election, or if the primary election is a presidential primary election, not later than four p.m. of the forty-ninth day before the day of the presidential primary election. The protest shall be filed with the election officials with whom the declaration of candidacy and petition was filed. Upon the filing of the protest, the election officials with whom it is filed shall promptly fix the time for hearing it, and shall forthwith mail notice of the filing of the protest and the time fixed for hearing to the person whose candidacy is so protested. They shall also forthwith mail notice of the time fixed for such hearing to the person who filed the protest. At the time fixed, such election officials shall hear

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the protest and determine the validity or invalidity of the declaration of candidacy and petition. If they find that such candidate is not an elector of the state, district, county, or political subdivision in which the candidate seeks a party nomination or election to an office or position, or has not fully complied with this chapter, the candidate's declaration of candidacy and petition shall be determined to be invalid and shall be rejected; otherwise, it shall be determined to be valid. That determination shall be final.

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

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

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

R.C. 3513.07

The form of declaration of candidacy and petition of a person desiring to be a candidate for a party nomination or a candidate for election to an office or position to be voted for at a primary election shall be substantially as follows:

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION

I, (Name of Candidate), the undersigned, hereby declare under penalty of election falsification that my voting residence is in precinct of the (Township) or (Ward and City or Village) in the county of, Ohio; that my voting residence is (Street and Number, if any, or Rural Route and Number) of the (City or Village) of, Ohio; and that I am a qualified elector in the precinct in which my voting residence is located. I am a member of the Party. I hereby declare that I desire to be (a candidate for nomination as a candidate of the Party for election to the office of) (a candidate for election to the office or position of) in the state, district, (Full term or unexpired term ending) county, city, or village of, at the primary election to be held on the day of, and I hereby request that my name be printed upon the official primary election ballot of the said Party as a candidate for (such nomination) or (such election) as provided by law.

I further declare that, if elected to said office or position, I will qualify therefor, and that I will support and abide by the principles enunciated by the Party.

Dated this day of,

.....

(Signature of candidate)

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

PETITION OF CANDIDATE

We, the undersigned, qualified electors of the state of Ohio, whose voting residence is in the county, city, village, ward, township, or school district, and precinct set opposite our names, and members of the Party, hereby certify that (Name of candidate) whose declaration of candidacy is filed herewith, is a member of the Party, and is, in our opinion, well qualified to perform the duties of the office or position to which that candidate desires to be elected.

Signature Street and Number City, Village or Township Ward Precinct County Date (Must use address on file with the board of elections)

.....

.....

.....

..... (Name of circulator of petition), declares under penalty of election falsification that the circulator of the petition is a qualified elector of the state of Ohio and resides at the address appearing below the signature of that circulator; that the circulator is a member of the Party; that the circulator is the circulator of the foregoing petition paper containing (Number) signatures; that the circulator witnessed the affixing of every signature; that all signers were to the best of the circulator's knowledge and belief qualified to sign; and that every signature is to the best of the circulator's knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

(Signature of circulator)

(Address of circulator's permanent residence in this state)

(If petition is for a statewide candidate, the name and address of person employing circulator to circulate petition, if any)

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

The secretary of state shall prescribe a form of declaration of candidacy and petition, and the form shall be substantially similar to the declaration of candidacy and petition set forth in this section, that will be suitable for joint candidates for the offices of governor and lieutenant governor. The petition provided for in this section shall be circulated only by a member of the same political party as the candidate.

R.C. 3513.09

If the petition required by section 3513.07 of the Revised Code to be filed with a declaration of candidacy consists of more than one separate petition paper, the declaration of candidacy of the candidate named need be signed by the candidate, or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code, on only one of such separate petition papers, but the declaration of candidacy so signed shall be copied on each other separate petition paper before the signature of electors are placed on it.

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R.C. 3513.12

At a presidential primary election, which shall be held on the first Tuesday after the first Monday in March in the year 2000, and similarly in every fourth year thereafter, delegates and alternates to the national conventions of the different major political parties shall be chosen by direct vote of the electors as provided in this chapter. Candidates for delegate and alternate shall be qualified and the election shall be conducted in the manner prescribed in this chapter for the nomination of candidates for state and district offices, except as provided in section 3513.151 of the Revised Code and except that whenever any group of candidates for delegate at large or alternate at large, or any group of candidates for delegates or alternates from districts, file with the secretary of state statements as provided by this section, designating the same persons as their first and second choices for president of the United States, such a group of candidates may submit a group petition containing a declaration of candidacy for each of such candidates. The group petition need be signed only by the number of electors required for the petition of a single candidate. No group petition shall be submitted except by a group of candidates equal in number to the whole number of delegates at large or alternates at large to be elected or equal in number to the whole number of delegates or alternates from a district to be elected.

Each person seeking to be elected as delegate or alternate to the national convention of the person's political party shall file with the person's declaration of candidacy and certificate a statement in writing signed by the person in which the person shall state the person's first and second choices for nomination as the candidate of the person's party for the presidency of the United States. The secretary of state shall not permit any declaration of candidacy and certificate of a candidate for election as such delegate or alternate to be filed unless accompanied by such statement in writing. The name of a candidate for the presidency shall not be so used without the candidate's written consent.

A person who is a first choice for president of candidates seeking election as delegates and alternates shall file with the secretary of state, prior to the day of the election, a list indicating the order in which certificates of election are to be issued to delegate or alternate candidates to whose candidacy the person has consented, if fewer than all of such candidates are entitled under party rules to be certified as elected. Each candidate for election as such delegate or alternate may also file along with the candidate's declaration of candidacy and certificate a statement in writing signed by the candidate in the following form:

"Statement of Candidate
For Election as (Delegate) (Alternate) to the
..... (name of political party) National Convention"
I hereby declare to the voters of my political party in the State of Ohio that, if elected
as (delegate) (alternate) to their national party convention, I shall, to the
best of my judgment and ability, support that candidate for President of the United
States who shall have been selected at this primary by the voters of my party in the
manner provided in Chapter 3513. of the Ohio Revised Code, as their candidate for
such office.
.....
(name), Candidate for
(Delegate) (Alternate)"

The procedures for the selection of candidates for delegate and alternate to the national convention of a political party set forth in this section and in section 3513.121 of the Revised Code are alternative procedures, and if the procedures of this section are followed, the procedures of section 3513.121 of the Revised Code need not be followed.

R.C. 3513.121

(A) Any candidate for the presidency of the United States who is eligible to receive payments under the "Presidential Primary Matching Payment Account Act," 88 Stat. 1297 (1974), 26 U.S.C.A. 9031, et seq., as amended, may file with the secretary of state a declaration of candidacy not later than four p.m. of the sixtieth day before the presidential primary election held in the same year the candidate is eligible to receive such payments. The candidate shall indicate on his declaration of candidacy the congressional districts in this state where his candidacy is to be submitted to the electors. Any candidate who files a declaration of candidacy pursuant to this division shall also file, or shall cause to be filed by a person authorized in writing to represent him, not later than four p.m. of the sixtieth day before the same primary election, a list of candidates for district delegate and alternate to the national convention of his political party who have been selected in accordance with rules adopted by the state central committee of his political party. The candidates for district delegate and alternate whose names appear on this list shall be represented on the ballot in accordance with section 3513.151 of the Revised Code in every congressional district that the presidential candidate named in his declaration of candidacy, provided that such candidates meet the other requirements of this section.

(B) Candidates for delegate at large and alternate at large to the national convention of a political party for a presidential candidate who submits a declaration of candidacy in accordance with division (A) of this section shall be selected in accordance with rules adopted by the state central committee of the presidential candidate's political party.

(C) Each candidate for district delegate and alternate to the national convention of a political party selected pursuant to division (A) of this section shall file or shall cause to be filed with the secretary of state, not later than four p.m. of the sixtieth day before the presidential primary election in which he is a candidate, both of the following:

(1) A declaration of candidacy in the form prescribed in section 3513.07 of the Revised Code, but not the petition prescribed in that section;

(2) A statement in writing signed by the candidate in which he states his first and second choices for nomination as the candidate of his party for the presidency of the United States.

(D) A declaration of candidacy filed pursuant to division (A) of this section shall be in substantially the form prescribed in section 3513.07 of the Revised Code except that the secretary of state shall modify that form to include spaces for a presidential candidate to indicate in which congressional districts he wishes his candidacy to be submitted to the electors and shall modify it in any other ways necessary to adapt it to use by presidential candidates. A candidate who files a declaration of candidacy pursuant to division (A) of this section shall not file the petition prescribed in section 3513.07 of the Revised Code.

(E) Section 3513.151 of the Revised Code applies in regard to candidates for delegate and alternate to the national convention of a political party selected pursuant to this section. The state central committee of the political party of any presidential candidate who files a declaration of candidacy pursuant to division (A) of this section shall file with the secretary of state the rules of its political party in accordance with division (E) of section 3513.151 of the Revised Code.

(F) The procedures for the selection of candidates for delegate and alternate to the national convention of a political party set forth in this section and in section 3513.12 of the Revised Code are alternative procedures, and if the procedures of this section are followed, the procedures of section 3513.12 of the Revised Code need not be followed.

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R.C. 3513.151

(A) Candidates for delegate and alternate to the national convention of a political party shall be represented on the ballot, or their names shall appear on the ballot, in accordance with this section, but only in a manner that enables an elector to record the vote in the space provided for it by the name of the first choice for president so that the recording of the vote is counted as a vote cast for each candidate for delegate or alternate who has declared such person as that candidate's first choice for president.

(B) The names of candidates for delegate at large and alternate at large to the national convention of a political party shall not appear on the ballot. Such candidates shall be represented on the ballot by their stated first choice for president.

(C) The state central committee of each major political party, through its chairperson, not later than sixty days prior to the date of the presidential primary election, shall file with the secretary of state a statement that stipulates, in accordance with rules adopted by each state central committee at a meeting open to all members of the committee's party, whether or not the names of candidates for district delegate and district alternate to the national convention of that chairperson's party are to be printed on the ballot. The secretary of state shall prescribe the form of the ballot for the election of district delegates and district alternates of each political party in accordance with such statement. If the state central committee of a political party fails to so provide such statement, the secretary of state shall prescribe a form of ballot on which the names of candidates for delegate and alternate to such national convention do not appear on the ballot. Only the names of the presidential first choices of such candidates for delegates and alternates shall appear on the ballot. If only the names of presidential first choices are printed, the ballot shall provide the opportunity for an elector to record the vote in the appropriate space provided beside such names and such a vote cast shall be counted as a vote for each candidate for delegate and alternate who has declared such person as that candidate's first choice for president. If the number of candidates for district delegate or for district alternate to the national convention of a political party exceeds the number to be elected, the names of such candidates, when required to appear on the ballot, shall not be rotated, but shall be printed in a group on the ballot in alphabetical order immediately below or beside first choice for president. This form of the ballot shall be prescribed by the secretary so that the recording of the vote in the space provided beside the name of such choice for president shall be a vote for each candidate whose name is included in the grouping.

(D) Candidates, grouped by first choice for president, shall be rotated in the same manner as though each grouping were a separate candidate. As many series of ballots shall be printed as the number of groups to be rotated, with the total number of ballots to be printed divided by the number of series to be printed in order to determine the number of ballots to be printed of each series. On the first series of ballots, the candidates shall be alphabetically grouped by their first choice for president. On each succeeding series, the group of candidates that was the first in the preceding series shall be last and each of the other groups shall be moved up one place. The ballots shall be rotated and printed as provided in section 3505.03 of the Revised Code, except that no indication of membership in or affiliation with a political party shall be printed after or under the candidate's name.

(E) The state central committee of each major political party, through its chairperson, not later than the fifteenth day prior to the date of the presidential primary election, shall file with the secretary of state the rules of its political party adopted by the state central committee at a meeting open to all members of the committee's party, which affect the issuance of certificates of election to candidates for delegate or alternate to its party nominating convention, and the secretary of state shall issue certificates of election in accordance with such rules.

(F) If party rules prescribe that fewer than all such candidates for delegate and alternate are to be elected, certificates of election shall be issued in the order preferred by the first choice for president and in such numbers that the number of delegates and alternates certified as elected reflects, as nearly as possible, the proportion to be elected under the party rules.

(G) If the state central committee of a political party fails to file the rules with the secretary of state pursuant to this section, certificates of election shall be issued to the candidates for delegate and alternate receiving the highest number of votes.

R.C. 3513.257

*** Persons desiring to become independent joint candidates for the offices of president and vice-president of the United States shall file, not later than four p.m. of the seventy-fifth day before the day of the general election at which the president and vice-president are to be elected, one statement of candidacy and one nominating petition for the two of them. The prospective independent joint candidates' statement of candidacy shall be filed with the nominating petition as one instrument.

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

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

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

All nominating petitions of candidates for offices to be voted on by electors throughout the entire state shall be filed in the office of the secretary of state. No nominating petition for the offices of president and vice-president of the United States shall be accepted for filing unless there is submitted to the secretary of state, at the time of filing the petition, a slate of presidential electors sufficient in number to satisfy the requirement of the United States Constitution. ***

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

Any nonjudicial candidate who files a nominating petition may request, at the time of filing, that the candidate be designated on the ballot as a nonparty candidate or as an other-party candidate, or may request that the candidate's name be placed on the ballot without any designation. Any such candidate who fails to request a designation either as a nonparty candidate or as an other-party candidate shall have the candidate's name placed on the ballot without any designation. The purpose of establishing a filing deadline for independent candidates prior to the primary election immediately preceding the general election at which the candidacy is to be voted on by the voters is to recognize that the state has a substantial and compelling interest in protecting

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its electoral process by encouraging political stability, ensuring that the winner of the election will represent a majority of the community, providing the electorate with an understandable ballot, and enhancing voter education, thus fostering informed and educated expressions of the popular will in a general election. The filing deadline for independent candidates required in this section prevents splintered parties and unrestrained factionalism, avoids political fragmentation, and maintains the integrity of the ballot. The deadline, one day prior to the primary election, is the least drastic or restrictive means of protecting these state interests. The general assembly finds that the filing deadline for independent candidates in primary elections required in this section is reasonably related to the state’s purpose of ensuring fair and honest elections while leaving unimpaired the political, voting, and associational rights secured by the first and fourteenth amendments to the United States Constitution.

R.C. 3513.261

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

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

Each nominating petition shall contain a statement of candidacy that shall be signed by the candidate or joint candidates named in it or by an attorney in fact acting pursuant to section 3501.382 of the Revised Code. Such statement of candidacy shall contain a declaration made under penalty of election falsification that the candidate desires to be a candidate for the office named in it, and that the candidate is an elector qualified to vote for the office the candidate seeks.

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

“STATEMENT OF CANDIDACY

I, (Name of candidate), the undersigned, hereby declare under penalty of election falsification that my voting residence is in Precinct of the (Township) or (Ward and City, or Village) in the county of Ohio; that my post-office address is (Street and Number, if any, or Rural Route and Number) of the (City, Village, or post office) of, Ohio; and that I am a qualified elector in the precinct in which my voting residence is located. I hereby declare that I desire to be a candidate for election to the office of in the (State, District, County, City, Village, Township, or School District) for the (Full term or unexpired term ending) at the General Election to be held on the day of,

I further declare that I am an elector qualified to vote for the office I seek. Dated this day of,

(Signature of candidate)

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

I,, hereby constitute the persons named below a committee to represent me:

Name Residence

NOMINATING PETITION

We, the undersigned, qualified electors of the state of Ohio, whose voting residence is in the County, City, Village, Ward, Township or Precinct set opposite our names, hereby nominate as a candidate for election to the office of in the (State, District, County, City, Village, Township, or School District) for the (Full term or unexpired term ending) to be voted for at the general election next hereafter to be held, and certify that this person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

Signature Street Address or R.F.D. (Must use address on file with the board of elections) City, Village or Township Ward Precinct County Date of Signing, declares under penalty of election falsification that such person is a qualified elector of the state of Ohio and resides at the address appearing below such person's signature hereto; that such person is the circulator of the foregoing petition paper containing signatures; that such person witnessed the affixing of every signature; that all signers were to the best of such person's knowledge and belief qualified to sign; and that every signature is to the best of such person's knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

(Signature of circulator)

(Address of circulator's permanent residence in this state)

(If petition is for a statewide candidate, the name and address of person employing circulator to circulate petition, if any)

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

*** If the petition nominates a candidate whose election is to be determined by the electors of the state at large, it shall be filed with the secretary of state.

The secretary of state or a board of elections shall not accept for filing a nominating petition of a person seeking to become a candidate if that person, for the same election, has already filed a declaration of candidacy, a declaration of intent to be a write-in candidate, or a nominating petition, or has become a candidate through party nomination at a primary election or by the filling of a vacancy under section 3513.30 or 3513.31 of the Revised Code for any federal, state, or county office, if the nominating petition is for a state or county office, or for any municipal or township office, for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center, if the nominating petition is for a municipal or township office, or for member of a city, local, or exempted village board of education, or for member of a governing board of an educational service center.

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The nominating petitions of all candidates required to be filed before four p.m. of the seventy-fifth day before the day of the general election, shall be processed as follows:

If such petition is filed with the secretary of state, he shall promptly transmit to each board such separate petition papers as purports to contain signatures of electors of the county of such board.

All petition papers so transmitted to a board of elections, and all nominating petitions filed with a board of elections shall, under proper regulation, be open to public inspection until four p.m. of

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the seventieth day before the day of such general election. Each board shall, not later than the sixty-eighth day before the day of such general election examine and determine the sufficiency of the signatures on the petition papers transmitted to or filed with it and the validity or invalidity of petitions filed with it, and shall return to each other board all petition papers transmitted to it by such other board, together with its certification of its determination as to the validity or invalidity of signatures thereon. All other matters affecting the validity or invalidity of such petition papers shall be determined by the board with whom such petition papers were filed.

Written protests against such nominating petitions may be filed by any qualified elector eligible to vote for the candidate whose nominating petition he objects to, not later than the sixty-fourth day before the general election. Such protests shall be filed with the election officials with whom the nominating petition was filed. Upon the filing of such protests, the election officials with whom it is filed shall promptly fix the time and place for hearing it, and shall forthwith mail notice of the filing of such protest and the time and place for hearing it to the person whose nomination is protested. They shall also forthwith mail notice of the time and place fixed for the hearing to the person who filed the protest. At the time and place fixed, such election officials shall hear the protest and determine the validity or invalidity of the petition. Such determination shall be final.

R.C. 3517.01

(A)(1) A political party within the meaning of Title XXXV of the Revised Code is any group of voters that, at the most recent regular state election, polled for its candidate for governor in the state or nominees for presidential electors at least five per cent of the entire vote cast for that office or that filed with the secretary of state, subsequent to any election in which it received less than five per cent of that vote, a petition signed by qualified electors equal in number to at least one per cent of the total vote for governor or nominees for presidential electors at the most recent election, declaring their intention of organizing a political party, the name of which shall be stated in the declaration, and of participating in the succeeding primary election, held in even-numbered years, that occurs more than one hundred twenty days after the date of filing. No such group of electors shall assume a name or designation that is similar, in the opinion of the secretary of state, to that of an existing political party as to confuse or mislead the voters at an election. If any political party fails to cast five per cent of the total vote cast at an election for the office of governor or president, it shall cease to be a political party.



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