



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

Emily E. Wendel

### **H.B. 591**

131st General Assembly  
(As Introduced)

**Reps.** Pelanda, Koehler, R. Smith, Young, Dean, Scherer, Blessing, Huffman, Becker, Duffey, Dever, Antani, Retherford, Rogers, Henne, Sprague

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### **BILL SUMMARY**

- Eliminates the requirement that the state hold a special primary election to replace a party's candidate for Congress if the special primary is uncontested.
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### **CONTENT AND OPERATION**

The bill eliminates the requirement of holding a special primary election to replace a party's candidate for Congress if the special primary is uncontested. Under continuing law, if the sole candidate in an uncontested congressional primary race dies or withdraws before the primary, the state must hold a special election to nominate that party's candidate for Congress and also to nominate the candidate of any other major political party that does not have a candidate for that office.

When such a special primary is held, the bill clarifies that the Secretary of State must designate the deadlines for filing declarations of candidacy and declarations of intent to be a write-in candidate for the special primary, since the usual deadlines are not applicable in that situation. And, under the bill, if only one person, or no one, has filed a valid declaration of candidacy, then no special primary is held, and the sole candidate, if there is one, automatically receives the nomination.

Similarly, continuing law requires the state to hold a special primary election if a party's congressional candidate dies or withdraws after the primary but before the 90th day before the general election. The bill requires the Secretary of State to designate the deadlines for filing declarations of candidacy and declarations of intent to be a write-in candidate for the special primary. And, under the bill, if only one person, or no one, has

filed a valid declaration of candidacy, then no special primary is held, and the sole candidate, if there is one, automatically receives the nomination.<sup>1</sup>

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## HISTORY

ACTION	DATE
Introduced	08-25-16

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<sup>1</sup> R.C. 3513.301 and 3513.312.

