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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 80\*  
134<sup>th</sup> General Assembly

## Bill Analysis

[Click here for S.B. 80's Fiscal Note](#)

**Version:** As Reported by Senate Local Government and Elections

**Primary Sponsors:** Sens. Gavarone and Cirino

Emily E. Wendel, Attorney

### SUMMARY

- 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.
- Changes the placement of those offices on the ballot.

### DETAILED ANALYSIS

#### Party designation for judicial candidates

The bill 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.

Currently, judicial candidates in Ohio are nominated at party primaries in the same manner as candidates for other offices, but they do not have a party designation on the ballot at the general election. The bill changes this system for Ohio Supreme Court and court of appeals candidates, but maintains the current system for candidates for judge of a municipal court, county court, or court of common pleas.<sup>1</sup>

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\* This analysis was prepared before the report of the Senate Local Government and Elections Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

<sup>1</sup> R.C. 3501.01, 3505.03, 3505.04, and 3513.257.

## Ballot order

In moving Ohio Supreme Court and court of appeals candidates to the partisan office ballot, the bill 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 bill requires offices to appear on the ballot in the following order:<sup>2</sup>

| 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                                |   |
| County treasurer                               |   |
| County engineer                                |   |
| Coroner  |   |

<sup>2</sup> R.C. 3505.03 and 3505.04.

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## HISTORY

| Action                               | Date     |
|--------------------------------------|----------|
| Introduced                           | 02-23-21 |
| Reported, S. Local Gov't & Elections | ---      |

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