

DIRECTIVE 2008-46

June 12, 2008

TO: ALL COUNTY BOARDS OF ELECTIONS

RE: Nominating Petition of Robert M. Owens - Unexpired Term for Ohio Attorney General

Enclosed for your review and verification are the statement of candidacy and nominating petitions of Robert M. Owens for the unexpired term for Ohio attorney general. These documents were filed in the secretary of state's office on May 27, 2008. The facts of qualification for signers and circulators of the part petitions are determined **as of the date the petition was filed** in the secretary of state's office – **May 27, 2008**.

You must examine the part petitions in accordance with R.C. 3513.257, .261 (requirements of independent candidates), R.C. 3501.38 (rules governing petitions), R.C. 3501.011 (definition of "signature"), and the enclosed instructions. Your board must certify the validity and sufficiency of the petition papers by **June 27, 2008**. All petition papers and certification forms must be returned to the Secretary of State's office by **July 3, 2008**, via a method that provides a record of sending, tracking while in transit, and receipt upon delivery (examples: certified U.S. Mail, UPS, FedEx). You also may return them in person.

When examining each part petition, please remember the following:

- o A **signer** of this nominating petition must be a qualified elector whose qualifying voting address is located in the State of Ohio.
- o A **circulator** of this declaration of candidacy must be a qualified elector of Ohio.

You are reminded that, although R.C. 3501.38(C) provides that a *signer's* address on a petition must match the signer's address on file with the board of elections, no such requirement extends to the addresses of *candidates* or *circulators*. State law requires that both a candidate for statewide office and a circulator of a nominating petition be a qualified elector of the State of Ohio. Consequently, there is no basis in law for invalidating a part petition solely because the address of the candidate and/or circulator on that part petition differs from the address on file with a board of elections.

If you receive petition papers signed by a circulator from another Ohio county, please contact that county's board of elections to confirm the circulator's registration.

If you have any questions concerning the petitions, please call the elections attorney assigned to your county at 614-466-2585. We appreciate your hard work, dedication and cooperation.

Sincerely,

Jennifer Brunner