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S.B. 92*
135th General Assembly

Bill Analysis

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Version: As Reported by House Government Oversight

Primary Sponsors: Sens. McColley and Gavarone

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SUMMARY

- Delays the deadline, from August 7 to August 23, 2024, (from the 90th day to the 74th day before Election Day) for a major political party to certify the names of its presidential and vice-presidential candidates to the Secretary of State for purposes of the 2024 general election.
- Retains the current 90 day deadline for presidential elections held in 2028 and later, but allows an extension if a party will not nominate its candidates in time, and allows the party to certify its nominees by the 74th day before the election or not later than the third day after the close of its convention, whichever is earlier.
- Clarifies that any such certification must be in writing.
- Allows a party to make a certification or notification under the bill by any reasonably reliable method that, under the circumstances, will provide for the Secretary to receive it by the deadline.

DETAILED ANALYSIS

Deadline to certify presidential candidates

2024 presidential election

For purposes of the 2024 general election, the bill delays the deadline for a major political party to certify the names of its presidential and vice-presidential candidates to the Secretary of State after it nominates those candidates at its convention. Under the bill, a party

* This analysis was prepared before the report of the House Government Oversight Committee appeared in the House Journal. Note that the legislative history may be incomplete.

must certify its candidates by the 74th day before the election (August 23), instead of the 90th day (August 7).¹

Future presidential elections

For purposes of presidential elections held in 2028 and later, the bill generally retains the certification deadline of the 90th day before the election, but allows an extension for a major or minor political party that will not nominate its candidates in time to meet the deadline. A party must notify the Secretary in writing that it will not nominate its candidates in time. The party must make that notification as soon as practicable but not later than the 90th day before the election.

A major political party then must certify its presidential and vice-presidential nominees to the Secretary by the 74th day before the election or not later than the third day after the close of the party's national convention, whichever is earlier. A minor party must certify its nominees by the 74th day before the election or not later than the third day after it nominates its candidates, whichever is earlier. (Minor parties do not necessarily use national conventions to nominate their candidates.) The bill clarifies that any party certification of presidential and vice-presidential candidates must be in writing.²

Method of transmission

The bill allows a political party to make a notification or certification under the bill by any reasonably reliable method that, under the circumstances, will provide for the Secretary to receive it by the applicable deadline, including by hand delivery, any type of U.S. mail, commercial carrier service, fax, or email.³

HISTORY

Action	Date
Introduced	03-22-23
Reported, S. General Gov't	04-19-23
Passed Senate (25-8)	04-19-23
Reported, H. Gov't Oversight	---

ANSB0092RH-135/ts

¹ Section 4 of the bill.

² R.C. 3505.10 and Section 3 of the bill.

³ R.C. 3505.10 and Section 4 of the bill.