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OHIO LEGISLATIVE SERVICE COMMISSION

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S.B. 80
134th General Assembly

Final Analysis

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Version: As Passed by the General Assembly

Primary Sponsors: Sens. Gavarone and Cirino

Effective date:*

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SUMMARY

- Requires a candidate for chief justice or justice of the Ohio Supreme Court, or a candidate for judge of a court of appeals, who was nominated at a primary election, to appear on the ballot at the general election with a political party designation.
- Changes the placement of those offices on the ballot.

DETAILED ANALYSIS

Party designation for judicial candidates

The act requires a candidate for chief justice or justice of the Ohio Supreme Court or judge of a court of appeals who was nominated at a primary election to appear on the ballot at the general election with a political party designation. Under continuing law, such a candidate who is not affiliated with a party may file a nominating petition and appear on the general election ballot as an independent candidate.

Judicial candidates in Ohio are nominated at party primaries in the same manner as candidates for other offices but, under former law, no judicial candidate could have a party designation on the ballot at the general election. The act requires Ohio Supreme Court and court of appeals candidates to appear with a partisan designation on the general election ballot if the candidate was nominated at a party primary election. But, under continuing law, the act

* The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.

maintains the requirement that candidates for judge of a municipal court, county court, or court of common pleas appear on the nonpartisan office ballot.¹

Ballot order

In moving Ohio Supreme Court and court of appeals candidates to the partisan office ballot, the act also changes the order in which those offices appear on the ballot. Under continuing law, offices appear on the ballot in a prescribed order, with partisan offices appearing first, then nonpartisan offices, and finally ballot issues. The act requires offices to appear on the ballot in the following order:²

Partisan offices	Nonpartisan offices
Governor and Lieutenant Governor	Member of the State Board of Education
Attorney General	County judicial offices
Auditor of State	Municipal and township offices
Secretary of State	Member of a district board of education
Treasurer of State	
<i>Chief Justice of the Ohio Supreme Court</i>	
<i>Justice of the Ohio Supreme Court</i>	
U.S. senator	
U.S. representative	
State senator	
State representative	
<i>Judge of a court of appeals</i>	
County commissioner	
County auditor	
Prosecutor	
Clerk of the court of common pleas	
Sheriff	
County recorder	

¹ R.C. 3501.01, 3505.03, 3505.04, and 3513.257.

² R.C. 3505.03 and 3505.04.

Partisan offices	Nonpartisan offices
County treasurer	
County engineer	
Coroner	

HISTORY

Action	Date
Introduced	02-23-21
Reported, S. Local Gov't & Elections	04-21-21
Passed Senate (24-9)	04-21-21
Reported, H. Government Oversight	06-17-21
Passed House (52-37)	06-25-21