

## Petitions

County boards of elections will provide at least one copy of a candidate petition form upon request. Candidates may make additional copies of the form as it is provided by the county board of elections.

Once the candidate has filled out and signed the petition, this signed part-petition may be copied prior to obtaining any elector signatures on the part-petitions. However, this original signed part-petition must be filed with the other part-petitions at the office of the appropriate filing entity. ([R.C. 3513.09](#), [R.C. 3513.261](#))

### Rules Governing Petitions

Below is an overview of the rules governing petitions. For additional information on rules governing petitions, please see [Chapter 11](#) of the Ohio Election Official Manual.

1. The Declaration or Statement of Candidacy portion of each petition paper must be completely filled out and signed by the candidate(s) before being circulated. ([R.C. 3513.07](#), [R.C. 3513.09](#), [R.C. 3513.261](#))
2. Candidates must designate the correct term commencing date on the declaration of candidacy or nominating petition, if more than one seat of that office is to be elected at the election. ([R.C. 3513.08](#), [R.C. 3513.28](#))
3. Only qualified electors who are eligible to vote on the candidacy may sign a petition. An elector's qualifications are determined as of the date the petition is filed. ([R.C. 3501.38\(A\)](#))
4. Each signature, written in ink, must be an original signature of an elector or the elector's duly appointed attorney-in-fact who is acting pursuant to [R.C. 3501.382](#). Generally, signing or affixing a signature to petition requires a person's written, cursive-style legal mark written in that person's own hand unless the elector does not use a cursive-style mark during the course of their regular business or legal affairs. However, a voter with a disability may personally affix their signature through the use of a reasonable accommodation, including the use of assistive technology or an augmentative device such as a signature stamp. ([R.C. 3501.011](#), [R.C. 3501.382\(F\)](#), and related [O.A.G. 2015-012](#))
5. Each signer's residence address and the date of signing must be placed on the petition after the elector's signature. The voting address written on the petition must be the address appearing in the registration records of the board of elections. ([R.C. 3501.38 \(C\)](#))
6. Petitions for a candidate for party nomination must be signed and circulated by persons who are members of the same political party as the candidate. ([R.C. 3513.07](#)). An elector is considered to be a member of a political party if they voted in the primary election of that party within the preceding two calendar years, or if they did not vote in any other party's primary election within the preceding two calendar years. ([R.C. 3513.05, 7<sup>th</sup> ¶](#))
7. A candidate may circulate their own petition, although they may not sign their own petition as an elector. For purposes of circulating their own petition, a candidate is exempt from the party affiliation requirements described in point 6 of this section. ([R.C. 3513.191\(C\)\(4\)](#)). A circulator may not sign the same petition paper that they are

circulating. A circulator who is not a candidate may, however, sign a petition paper being circulated for the same candidacy by a different circulator.

8. A circulator must be at least 18 years of age. ([R.C. 3503.06\(C\)](#)) (The Ohio residency requirement is not currently in place based on the preliminary injunction in *Citizens in Charge v. Husted*, 2015 U.S. Dist. LEXIS 184669(S.D. Ohio); See also, *Citizens in Charge v. Husted*, 810 F. 3d 437 (6<sup>th</sup> Cir. 2016)).
9. After circulating the petition, the circulator must sign a statement, under penalty of election falsification, indicating the following:
  - a. The number of signatures contained on the petition;
  - b. That the circulator witnessed the affixing of each signature on the petition;
  - c. That all signers, to the best of the circulator's knowledge and belief, were qualified to sign;
  - d. That each signature is, to the best of the circulator's knowledge and belief, the signature of the person whose signature it purports to be; and
  - e. On the circulator's statement for a declaration of candidacy or nominating petition for a person seeking to become a statewide candidate, 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.
10. If a circulator knowingly permits an unqualified person to sign a petition paper or permits a person to write a name other than the person's own on the petition paper, that petition paper is invalid; otherwise, the signature of a person not qualified to sign shall be rejected but shall not invalidate the other valid signatures on the petition paper. ([R.C. 3501.38\(F\)](#))
11. Once a candidate's petition has been filed with the appropriate election official, it cannot be changed, supplemented, or returned to the candidate ([R.C. 3501.38\(I\)](#)).
12. The original petition with the candidate's original signature must be filed at the same time as all other part-petitions. ([R.C. 3501.38\(K\)](#), [R.C. 3513.09](#))
13. Each petition paper shall be circulated by one person only and shall contain signatures of qualified electors of one county only. When petitions are circulated in a district that contains more than one county, separate petition papers must be circulated in each county. ([R.C. 3501.38](#), [R.C. 3513.05](#), [R.C. 3513.07](#), [R.C. 3513.261](#))
14. No petition shall be accepted if it contains more than three times the minimum number of required signatures. ([R.C. 3513.05](#), [R.C. 3513.257](#), [R.C. 3513.259](#)) Or, in the case of a petition for county court judge, no nominating petition shall be accepted for filing or filed if it appears on its face to contain more than twice the minimum number of required signatures. ([R.C. 1907.13](#))

15. All petitions must contain the following statement in boldface capital letters: **"WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE."** ([R.C. 3501.38\(J\)](#), [R.C. 3599.36](#))

**Note:** The penalties for a fifth degree felony conviction are six to 12 months in prison and/or a fine of \$2,500.

16. All petitions remain open for public inspection, under reasonable regulations, at the office of the county board of elections with which they were filed. ([R.C. 3513.05](#), [R.C. 3513.262](#))
17. A signature on a nominating petition of a prospective independent candidate or nonpartisan candidate is not valid if it is dated more than one year before the date the petition was filed. ([R.C. 3513.262](#))