



Franklin County

**BOARD OF ELECTIONS**

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**PETITIONS & CAMPAIGN FINANCE**

1700 Morse Road  
Columbus, Ohio 43229  
(614) 525-2370  
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**DECLARATION OF CANDIDACY AND NOMINATING PETITION REQUIREMENTS**

Review this document prior to circulating your petition.

**The information provided herein is not legal advice, but the Board’s effort to provide potential candidates with the applicable filing requirements as specified by the Ohio Revised Code or a local charter. You should consult a qualified attorney experienced in election law for legal advice.**

**Office Sought:** \_\_\_\_\_ **Date of Election:** \_\_\_\_\_

**Jurisdiction:** \_\_\_\_\_ **Form Number:** \_\_\_\_\_

**Filing Deadline:** **NO LATER THAN 4:00 PM ON** \_\_\_\_\_ **Fee: Total \$ (BOE \$ \_\_\_\_\_, OEC \$ \_\_\_\_\_)**

[Cash, check or money order made payable to: Franklin County Board of Elections]

**Valid Signatures Required: Minimum** \_\_\_\_\_ **Maximum** \_\_\_\_\_ **Multi-County:** \_\_\_\_\_

\*No petition shall be accepted for filing if it appears to contain on its face more than the maximum number of signatures permitted. [R.C. 3513.05 or Municipal Charter]

**Additional requirements specific to the Office Sought:**

**Candidate must sign the Declaration of Candidacy prior to circulating the petition.**

The candidate named in the petition must sign and date the declaration of candidacy prior to circulating the petition. If the petition consists of more than one separate petition paper, the declaration of candidacy of the candidate named need be signed by the candidate on only one of such separate petition papers, but the declaration of candidacy so signed shall be copied on each other separate petition paper before the signatures of electors are placed on it. [R.C. 3513.09] At least one petition paper with a “wet” signature (in ink, not copied) is required with the filing.

**General rules for petitions and declarations of candidacy [R.C. 3501.38; Effective 4/6/2017]**

All declarations of candidacy, nominating petitions, or other petitions presented to or filed with the secretary of state or a board of elections or with any other public office for the purpose of becoming a candidate for any nomination or office or for the holding of an election on any issue shall, in addition to meeting the other specific requirements prescribed in the sections of the Revised Code relating to them, be governed by the following rules:

(A) Only electors qualified to vote on the candidacy or issue which is the subject of the petition shall sign a petition. Each signer shall be a registered elector pursuant to section 3503.01 of the Revised Code. The facts of qualification shall be determined as of the date when the petition is filed.

(B) Signatures shall be affixed in ink. Each signer may also print the signer’s name, so as to clearly identify the signer’s signature.

(C) Each signer shall place on the petition after the signer's name the date of signing and the location of the signer's voting residence, including the street and number if in a municipal corporation or the rural route number, post office address, or township if outside a municipal corporation. **The voting address given on the petition shall be the address appearing in the registration records at the board of elections.**

(D) Except as otherwise provided in section 3501.382 of the Revised Code, no person shall write any name other than the person's own on any petition. Except as otherwise provided in section 3501.382 of the Revised Code, no person may authorize another to sign for the person. If a petition contains the signature of an elector two or more times, only the first signature shall be counted.

(E)(1) On each petition paper, the circulator **(including the candidate if circulating one's own petition)** shall indicate the number of signatures contained on it, and shall sign a statement made under penalty of election falsification that the circulator witnessed the affixing of every signature, that all signers were to the best of the circulator's knowledge and belief qualified to sign, and that every signature is to the best of the circulator's knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

(F) Except as otherwise provided in section 3501.382 of the Revised Code, if a circulator knowingly permits an unqualified person to sign a petition paper or permits a person to write a name other than the person's own on a petition paper, that petition paper is invalid; otherwise, the signature of a person not qualified to sign shall be rejected but shall not invalidate the other valid signatures on the paper.

(G) The circulator of a petition may, before filing it in a public office, strike from it any signature the circulator does not wish to present as a part of the petition.

(H) Any signer of a petition or an attorney in fact acting pursuant to section 3501.382 of the Revised Code on behalf of a signer may remove the signer's signature from that petition at any time before the petition is filed in a public office by striking the signer's name from the petition; no signature may be removed after the petition is filed in any public office.

(I)(1) No alterations, corrections, or additions may be made to a petition after it is filed in a public office.

(2)(a) No declaration of candidacy, nominating petition, or other petition for the purpose of becoming a candidate may be withdrawn after it is filed in a public office. Nothing in this division prohibits a person from withdrawing as a candidate as otherwise provided by law.

(b) No petition presented to or filed with the secretary of state, a board of elections, or any other public office for the purpose of the holding of an election on any question or issue may be resubmitted after it is withdrawn from a public office. Nothing in this division prevents a question or issue petition from being withdrawn by the filing of a written notice of the withdrawal by a majority of the members of the petitioning committee with the same public office with which the petition was filed prior to the sixtieth day before the election at which the question or issue is scheduled to appear on the ballot.

(J) All declarations of candidacy, nominating petitions or other petitions under this section shall be accompanied by the following statement in boldface capital letters: **WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.**

(K) All separate petition papers shall be filed at the same time, as one instrument.

(L) If a board of elections distributes for use a petition form for a declaration of candidacy, nominating petition, or any type of question or issue petition that does not satisfy the requirements of law as of the date of that distribution, the board shall not invalidate the petition on the basis that the petition form does not satisfy the requirements of law, if the petition otherwise is valid. Division (L) of this section applies only if the candidate received the petition from the board within ninety days of when the petition is required to be filed.

**The candidate may not sign a petition in support of their own candidacy.**

**The circulator may not sign the part-petition they are circulating.** A circulator may sign a part-petition for the same candidate being circulated by another person.

**Ditto marks** may be used to indicate duplicate information (e.g., date, address or county).

**An elector's "non-signature information"** - e.g., the elector's address, county, or the date of signing - may be added by a person other than the elector, with the elector's permission.

#### **Legal mark of registered elector [R.C. 3501.011]**

Printed signatures are generally invalid (A) except as otherwise provided in divisions (B) and (C) of this section, and except as otherwise provided in any section of Title XXXV of the Revised Code to the contrary. As used in the sections of the Revised Code relating to elections and political communications, 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, initiative petition, referendum petition, recall petition, or any other kind of petition, or to sign or affix a signature on any other document that is filed with or transmitted to a board of elections or the office of the secretary of state, "sign" or "signature" means that person's written, cursive-style legal mark written in that person's own hand.

(B) 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.

(C) 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.

#### **Circulators of Petitions**

No person shall be entitled to circulate a petition unless the person is at least eighteen years of age [R.C. 3503.06(C)]. A circulator does not have to be an Ohio elector or Ohio resident. (*Citizens in Charge v. Husted*)

For purposes of signing or circulating a petition of candidacy for party nomination or election, an elector is considered to be a member of a political party if the elector voted in that party's primary election within the preceding two calendar years [R.C. 3513.05], or if the elector did not vote in any other party's primary election within the preceding two calendar years. If the board determines that the circulator voted in another political party's primary election during the prior two calendar years, the board must invalidate all part-petitions circulated by the circulator for the candidate named in the petition.

A candidate may circulate his/her part-petition regardless of how he/she may have voted in the prior two calendar years. If the candidate does not hold an elective office, or if the candidate holds an elective office other than one for which candidates are nominated at a party primary, the candidate does not need to file any additional forms. If the candidate holds partisan public office, the candidate can still run for office for a different party if the candidate has filed a Declaration of Intent to Change Political Party Affiliation (SOS Form 10-Y).

### **Multi-County Jurisdictions**

Each nominating petition containing signatures of electors of more than one county shall consist of separate petition papers each of which shall contain signatures of electors of only one county. Signatures from any other county shall be invalid. [R.C. 3513.261]

**Secretary of State Directive 2022-17** prohibits boards of elections from pre-checking petitions for prospective candidates or petitioners who seek review of their petition's validity and sufficiency before the candidates or petitioners file their original petitions.

## **Top Mistakes that Invalidate Petitions**

- 1. Declaration of Candidacy not signed by the candidate prior to circulating the petition.**
- 2. Statement of Circulator - including number of signatures witnessed and the signature of the circulator - not filled out completely.**
- 3. Insufficient number of valid signatures submitted (make certain you have collected a sufficient surplus of signatures to meet the minimum number of valid signatures required).**
- 4. The "Petition for Candidate" or "Nominating Petition" section is not completed, or that section is missing altogether because the print scaling was not correct.**

## **CHECKLIST FOR CANDIDATE PETITION**

Use this document to assist in the preparation and final review of your petition.

***Statement of Candidacy*** – *The intent of the statement of candidacy is to identify the candidate and specify the office they seek. By signing the declaration of candidacy, the candidate indicates that they are a qualified elector and eligible to run for the office.*

- The statement of candidacy must be dated and signed prior to the circulator gathering any signatures on the signature portion of the petition.
- Insert the name and address of the candidate (as listed in the registration files of the county board of elections).
- Identify the office being sought. You may need to provide the municipality name, a ward designation, a term commencing date (where applicable). *Complete the term ending date field only for an election to fill an unexpired term.*
- You may sign one copy of your petition with an original or “wet” signature and make copies of the original form for the additional forms needed; or you may make copies of the forms prior to signing and provide original or wet signatures on all copies of the petition forms submitted to the Board. At least one wet or original signature is required as a part of the petition filing.

***Signatures portion of the petition*** – *this portion of the petition affirms that the signers know the name of the candidate and the office being sought. By signing the petition, they are pledging their support to the candidate.*

- The candidate is not permitted to sign his/her own nominating petition as a supporter.
- A circulator of a petition is not permitted to sign the part-petition they are circulating. A circulator may sign a part-petition for the same candidate being circulated by another person.
- Signers must be qualified electors and registered from the address they sign on the petition. A post office box is not a valid registration address.
- Signers must be registered at an address within the district or jurisdiction of the office being sought.
- The signature of the elector must be the cursive handwriting signature or other legal mark as filed with the board of elections (unless the signer’s legal mark is printed). In addition to the signature, the signer’s name may also be printed to help identify the signer.
- Signatures must be in ink.
- The signer’s registered address must be provided on the petition.
- The date the signer affixed their signature must be recorded in the space provided.
- Circulators circulating petitions in a multi-county jurisdiction must identify the part-petitions by county of circulation and shall not co-mingle signatures from multiple counties on the same part-petition page. Part-petitions containing signatures from more than one county will be validated in the county where the most signatures were gathered. All other signatures on the part-petition will be invalid (marked OC for out of county).
- You may use the public access terminals at our office to validate your signatures.

**Circulator Statement** – *Must be completed by the circulator once the circulator is finished collecting signatures. (The circulator may be someone assisting the candidate or may be the candidate themselves). The circulator assisting the candidate is not required to be a registered voter. The circulator must witness the affixing of each signature on the petition they circulate. A part-petition may only be circulated by one individual. You are not permitted to let volunteer A circulate one part-petition today and volunteer B circulate the same part-petition tomorrow. Provide each volunteer with their own part-petition(s) to circulate.*

- The circulator's name is printed in the space provided.
- The number of signatures witnessed on the part-petition is indicated in the space provided. Count carefully and do not let persons add signatures to a petition after the circulator has completed the affidavit.
- On petitions for partisan office, the party of the circulator is indicated (when applicable).
- The circulator must sign the circulator's affidavit and provide their residence address.

**Additional Information (FAQs):**

- Petitions are designed to be printed on legal sized paper (8 ½ X 14) front to back (duplex).
- Never use white-out to correct errors on a petition. Create a new petition or strike through and initial the correction to make a change. Do not make changes to a petition once you have begun circulating it.
- Ditto marks are sufficient to indicate address, county or date information from the signature line above.
- The circulator of a petition may, before filing it in a public office, strike from it any signature the circulator does not wish to present as a part of the petition.
- The candidate services section of the Board of Elections website is a great resource. You may generate a list of registered voters in your jurisdiction, find maps, find information on campaign finance, and generate absentee labels.
- Have several people review your petitions prior to filing to identify any errors or omissions.