



# CLARK COUNTY

## Board *of* Elections



# 2019 Candidate Petition Guide

## *Instructions and Guidelines for Completing and Circulating Candidate Petitions*

### Contents

Board Petition Pre-verification Policy.....	2
Getting Started – What do I need to do? .....	3
2019 Office Information .....	3
<i>Circulation Timeframe Requirements</i> .....	5
Candidate Petition Requirements – At a Glance .....	5
<i>Before Obtaining Signatures</i> .....	6
<i>Circulating and Signing the Petition</i> .....	6
<i>After Circulating is Completed</i> .....	8
Write-in Candidate Information .....	9
Petition Verification Guidelines .....	9

## **Board Petition Pre-verification Policy**

The Clark County Board of Elections adopted a policy in 2009, and revised this policy on February 12, 2013, which outlined that **petitions will not be pre-verified or reviewed regarding sufficiency** and that **no potential candidate, filer, or petitioner will be informed of deficiencies that may prevent the Board of Elections from certifying the petition *until after the Board has acted*. Once a petition is filed in public office, NO alterations, corrections, or additions may be made.**

The Board adopted these policies to assure impartiality in performing its duty to “*review, examine, and certify the sufficiency and validity of petitions and nomination papers*” (O.R.C. §3501.11 (K)). It is impossible for the Board or its staff to fulfill such lawful obligation if it is also required to provide legal assistance to filers. In addition, **judicial precedent places the responsibility for correctness and completion of the petition directly upon the petitioner or candidate**. If a candidate or a filer attempts to file a petition that does not meet the requirements of law, it is up to the candidate or filer to make such determination prior to filing.

This policy coincides with [Directive 2016-25](#) from the Ohio Secretary of State which effectively prohibits a Board of Elections from “*pre-checking petitions for prospective candidates or petitioners who seek review of their petitions' validity and sufficiency before the candidates or petitioners file their original petitions.*” A copy of this directive is available at [www.sos.state.oh.us](http://www.sos.state.oh.us).

# Getting Started – What do I need to do?

## 1. Review the rules.

Before beginning the process of completing and circulating a petition, it is important that each individual take the time to review the information contained in the current **Ohio Candidate Requirement Guide**. The **Ohio Candidate Requirement Guide** is available at [https://www.sos.state.oh.us/globalassets/publications/election/2019\\_crg.pdf](https://www.sos.state.oh.us/globalassets/publications/election/2019_crg.pdf) and may be found on the Clark County Board of Elections website as well at [www.clarkcountyohio.gov/boe](http://www.clarkcountyohio.gov/boe).

**Prior to circulating a petition, petitioners and candidates are advised to thoroughly review and understand all parts of the petition to be filed with the Clark County Board of Elections. This guide will outline petition rules and requirements and will alert candidates and filers to the reasons why the Board might not certify a candidate's name to the ballot.**

## 2. Acquire the correct petition form.

Candidate petition forms are available:

- At the Clark County Board of Elections office;
- Online at the [www.clarkcountyohio.gov/boe](http://www.clarkcountyohio.gov/boe); or
- Online at the Ohio Secretary of State's website – [www.sos.state.oh.us](http://www.sos.state.oh.us). (*Petition forms have been designed to print on legal-sized paper (8.5" x 14") on both sides (duplex).*)

## 3. Use the resources available.

Acquire a **voter list** from the board website ([www.clarkcountyohio.gov/boe](http://www.clarkcountyohio.gov/boe)) or in person to determine with greater accuracy who is eligible to sign. Once signatures have been gathered, candidates or circulators may use the **computer terminal** available at the Clark County Board of Elections office to check the validity of the signatures.




## 4. Know your deadlines and plan accordingly.


**Please note that it is the responsibility of individual petitioners and potential candidates desiring to circulate a petition to know and understand the deadlines, qualifications, requirements, rules, obligations, and laws concerning the process.**

## 2019 Office Information

Individuals interested in filing for office should follow the requirements next to each office in the chart below. For the offices listed, Clark County is the most populous county and therefore petitions should be filed with the Clark County

Board of Elections. For information regarding various districts and subdivisions of which Clark County is **not the most populous county**, please contact the appropriate board of elections in the most populous county for further information.

Office Description	Form Number	Valid Signatures Required	Filing Deadline	Filing Fee
<b>Clerk of Municipal Court (1 to elect)</b> <i>(Term Commences 01/01/2020)</i>	Partisan candidates <a href="#">2-H</a>	Partisan candidates Min: 50 Max: 150	Partisan candidates <b>02/06/19</b>	\$80
<b>Judge of the Municipal Court (1 to elect)</b> <i>(Term Commences 01/01/2020)</i>	Independent candidates <a href="#">3-I</a>	Independent candidates Min: 386 Max: 1158 See R.C. <a href="#">3513.257</a>	Independent candidates <b>05/06/19</b>	
<b>City of New Carlisle*</b> • Member of Council (4 to elect)	 <a href="#">3-O</a> <a href="#">Acceptance Form</a>	Min: 25 Max: 75	<b>09/06/19</b>	\$45
<b>City of Springfield*</b> • Mayor (1 to elect) • City Commissioner (1 to elect)	 <a href="#">Custom Form</a>	Min: 250 Max: 500	<b>02/06/19</b>	\$45
<b>Village of Enon</b> • Mayor (1 to elect) • Member of Council (2 to elect)	<a href="#">3-O</a>	Min: 50 Max: 150	<b>08/07/19</b>	\$30
<b>Village of Catawba</b> • Mayor (1 to be elect) • Member of Council (2 to elect) • Board of Trustees of Public Affairs (1 to elect)	Individual candidates use <a href="#">3-O</a>  Several candidates use <a href="#">3-MA</a>	Min: 10 Max: 30	<b>08/07/19</b>	\$30
<b>Village of Donnelsville</b> • Mayor (1 to be elect) • Member of Council (2 to elect)				
<b>Village of North Hampton</b> • Mayor (1 to be elect) • Member of Council (2 to elect)				
<b>Village of South Vienna</b> • Mayor (1 to be elect) • Member of Council (2 to elect) • Board of Trustees of Public Affairs (2 to elect)				
<b>Village of Tremont City</b> • Mayor (1 to elect) • Member of Council (2 to elect) • Clerk/Treasurer (1 to elect)				
<b>Village of South Charleston*</b> • Member of Commission (1 to elect)	 Individual candidates use <a href="#">3-O</a>	Min: 25 Max: 75	<b>08/07/19</b>	\$30

\*Subdivisions listed with  next to the office name have special charter requirements concerning the petition process that may differ from the Ohio Candidate Requirement Guide and Ohio Revised Code. Selections from the respective charters may be found below.

Office Description	Form Number	Valid Signatures Required	Filing Deadline	Filing Fee
--------------------	-------------	---------------------------	-----------------	------------

Township Trustee (1 to elect)	Individual candidates use <a href="#">3-R</a>	Min: 25 Max: 75	08/07/19	\$30
Township Fiscal Officer (1 to elect)				
Clark County Educational Service Center <ul style="list-style-type: none"> <li>Member of Governing Board of Educational Service Center (2 to elect)</li> </ul>	Individual candidates use <a href="#">3-W</a>  Several candidates use <a href="#">3-X</a>	Min: 50 Max: 150	08/07/19	\$30
Springfield City School District <ul style="list-style-type: none"> <li>Member of Board of Education (3 to elect)</li> </ul>	Individual candidates use <a href="#">3-T</a>  Several candidates use <a href="#">3-U</a>	Min: 150 Max: 450	08/07/19	\$30
Clark-Shawnee Local School District <ul style="list-style-type: none"> <li>Member of Board of Education (2 to elect)</li> </ul>				
Greenon Local School District <ul style="list-style-type: none"> <li>Member of Board of Education (2 to elect)</li> </ul>				
Northeastern Local School District <ul style="list-style-type: none"> <li>Member of Board of Education (2 to elect)</li> </ul>				
Northwestern Local School District <ul style="list-style-type: none"> <li>Member of Board of Education (2 to elect)</li> </ul>				
Southeastern Local School District <ul style="list-style-type: none"> <li>Member of Board of Education (3 to elect)</li> </ul>				
Tecumseh Local School District <ul style="list-style-type: none"> <li>Member of Board of Education (2 to elect)</li> </ul>				
Village of Clifton				
Cedar Cliff Local School District	<p>Contact Greene County Board of Elections  551 Ledbetter Rd.  Xenia, Ohio 45385  Ph: (937) 562-6170  Fx: (937) 562-6171  Hours: Monday – Friday 8:00 am - 4:30 pm  <a href="http://www.co.greene.oh.us/index.aspx?nid=128">http://www.co.greene.oh.us/index.aspx?nid=128</a></p>			
Fairborn City School District				
Yellow Springs Exempted Village School District				
Green County Educational Service Center				

Primary Election Date: **May 7, 2019**

General Election Date: **November 5, 2019**

### ***Circulation Timeframe Requirements***

Under Ohio law, “A signature on a nominating petition is not valid if it is dated more than one year before the date the nominating petition was filed” (R.C.3513.263). All offices for which nominating petitions are used for filing are subject to this requirement (unless specified below).

## **Candidate Petition Requirements – At a Glance**

## **Before Obtaining Signatures**

- Be sure that you have the correct petition form for the office being sought (refer to the *Ohio Candidate Requirement Guide* located at <https://www.sos.state.oh.us/publications/#crq>)
- Completely fill in the top portion of the petition in ink or type before obtaining any voter's signatures. The full-term commencing or unexpired-term ending date is required when it is necessary to differentiate between two offices on the ballot at the same time.**
- Date and sign the top portion** of the petition **before** obtaining any voter signatures.
- Completely fill in the lower portion on the front of the petition** (Petition for Candidate or Nominating Petition section).
- At least one part-petition filed** with the Board must contain an **original candidate signature**. Other part-petitions may, *if desired*, be photocopied but must include a photo copy or facsimile of the candidate signature.
- Your name will appear on the ballot as it is on the top line of the petition** unless otherwise indicated in writing.
- Ensure** that the individuals **circulating** the part-petitions **know the rules** concerning circulating and signing.
- Know that, generally, **before spending or receiving any money** (except the payment of a filing fee and other miscellaneous charges corresponding to the petition process (voter lists, etc.)), a **Designation of Treasurer form must be filed** with the Board of Elections.
- Remember, a candidate **may not file a second petition** for the same office **if the Board determines that the original petition is invalid**.
- Consider forming a committee** - On Nominating Petitions only, the section in the middle of the front side is to be completed with the names of three to five persons who have consented to serve as a committee to represent the candidate. This committee would be called upon to fill a vacancy created by the candidate's withdrawal (see section of code attached to the Nominating Petitions provided). For more information on function or purpose of such a committee this, please refer to R.C. 3513.31. **While this section is not required**, it is recommended that each potential candidate designate a committee of at least three individuals to represent them in the event they are unable to serve for any reason.
- Consider** using a voter list to help ensure that signers are qualified to sign the petition (*visit <https://www.electionsonthe.net/oh/clark/candidate-voter-tools/> to obtain a free list*).

**Remember:** To sign a petition, the voter, at the time that the petition is filed, must be qualified to vote for the particular office. For example, if someone is seeking to run for the office of township trustee, voters who sign the petition must be qualified voters in the township.

## **Circulating and Signing the Petition**

- The circulator must be at least 18 years of age and a resident of the state of Ohio.**
- Only qualified electors may sign the nominating section of a petition.** An elector's qualifications are determined as of the date the petition is filed. *For example, in order to nominate someone to appear*

on the ballot for the office of 79<sup>th</sup> District State Representative, the signer must be a registered voter in the 79<sup>th</sup> State Representative District.

- Petitions for a candidate for party nomination (most use the Declaration of Candidacy petitions) must be **signed and circulated** by persons who are members of the same political party as the candidate.
- An elector is considered to be a member of a political party if he or she voted in the primary election of that party within the preceding two calendar years, or if he or she did not vote in any other party's primary election within the preceding two calendar years.**
- Nominating Petitions** for independent and non-partisan candidates **may be signed by any qualified elector who resides in the voting district in which the office is located, regardless of political affiliation**
- If circulating a petition in a district which overlaps into other counties, a **separate part-petition** must be used for signatures from each county.
- It is recommended that **substantially more** than just the minimum number of valid signatures required be obtained **since some signatures may be invalidated.**
- No person shall be entitled to sign any petition, unless the person is registered as an elector and resides in a precinct in which the candidacy or issue that is the subject of the petition will appear on the ballot. The facts of qualification shall be determined as of the date when the petition is filed (R.C. 3501.38 (a)).**
- Signers must sign in ink and the elector's signature must correspond to the signature on file with the Board of Elections.** Printed signatures are generally invalid. From R.C. 3501.011, *whenever a person is required to sign or affix a signature to a declaration of candidacy, nominating petition, declaration of intent to be a write-in candidate,... "sign" or "signature" means that person's written, cursive-style legal mark written in that person's own hand. For persons who do not use a cursive-style legal mark during the course of their regular business and legal affairs, "sign" or "signature" means that person's other legal mark that the person uses during the course of that person's regular business and legal affairs that is written in the person's own hand. Any voter registration record requiring a person's signature shall be signed using the person's legal mark used in the person's regular business and legal affairs. For any purpose described in division (A) of this section, the legal mark of a registered elector shall be considered to be the mark of that elector as it appears on the elector's voter registration record.*
- Signers should **complete all fields corresponding to** the row on the petition he or she signs on. **With the signer's consent, the circulator or another person may assist the signer in filling in the information but may not sign on behalf of the elector.**
- A person who has **Power of Attorney may not sign** on behalf of another elector. Only someone who has been pre-designated as an **Attorney-in-Fact** with the Board of Elections may sign on a voter's behalf, and still must do so **in his or her presence.**
- If information (name, address, etc.) is **not legible**, the signer or circulator **may print the information** in a legible manner.
- Do not allow a person to sign another person's name. This action will invalidate the part-petition.**
- The address the signer provides must match the address on file with the Board of Elections (except when otherwise specified in a charter).** If the signer has moved, he or she should complete a voter registration form before or after the part-petition is signed. **Voter registration forms must be filed before or at the same time as the petition.**
- A candidate **may not sign his or her own petition.**

- A circulator may not sign the petition he or she is circulating.

### **After Circulating is Completed**

- The circulator MUST complete the Circulator Statement on the back of the petition, even if he or she is the candidate as well as the circulator.**
- The number of signatures in the Circulator Statement must be accurate. Failure to put the correct total number of signatures could invalidate the entire part-petition.**
- Consider checking the signatures and the information the signer provides by acquiring a voter list and/or using the public access computer located at the Board of Elections office.**
- Have several people review your petition prior to filing to identify any errors or omissions.**
- Complete the Candidate Filing Checklist** provided to each individual who received petitions (and available online). Staff will suggest that this be completed prior to filing the petition forms.
- The **filing fee may be paid in cash or check** made payable to the Clark County Board of Elections.
- The candidate is not required to file his or her own petition.** Another individual may file on his or her behalf.



## Write-in Candidate Information

Individuals desiring to become write-in candidates must file [Form 13](#). Each filer will be required to pay the same filing fee which is paid by other candidates for office. Write-in candidates must meet the other requirements for office and must complete Form 13 **properly and completely**.

### Required information:

1. Name of Candidate
2. Street name and address
3. City
4. Zip code
5. Office title
6. Commencing date check box (full or unexpired)
7. Commencing date (full or unexpired)
8. State, District, County, Township, Village, Precinct, etc. of the office (i.e. if filing to be a write-in candidate for the office of mayor, you must input the village).
9. Election check boxes (choose **one of the three** and **fill in appropriate lines** associated with the check box).
  - a. If running for an office on the ballot in a primary election and seeking party nomination, choose the first box (do not check if running for county central committee).
  - b. If running for an office on the ballot in a general, choose the second box;
  - c. If running for the office of county central committee, choose the third box

**Remember to complete the lines associated with the check box**
10. Sign the form – the signature of the candidate **must** be provided.

## Petition Verification Guidelines

### I. PURPOSE

To establish clear and uniform guidelines for the Board of Elections when ruling on candidate petitions. Most of the following guidelines are set forth in the Ohio Revised Code; others are created to fill in where the law is silent or ambiguous. Reference; 3501 .38 General rules for petitions and declaration of candidacy.

### II. SCOPE

All potential candidates that circulate and file a Declaration of Candidacy or Nominating Petition and Statement of Candidacy.

### III. DEFICIENCIES ON A PART PETITION

1. Statement of Candidacy and Declaration Section is not completely filled out. Full term commencing date or unexpired term date must be completed only if required to distinguish an office. This **will invalidate the entire part-petition**.
2. Candidate neglects to sign the Statement of Candidacy. This **will invalidate the entire part petition**.
3. Candidate signs the Statement of Candidacy in a manner other than what is on file with the Board of Elections as of the date the petition is filed. This **will invalidate the entire part petition unless it is a direct derivative or the initials of the first or middle name of the candidate**. The part-petition **may be deemed valid** by a vote of at least three Board Members.

4. If the Nominating Petition for Candidate Section is not completely filled out, the entire part petition **may** be invalidated.
5. If the Nominating Petition or Petition of Candidate Section does not match the Statement of Candidacy and Declaration Section, the entire part-petition **may** be invalidated.
6. The following **will invalidate the entire part-petition:**
  - a. Circulator Statement section not completely filled out.
  - b. Name of circulator not printed.
  - c. Circulator does not fill in Party if applicable.
  - d. Circulator does not fill in the number of signatures.
  - e. Circulator does not sign the part-petition.
  - f. Circulator does not write their street address.
  - g. Circulator writes only a P.O. Box in the address.
7. Signer does not write in the date on which the signature was affixed. This **will invalidate the signature.** **(However, applicable are: month-date-year; month-date; date out of sequence with other signers' date, as long as date is not prior to the date on the Declaration of Candidacy; ditto marks.)**
8. Signature on the petition must appear to be the genuine signature of the person whose signature it purports to be, or the elector's name as signed by the elector's Attorney-in-Fact, compared to the signature on file with the Board of Elections as of the date the petition is filed.
9. Circulator signed the part-petition he or she circulated. This **will invalidate the signature**, but not the entire part-petition.
10. The following may invalidate the signature:
  - a. If the signature and address are both unreadable so that it is impossible to check the signature against the voter record.
  - b. Signer is not a qualified elector in the proper jurisdiction as of the date the petition is filed
  - c. Address provided on the petition paper is not the address on file with the Board of Elections as of the date the petition is filed.
  - d. Signature was written using other than ink.
  - e. Signature date precedes candidate signature date.
  - f. Candidates may not sign their own petition.

- g. If the signer does not sign in the manner that is on file with the Board of Elections. (e.g., cursive or printed)
  - h. Signer's voting residence address (street and number) is not written in, ditto marks are allowed.
11. Signer's city, village or township is not written in, ditto marks are allowed. This **does not invalidate the signature.**
  12. Signer has signed with a different last name than the Board of Elections has on file. If the handwriting of the first name matches and the address is the same as what is on file, the signature may be deemed valid by two board staff members of different political parties. (This rule applies to local petitions only).
  13. Petitions submitted to the Board of Elections by electronic submissions (Fax, Email) **will not be accepted.**

#### IV. DEFINITIONS

1. **Candidate** - This is the person that wishes to run for a specific office.
2. **Full Term** - This box is checked and the date filled in (date needed only if required to distinguish an office).
3. **Unexpired Term** - This box is checked and the date filled in to correctly distinguish the office sought.
4. **Candidate Signature Date** - This date is located in the "Statement of Candidacy" section directly before the Candidates Signature. This date must proceed and petition signers date.
5. **Circulator** - This is the person that is circulating (collecting) signatures on said part petition, this can only be one person. If the candidate is the circulator then the candidate must complete this section.