

As Introduced

133rd General Assembly

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S. B. No. 42

Senator Dolan

Cosponsors: Senators Roegner, Hackett, Maharath, Huffman, S.

A BILL

To amend sections 3505.03, 3505.04, and 3513.13 of 1
the Revised Code to require uncontested races to 2
appear at the end of an election ballot. 3

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

Section 1. That sections 3505.03, 3505.04, and 3513.13 of 4
the Revised Code be amended to read as follows: 5

Sec. 3505.03. On the office type ballot shall be printed 6
the names of all candidates for election to offices, except 7
judicial offices, who were nominated at the most recent primary 8
election as candidates of a political party or who were 9
nominated in accordance with section 3513.02 of the Revised 10
Code, and the names of all candidates for election to offices 11
who were nominated by nominating petitions, except candidates 12
for judicial offices, for member of the state board of 13
education, for member of a board of education, for municipal 14
offices, and for township offices. 15

The face of the ballot below the stub shall be 16
substantially in the following form: 17

"OFFICIAL OFFICE TYPE BALLOT 18

(A) To vote for a candidate record your vote in the manner 19
provided next to the name of such candidate. 20

(B) If you tear, soil, deface, or erroneously mark this 21
ballot, return it to the precinct election officers or, if you 22
cannot return it, notify the precinct election officers, and 23
obtain another ballot." 24

The order in which the offices shall be listed on the 25
ballot shall be prescribed by, and certified to each board of 26
elections by, the secretary of state; ~~provided that for~~. Except 27
as otherwise provided in this paragraph, the order for state, 28
district, and county offices ~~the order~~ from top to bottom shall 29
be as follows: governor and lieutenant governor, attorney 30
general, auditor of state, secretary of state, treasurer of 31
state, United States senator, representative to congress, state 32
senator, state representative, county commissioner, county 33
auditor, prosecuting attorney, clerk of the court of common 34
pleas, sheriff, county recorder, county treasurer, county 35
engineer, and coroner. The offices of governor and lieutenant 36
governor shall be printed on the ballot in a manner that 37
requires a voter to cast one vote jointly for the candidates who 38
have been nominated by the same political party or petition. 39
Offices for which the number of candidates is the same as the 40
number of candidates to be elected shall be listed at the end of 41
the ballot in the order listed above. 42

The names of all candidates for an office shall be 43
arranged in a group under the title of that office, and, except 44
for absentee ballots or when the number of candidates for a 45
particular office is the same as the number of candidates to be 46
elected for that office, shall be rotated from one precinct to 47
another. On absentee ballots, the names of all candidates for an 48

office shall be arranged in a group under the title of that 49
office and shall be so alternated that each name shall appear, 50
insofar as may be reasonably possible, substantially an equal 51
number of times at the beginning, at the end, and in each 52
intermediate place, if any, of the group in which such name 53
belongs, unless the number of candidates for a particular office 54
is the same as the number of candidates to be elected for that 55
office. 56

The method of printing the ballots to meet the rotation 57
requirement of this section shall be as follows: the least 58
common multiple of the number of names in each of the several 59
groups of candidates shall be used, and the number of changes 60
made in the printer's forms in printing the ballots shall 61
correspond with that multiple. The board of elections shall 62
number all precincts in regular serial sequence. In the first 63
precinct, the names of the candidates in each group shall be 64
listed in alphabetical order. In each succeeding precinct, the 65
name in each group that is listed first in the preceding 66
precinct shall be listed last, and the name of each candidate 67
shall be moved up one place. In each precinct using paper 68
ballots, the printed ballots shall then be assembled in tablets. 69

Under the name of each candidate nominated at a primary 70
election, nominated by petition under section 3517.012 of the 71
Revised Code, or certified by a party committee to fill a 72
vacancy under section 3513.31 of the Revised Code shall be 73
printed, in less prominent type face than that in which the 74
candidate's name is printed, the name of the political party by 75
which the candidate was nominated or certified. Under the name 76
of each candidate appearing on the ballot who filed a nominating 77
petition and requested a ballot designation as a nonparty 78
candidate under section 3513.257 of the Revised Code shall be 79

printed, in less prominent type face than that in which the 80
candidate's name is printed, the designation of "nonparty 81
candidate." Under the name of each candidate appearing on the 82
ballot who filed a nominating petition and requested a ballot 83
designation as an other-party candidate under section 3513.257 84
of the Revised Code shall be printed, in less prominent type 85
face than that in which the candidate's name is printed, the 86
designation of "other-party candidate." No designation shall 87
appear under the name of a candidate appearing on the ballot who 88
filed a nominating petition and requested that no ballot 89
designation appear under the candidate's name under section 90
3513.257 of the Revised Code, or who filed a nominating petition 91
and failed to request a ballot designation either as a nonparty 92
candidate or as an other-party candidate under that section. 93

Except as provided in this section, no words, 94
designations, or emblems descriptive of a candidate or the 95
candidate's political affiliation, or indicative of the method 96
by which the candidate was nominated or certified, shall be 97
printed under or after a candidate's name that is printed on the 98
ballot. 99

Sec. 3505.04. On the nonpartisan ballot shall be printed 100
the names of all nonpartisan candidates for election to judicial 101
office, office of member of the state board of education, office 102
of member of a board of education, municipal or township offices 103
for municipal corporations and townships in which primary 104
elections are not held for nomination of candidates by political 105
parties, and municipal offices of municipal corporations having 106
charters which provide for separate ballots for elections for 107
such municipal offices. 108

Such ballots shall have printed across the top, and below 109

the stubs, "Official Nonpartisan Ballot." 110

The order in which the offices are listed on the ballot 111
shall be prescribed by, and certified to each board of elections 112
by, the secretary of state, ~~provided that~~. Except as otherwise 113
provided in this paragraph, the office of member of the state 114
board of education shall be listed first on the ballot, then 115
state, district, and county judicial offices shall be listed on 116
the ballot in such order, followed by municipal and township 117
offices, and by offices of member of a board of education, in 118
the order stated. Offices for which the number of candidates is 119
the same as the number of candidates to be elected shall be 120
listed at the end of the ballot in the order listed above. 121

Within the rectangular space within which the title of 122
each judicial office is printed on the ballot and immediately 123
below such title shall be printed the date of the commencement 124
of the term of the office, if a full term, as follows: "Full 125
term commencing(Date).....," or the date of the end of 126
the term of the office, if an unexpired term, as follows: 127
"Unexpired term ending(Date)....." 128

The secretary of state shall prescribe the information and 129
directions to the voter to be printed on the ballot within the 130
rectangular space in which the title of office of member of the 131
state board of education appears. 132

Within the rectangular space within which the title of 133
each office for member of a board of education is printed on the 134
ballot shall be printed "For Member of Board of Education," and 135
the number to be elected, directions to the voter as to voting 136
for one, two, or more, and, if the office to be voted for is 137
member of a board of education of a city school district, words 138
shall be printed in said space on the ballot to indicate whether 139

candidates are to be elected from subdistricts or at large. 140

The names of all nonpartisan candidates for an office 141
shall be arranged in a group under the title of that office, and 142
shall be rotated and printed on the ballot as provided in 143
section 3505.03 of the Revised Code. 144

No name or designation of any political party nor any 145
words, designations, or emblems descriptive of a candidate or 146
~~his~~ the candidate's political affiliation, or indicative of the 147
method by which such candidate was nominated or certified, shall 148
be printed under or after any nonpartisan candidate's name which 149
is printed on the ballot. 150

Sec. 3513.13. Separate primary election ballots shall be 151
provided by the board of elections for each political party 152
having candidates for nomination or election in a primary 153
election. Section 3505.08 of the Revised Code governing the kind 154
of paper, the kind of ink, and the size and style of type to be 155
used in the printing of ballots for general elections shall 156
apply in the printing of ballots for primary elections. 157

Primary election ballots shall have printed on the back 158
thereof "Official (name of party) 159
primary ballot," the date of the election, and the facsimile 160
signatures of the members of the board. 161

Such ballots shall have stubs attached at the top thereof 162
as required on ballots for general elections. 163

On the back of every ballot used there shall be a solid 164
black line printed opposite the blank rectangular space that is 165
used to mark the choice of the voter. This line shall be printed 166
wide enough so that the mark in the blank rectangular space will 167
not be visible from the back side of the ballot. 168

Such ballots shall have printed at the top thereof and 169
below the stubs "Official (name of party) 170
primary ballot" and instructions to the voter to the effect that 171
to vote for a candidate the voter shall record the vote in the 172
manner provided on the ballot next to the name of such 173
candidate, except as provided in section 3513.151 of the Revised 174
Code, and that if he a voter who tears, soils, defaces, or 175
erroneously marks the ballot ~~he~~ may return it to the precinct 176
election officers and obtain another ballot. 177

Except as provided in section 3513.151 of the Revised 178
Code, primary election ballots shall contain the names of all 179
persons whose declarations of candidacy and petitions have been 180
determined to be valid. The name of each candidate for 181
nomination for, or election to, an office or position shall be 182
printed in an enclosed rectangular space at the left of which an 183
enclosed blank rectangular space shall be provided. The names of 184
candidates shall be printed on the ballot immediately below the 185
title of the office or position for nomination or election to 186
which the candidate seeks nomination or election. The order in 187
which offices and positions shall be listed on the ballot shall 188
be prescribed by and shall be certified to each board by the 189
secretary of state, and shall be the same, to the extent the 190
secretary of state deems practicable, as is provided for the 191
listing of offices on general election ballots. Except as 192
otherwise provided in section 3513.02 of the Revised Code, 193
offices for which the number of candidates for the nomination of 194
a political party is the same as the number of candidates to be 195
nominated shall be listed at the end of the ballot in the order 196
prescribed by the secretary of state. 197

Section 2. That existing sections 3505.03, 3505.04, and 198
3513.13 of the Revised Code are hereby repealed. 199