

Petitions

County boards of election 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 completed filling out and signing 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. Any candidate who has had a change of name within five years preceding the filing, other than marriage, shall include the candidate's former name(s) in the declaration of candidacy, statement of candidacy, and nominating petition. ([R.C. 3513.06](#), [R.C. 3513.271](#))
3. 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](#)).
4. 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\(A\)](#)).
5. 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](#)).
6. 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 \(C\)](#)).
7. 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, 7th ¶](#)).

8. 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 number 7 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.
9. 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*, Case: 2:13-CV-00935 (S.D. Ohio 11/13/13); See also, *Citizens in Charge v. Husted*, 810 F. 3d 437 (6th Cir 2016)).
10. 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.
11. 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\(F\)](#)).
12. 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\(I\)](#)).
13. If the candidate's petition consists of more than one part-petition, the candidate may sign the declaration of candidacy on only one of such separate petition papers, but the signed declaration of candidacy must be copied on each other part-petition before the signature of electors are placed on it. 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](#)).
14. 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](#)).
15. 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](#)).

16. 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.
17. 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](#)).
18. 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](#)).

Municipal Corporations

Cities and Villages

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

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

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

Municipal Limited Home Rule

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