



CHAPTER 14: CANDIDATES¹

Section 14.01 Candidates, Introduction

This chapter explains the different types of candidates in Ohio elections and the board's responsibilities for each. It includes information about filing requirements, protests, and what to do when candidates withdraw or die.

Section 14.02 Types of Candidates

PARTISAN CANDIDATES - DECLARATION OF CANDIDACY²

A partisan candidate runs for office with a political party. A candidate must:

- File the proper declaration form with the board.
- Pay the required fee.

The filing deadline is 4 p.m., 90 days before the primary.³

The person's name will appear on the party's primary ballot of the political party named on their declaration of candidacy.⁴

A person who doesn't currently hold any elective office can run in any party's primary election regardless of party affiliation established by voting.⁵

A person who currently holds an elective office that doesn't use primaries can also run in any party's primary election regardless of party affiliation established by voting.⁶

¹Directive 2026-41.

²[R.C. 3513.04](#); [R.C. 3513.05](#); [R.C. 3513.07](#); [R.C. 3513.08](#); [R.C. 3513.09](#); [R.C. 3513.10](#); [R.C. 3513.191](#).

³[R.C. 3513.05](#).

⁴[R.C. 3513.04](#); [R.C. 3513.13](#).

⁵[R.C. 3513.191\(B\)](#).

⁶[R.C. 3513.191\(B\)](#).

A person who currently holds an elective office that uses primaries typically may not run in a different party's primary. However, if they want to become a candidate in a different party's primary, they must:⁷

- Complete [Form 10-Y](#) Declaration of Intent to Change Political Party Affiliation, and
- File it by 4 p.m., 30 days before the primary's filing deadline, and
- File the form with the same official with whom they'll file their declaration of candidacy and petition.⁸

A person can only file [Form 10-Y](#) once every 10 years.⁹

INDEPENDENT CANDIDATES - NOMINATING PETITION¹⁰

Independent candidates don't belong to a political party. To run as an independent, the candidate must:

- File a nominating petition by 4 p.m. the day before the primary.¹¹
- Be certified by the board.¹²
- Be truly independent from any political party.¹³

When filing, an independent candidate (except for judicial candidates) can ask in writing to be listed on the ballot as:

- A "nonparty" candidate.
- An "other-party" candidate.
- Without any designation at all.

If the independent candidate doesn't request a designation, their name will be on the ballot without any designation.¹⁴

⁷[R.C. 3513.191\(A\).](#)

⁸[R.C. 3513.191\(C\).](#)

⁹[R.C. 3513.191\(C\)\(3\).](#)

¹⁰[R.C. 3513.257](#); [R.C. 3513.261](#); [R.C. 3513.262](#); [R.C. 3513.28](#).

¹¹[R.C. 3513.257](#); [R.C. 3513.261](#); [R.C. 3513.262](#); [R.C. 3513.28](#).

¹²[R.C. 3513.263](#).

¹³*Morrison v. Colley*, 467 F.3d 503 (6th Cir. 2006); *Jolivet v. Husted*, 694 F.3d 760 (6th Cir. 2012). See also *State ex rel. Davis v. Summit County Board of Elections*, 137 Ohio St.3d 222 (2013).

¹⁴[R.C. 3513.257](#).

NONPARTISAN CANDIDATE - NOMINATING PETITION¹⁵

In the case of some offices, Ohio law doesn't allow partisan nominations (even where the candidate is selected in a partisan primary). These offices include:

- County court judge¹⁶
- Township office¹⁷
- Some municipal positions¹⁸

Nonpartisan candidates are those candidates who run for these offices. Most nonpartisan candidates are nominated by petition. The filing deadline is usually 4 p.m., 90 days before the general election. Confirm the filing deadline for each nonpartisan office in the county.

In townships or villages with less than 2,000 people, all candidates are nominated by petition unless voters choose to have partisan primaries.¹⁹ If not, all candidates are designated as nonpartisan candidates.

Township candidates will be nominated by petition as nonpartisan candidates unless either:²⁰

- Township voters petitioned for partisan elections.
- Past township elections were partisan.

Municipal candidates will be nominated by petition as nonpartisan candidates unless:²¹

- Municipal voters petitioned for partisan elections.
- Past municipal elections were partisan.
- A municipal charter provides otherwise.

All nonpartisan candidates must file nominating petitions to get on the ballot.²²

¹⁵[R.C. 1907.13](#); [R.C. 3513.251](#); [R.C. 3513.259](#); [R.C. 3513.261](#).

¹⁶[R.C. 1907.13](#).

¹⁷[R.C. 3513.253](#).

¹⁸[R.C. 3513.251](#).

¹⁹[R.C. 3513.01\(C\)](#).

²⁰[R.C. 3513.01\(C\)](#).

²¹[R.C. 3513.01\(C\)-\(D\)](#); [R.C. 3513.251](#); [R.C. 707.21](#); [Ohio Const. Article XVIII, Section 7](#).

²²[R.C. 3513.262](#).

WRITE-IN CANDIDATES - DECLARATION OF INTENT²³

Write-in candidates' names don't appear on the ballot. They must:

- File a declaration of intent form by 4 p.m., 72 days before the primary or general election.
- Meet all requirements for the office.

The board can only count votes for write-in candidates who filed a valid declaration. The Secretary of State provides the [declaration of intent form](#).

Write-ins are allowed for most, but not all, elections. The board cannot accept a write-in declaration for a municipal office if no primary election is held.²⁴

Section 14.03 When No Primary Election is Held or a Primary Election is Canceled

WHEN NO PRIMARY IS HELD²⁵

In odd-numbered years, statutory municipalities that normally hold partisan primaries will skip the primary if either:

- No one filed valid declaration of candidacy forms for nomination as a candidate for election to any office on the general election ballot.
- The number of candidates of one party doesn't exceed the number of positions available for that party.

²³[R.C. 3513.041](#); [1970 Op. Att'y. Gen. No. 1970-011](#); [1973 Op. Att'y. Gen. No. 1973-094](#).

²⁴[R.C. 3513.02](#); [1973 Op. Att'y. Gen. No. 1973-094](#).

²⁵[R.C. 3513.02](#).

If a primary election is canceled, the board must:²⁶

1. Declare the would-be candidates as nominated 90 days before the primary.
2. Issue appropriate certificates of nomination.
3. Certify their names for the general election ballot as if a primary had been held.

Section 14.04 Candidate Requirements

GENERAL REQUIREMENTS

The Secretary of State creates candidate forms as required by law. They are available on the [Secretary of State's website](#). The board must give candidates the most current version of the form.²⁷

REQUIRED CANDIDATE DISCLOSURES

Ethics Commission Financial Disclosure

Candidates for these positions must file financial disclosure statements with the Ohio Ethics Commission ([Ethics.Ohio.gov](#)):

- state office
- county office
- city office
- school board (in districts with more than 12,000 students)²⁸

Candidates for other offices must also file with the relevant authorities. Forms and further information are available from:

- Joint Legislative Ethics Committee [JLEC-OLIG.State.oh.us](#)
(For Ohio House and Senate candidates)
- Supreme Court of Ohio - [Board of Professional Conduct](#)
(Judges, judicial candidates, and magistrates)
- U.S. House of Representatives – [Office of the Clerk](#) (For U.S. House candidates)

²⁶[R.C. 3513.02.](#)

²⁷[R.C. 3501.38\(L\).](#)

²⁸[R.C. 102.02.](#)

- [U. S. Senate](#)
(For U.S. Senate candidates)
- [Federal Election Commission](#) (For presidential and vice-presidential candidates)

Campaign Finance Reporting

When a candidate files petitions, give them materials about:

- Campaign finance reporting.
- Compliance rules (including section [3517.21](#) of the Revised Code).
- Rules about unfair political campaign activities.

The board must get written confirmation from the candidate that they received these materials.²⁹

More information is available in the [Campaign Finance Handbook](#), [Ohio Campaign Finance Reporting Calendar](#), and other publications on the Secretary of State's website at [OhioSoS.gov](#).

Some cities and villages have additional campaign finance rules. Municipal candidates should check with their municipal government for more information.

Special Office Requirements

Some offices (such as county sheriff, judge, coroner, etc.) have specific educational and professional requirements. Candidates should review the [Candidate Requirement Guide](#) from the Secretary of State's office and consult with private legal counsel about these requirements.

Filing Fees³⁰

Each candidate must pay a filing fee when submitting forms. The fee:

- Is set by [R.C. 3513.10](#).
- Varies by office.
- Is nonrefundable.³¹

²⁹[R.C. 3513.33](#); [R.C. 3517.11\(B\)\(1\)](#).

³⁰[R.C. 3513.10](#).

³¹[R.C. 3513.10\(F\)\(1\)](#).

- Must be paid to the same office where the candidate files (i.e., county board or the Secretary of State).³²

There is no filing fee for a party office (i.e., delegate to a national convention, county central committee, or state central committee).³³

The board must pay a portion of each filing fee to the Ohio Election Integrity Commission Fund.³⁴ The fee amount is listed in division (B) of [R.C. 3513.10](#).

Section 14.05 Multiple Offices, Legal Restrictions, and Withdrawals

RUNNING FOR MULTIPLE OFFICES

Candidates may not run for more than one office at a time.³⁵ Additionally, unsuccessful primary candidates are generally prohibited from running for most offices in the following general election. Someone who ran in the primary but wasn't nominated can only file to run in the general election held in the same year for one of these offices:³⁶

- city, local, or exempted village Board of Education
- Educational Service Center board member
- township trustee

Someone who filed for the primary but wasn't on the ballot (because their petitions weren't certified or they withdrew) can be a write-in candidate for any office **in the general election** held in the same year.³⁷

The Supreme Court of Ohio says primary and general elections are separate elections, not two parts of the same election.³⁸ "Same election" in [R.C. 3513](#) does not mean the same election year.³⁹

³²[R.C. 3513.10\(D\)](#).

³³[R.C. 3513.10\(C\)](#).

³⁴[R.C. 3513.10\(B\)](#), (E).

³⁵[R.C. 3513.052](#).

³⁶[R.C. 3513.04](#).

³⁷[R.C. 3513.041](#). If a person filed to be a candidate for nomination at the primary election but the person's petitions were not certified or the person withdrew as a candidate and no primary election was ultimately required, the person can still be a write-in candidate for the same office or some other office at the general election held in the same year.

³⁸*State ex rel. Brinda v. Lorain Cty. Bd. of Elections*, 115 Ohio St.3d 299.

³⁹The *Brinda* interpretation of "same election" applies to all the statutes in [R.C. Chapter 3513](#) that use the phrase "same election."

The Supreme Court of Ohio has said a person only “seeks” a party nomination if they actually appeared on the primary ballot as a choice for voters.⁴⁰

KEY LEGAL RESTRICTIONS

Generally, someone who has already filed to be a candidate is prohibited from being a write-in candidate for another race in the same election. If someone files to be a candidate in a federal, state, or county race, they are prohibited from being a write-in candidate for a state or county office in the same election. If someone files to be a candidate for a municipal or township office or local school board or Educational Service Center board member, they are prohibited from being a write-in candidate for such offices in the same election.⁴¹

The board is prohibited from accepting a nominating petition for a school board position from someone who has already filed for a municipal or township office in the same election.⁴²

A person who was on the primary ballot and eligible to receive votes cannot file as an independent or write-in candidate for the general election, except for educational boards or township trustee.⁴³

However, a person who filed for the primary but wasn’t on the ballot (because their petition wasn’t certified or they withdrew) or whose name appeared but was not eligible to receive votes can be a write-in candidate for any office at the general election held in the same year.⁴⁴

WITHDRAWN CANDIDACIES

A candidate who timely withdraws (before the board reviews their petition and before the filing deadline) may file a new petition, even for the same office.⁴⁵ A valid notice of withdrawal cannot be rescinded.⁴⁶

⁴⁰*State ex rel. Knowlton v. Noble Cty. Bd. of Elections*, 126 Ohio St. 3d 483 (2010).

⁴¹[R.C. 3513.041](#).

⁴²[R.C. 3513.254](#).

⁴³See *Knowlton*, supra note 35.

⁴⁴See *Brinda*, supra note 33.

⁴⁵*State ex rel. Coble v. Lucas County Board of Elections*, 130 Ohio St.3d 132 (2011).

⁴⁶[R.C. 3513.30\(D\)-\(E\)](#).

Section 14.06 Protest of Certified Candidates⁴⁷

PROTEST PROCEDURE

A protest is a written objection to the certification of a candidacy, issue, or ballot.

For a valid protest against the candidacy of any person:

- It must be in writing.
- It must list specific legal ground(s).
- It must be filed with the board or the Secretary of State (wherever the candidate filed).

After the board gets a valid protest, it must:

- Set a time and place for a hearing.
- Notify the candidate and the protester.
- Allow both parties (or their legal counsel) to speak at the hearing.
- Determine the merits of the protest.

When resolving a protest, the board is acting in a quasi-judicial capacity (like a court).⁴⁸ Consult the county prosecutor as soon as the board gets a protest. Review the section on *Acting in Quasi-Judicial Capacity* in [Chapter 2, Section 2.02](#), of this manual. The board's decision is final.

Note: Without a timely protest, the board is prohibited from invalidating any candidacy or petition after the 60th day before an election.⁴⁹

TYPES OF PROTESTS

Protests Against Primary Candidates⁵⁰

Who can file:

- party's controlling committee

⁴⁷R.C. 3513.041; R.C. 3513.05; R.C. 3513.262; R.C. 3513.263.

⁴⁸R.C. 3501.39; *State ex rel. City of Upper Arlington v. Franklin Cty. Bd. of Elections*, 2008-Ohio-5093, 119 Ohio St. 3d 478, 895 N.E.2d 177.

⁴⁹R.C. 3501.39; see *State ex rel. Yeager v. Richland Cty. Bd. of Elections*, 136 Ohio St.3d 327, 2013-Ohio-3862, 995 N.E.2d 228, ¶ 22.

⁵⁰R.C. 3513.05.

- A voter who:
 - Is in the same party as the candidate.
 - Is eligible to vote for the candidate.

A voter is considered a member of the candidate's political party if they either:

- Voted only in that party's primary in the current year and last two calendar years.
- Didn't vote in any other party's primary in that period and other evidence supports their party affiliation.⁵¹

Filing deadline: 4 p.m. on the 74th day before the primary election.

Protests Against Write-In Candidates⁵²

Who can file: Any voter eligible to vote for the write-in candidate.

Filing deadline:

- Primary election write-in candidates: 4 p.m. on the 67th day before the primary.
- General election write-in candidates: 4 p.m. on the 67th day before the general election.

Protests Against Independent Candidates⁵³

Who can file: Any voter who can vote for the candidate.

Filing deadline: 4 p.m. on July 30, or, if it was a presidential primary, by the end of the 12th week after the primary.

Protests Against Nonpartisan Candidates⁵⁴

Who can file: Any voter who can vote for the candidate.

Filing deadline: 4 p.m. on the 74th day before the general election.

⁵¹[*State ex rel. Bender v. Franklin Cty. Bd. of Elections*, 157 Ohio St.3d 120, 2019-Ohio-2854.](#)

⁵²[R.C. 3513.041.](#)

⁵³[R.C. 3513.262.](#)

⁵⁴[R.C. 3513.263.](#)

RECONSIDERATION FOR CANDIDATES NOT CERTIFIED

If the board didn't certify a candidate for the ballot because they found the petition invalid or it didn't meet requirements, the candidate can ask the board to reconsider its determination.

Unlike a protest hearing, reconsideration hearings aren't mandatory. But if the board decides to have a hearing, it must consider evidence offered at the hearing showing the candidate or issue should be on the ballot.⁵⁵

Conduct these hearings like protest hearings. Give proper notice and allow representation.

Section 14.07 Death of Candidate Before Primary Election⁵⁶

PARTISAN CANDIDATE DEATH

If a candidate dies before the primary, usually the vacancy isn't filled unless a charter says otherwise.⁵⁷ However, there are exceptions when only one person filed for a party's nomination.⁵⁸

Partisan Candidate Dies More Than 10 Days Before Primary⁵⁹

When only one person filed for a party's nomination and the person dies more than 10 days before the primary,:

- The deceased candidate's party may select a replacement.
- Any major political party may select a candidate if either of the following applies:
 - No one filed for that party's nomination.
 - Only one person filed a valid declaration of candidacy, but the person withdrew, died, or was disqualified under [R.C. 3513.052](#), and the vacancy wasn't filled.

⁵⁵[Scott v. Franklin County Board of Election](#), 139 Ohio St. 3d 171 (2014).

⁵⁶[R.C. 3513.17](#); [R.C. 3513.30](#).

⁵⁷[R.C. 3513.17](#).

⁵⁸[R.C. 3513.30](#).

⁵⁹[R.C. 3513.30\(A\)](#).

The appropriate political party committee can fill the vacancy the same way vacancies are filled after the primary.⁶⁰ However, the required certification must be filed with the Secretary of State, a board of the most populous county of a district, or the board where most of the population of a subdivision is located, respectively, no later than 4 p.m. of the 10th day before the primary, or any other board no later than 4 p.m. of the fifth day before the primary.

If a Partisan Candidate Dies Within 10 Days of the Primary⁶¹

If only one person filed for a party's nomination and dies 10 days or less before the primary, the deceased candidate is considered as winning the nomination. The vacancy is treated as if they died on the day after the primary.

Section 14.08 Death of Candidate Prior to General Election⁶²

MAJOR PARTY NOMINEE DIES AFTER THE PRIMARY⁶³

If a primary winner dies, their party committee can select a replacement by:

1. Calling a meeting (give committee members at least two days' notice of time, place, and purpose of the meeting).
2. Have a majority of committee members present at the meeting.
3. Selecting a replacement by majority vote of those present.
4. Certifying the name in writing and under oath from the chairperson and secretary of the meeting.
5. Filing by these deadlines:
 - For multicounty candidacies: by 4 p.m. on the 10th day before the general election with the board of the most populous county (or the Secretary of State for statewide candidacies).

⁶⁰[R.C. 3513.30\(A\)\(2\).](#)

⁶¹[R.C. 3513.30\(A\)\(3\).](#)

⁶²[R.C. 3513.30](#); [R.C. 3513.31](#).

⁶³[R.C. 3513.31\(G\).](#)

- For single-county candidacies: by 4 p.m. of the fifth day before the general election with the appropriate board.

The certification must include the candidate's written acceptance of the nomination.

MINOR POLITICAL PARTY NOMINEE DIES AFTER THE PRIMARY⁶⁴

If a minor party nominee dies, the vacancy may be filled according to that party's rules. The certification process is the same as for major parties, with the same deadlines.⁶⁵

WHEN AN INDEPENDENT OR NONPARTISAN CANDIDATE DIES⁶⁶

If an independent or nonpartisan candidate dies before the 10th day before the general election:

- A majority of the petition's committee of five may select a replacement.
- They must file certification (signed and sworn under oath by a majority of the members) by 4 p.m., five days before the general election. They must file with the election officials with whom the petition nominating the original candidate was filed (i.e., the same board or other official).
- They must include the candidate's written acceptance of the nomination.

OTHER PARTIES' RIGHTS WHEN A VACANCY OCCURS⁶⁷

When a candidate who was nominated in a primary or by nominating petition withdraws, dies, or is disqualified before the general election:

- Another major party without a candidate for that office may select one.
- A nominating petition's committee of five may fill the vacancy if their nominee died and wasn't replaced.

These vacancies are filled in the same way a vacancy in a party nomination or nomination by petition is filled.

⁶⁴[R.C. 3513.31\(G\).](#)

⁶⁵[R.C. 3513.31\(A\)-\(E\).](#)

⁶⁶[R.C. 3513.31\(H\).](#)

⁶⁷[R.C. 3513.31\(K\).](#)

Section 14.09 Candidate Withdrawal

WITHDRAWAL DEADLINES

General Rule on Withdrawals

A candidate may withdraw at any time before an election by filing a written statement of withdrawal with the same office where they filed their original paperwork (the board or the Secretary of State).⁶⁸ A valid notice of withdrawal cannot be rescinded.⁶⁹

Presidential Primary Election Withdrawals

For presidential primaries, partisan presidential candidates must withdraw by 4 p.m. on the 40th day before the primary.⁷⁰

VALID NOTICE OF WITHDRAWAL⁷¹

A withdrawal of candidacy must be:

- In writing.
- Filed with the same office where the candidate filed originally.

The board cannot act on a reported withdrawal until it gets the official written notice from the candidate. Once filed, a valid notice of withdrawal cannot be rescinded.⁷²

FILLING VACANCIES ON GENERAL ELECTION BALLOT⁷³

Major Political Party Vacancies

If a primary nominee withdraws, the party committee may select a replacement by:

1. Calling a meeting (give committee members at least two days' notice of time, place, and purpose of the meeting).
2. Having a majority of members present at the meeting.
3. Selecting a replacement by majority vote.

⁶⁸[R.C. 3513.30\(B\) and \(D\)](#).

⁶⁹[R.C. 3513.30\(D\)-\(E\)](#).

⁷⁰[R.C. 3513.30\(C\)](#).

⁷¹[R.C. 3513.30\(B\)-\(E\)](#).

⁷²[R.C. 3513.30\(D\)-\(E\)](#).

⁷³[R.C. 3513.31\(A\)-\(E\)](#).

4. Certifying the name of the person in writing and under oath by the chairperson and secretary by the 86th day before the general election.
5. Including the nominee's written acceptance.

Minor Political Party Vacancies⁷⁴

Minor political parties fill vacancies according to their party's rules.

The chairperson and secretary of the meeting must:

- Certify the replacement in writing and under oath by the 86th day before the general election.
- Include the nominee's written acceptance.

Independent or Nonpartisan Vacancies⁷⁵

If an independent or nonpartisan candidate withdraws:

- A majority of the petition's committee of five may select a replacement.
- They must certify the replacement, in writing and under oath, by the 86th day before the general election.
- Include the replacement's written acceptance.

Other Parties' Rights When a Vacancy Occurs⁷⁶

When a nominated candidate withdraws, dies, or is disqualified prior to the general election:

- Another major party that hasn't nominated a candidate for that office may fill the vacancy.
- A nominating petition's committee of five may fill the vacancy if their nominee died and wasn't replaced.

These vacancies are filled the same way a vacancy in a party nomination or nomination by petition is filled.

⁷⁴[R.C. 3513.31\(A\)-\(E\).](#)

⁷⁵[R.C. 3513.31\(F\).](#)

⁷⁶[R.C. 3513.31\(K\).](#)

FILLING UNEXPIRED TERMS

If an officeholder dies or resigns before the end of their term, the immediate vacancy is filled in accordance with the statute governing the specific office. However, in some cases, an election may be required if the unexpired term is long enough.⁷⁷ If an officeholder dies or resigns after the 115th day before a primary election and someone can be elected at the next general election to finish the unexpired term:⁷⁸

- Each party's committee may select a candidate following the same process as for a withdrawal prior to a general election described in **Section 14.09**.⁷⁹
- Certification deadlines depend on when the vacancy happens:
 - Before the 86th day before the general election: File by 4 p.m. on the 86th day or the 10th day after the vacancy occurs, whichever is later.
 - From the 86th day before the next general election through the 46th day before the general election: File by 4 p.m. on the 10th day after the vacancy occurs.
 - Less than 46 days before the general election: File by 4 p.m. on the 36th day before the general election.
- Any person desiring to run for the vacancy as an independent candidate must file a statement of candidacy and nominating petition no later than 4 p.m. on the 10th day after the vacancy occurs, or by 4 p.m. of the 50th day before the general election if the vacancy occurs less than 62 days before the general election. The nominating petition must contain the lesser of 750 signatures or the number required under R.C. 3513.257.⁸⁰

If a person was already nominated in a primary or by petition under [R.C. 3517.012](#), the party committee cannot select and certify another candidate.

⁷⁷The issue of how the immediate vacancy should be filled and whether an election is required to fill the remainder of an unexpired term are issues to be resolved by the relevant jurisdiction/their legal counsel. When an election is required, the question of the selection of candidates is governed by [R.C. 3513.31](#).

⁷⁸[R.C. 3513.31\(I\)](#); see [Filling Vacancies in Elective Office](#).

⁷⁹A county executive committee is not prohibited from making a nomination in anticipation of a vacancy. See [State ex rel. Barth v. Hamilton County Bd. of Elections](#), 65 Ohio St. 3d 219, 602 N.E.2d 1130, 1992 Ohio LEXIS 2894 (Ohio 1992).

⁸⁰[R.C. 3513.31\(J\)](#).

Section 14.10 Special Circumstances

GOVERNOR/LIEUTENANT GOVERNOR CANDIDATE VACANCIES⁸¹

Death, Withdrawal, or Disqualification Before the Primary Election

- If a candidate for governor or lieutenant governor dies, withdraws, or is disqualified prior to the 70th day before the primary: The joint candidate for the other position appoints a replacement and certifies the name and address to the Secretary of State by the 65th day before the primary.
- If a candidate dies between the 70th and 10th day before the primary: The joint candidate makes the appointment and certifies the name and address to the Secretary of State by the fifth day before the primary.

Death, Withdrawal, or Disqualification Before the General Election

If a primary-nominated candidate for governor or lieutenant governor withdraws before the 90th day or dies before the 10th day before the general election, the vacancy is filled according to [R.C. 3513.31](#).⁸² These processes are outlined generally under **sections 14.08 and 14.09**, but candidates or party committees should consult their legal counsel should questions arise.

If an independent candidate for governor or lieutenant governor withdraws before the 90th day or dies before the 10th day before the general election⁸³:

- A majority of the petition's committee of five selects a replacement.
- For withdrawals: Certify by the 86th day before the general election.
- For deaths: Certify by 4 p.m. on the fifth day before the general election.
- Include written acceptance of the replacement.

If a vacancy in a joint candidacy for governor and lieutenant governor isn't filled, the entire candidacy is invalidated and removed from the ballot.⁸⁴

⁸¹[R.C. 3513.311](#).

⁸²[R.C. 3513.311\(E\)](#).

⁸³[R.C. 3513.311](#); [R.C. 3513.31\(F\)](#), (H).

⁸⁴[R.C. 3513.311\(G\)](#).

U.S. CONGRESSIONAL CANDIDATE VACANCIES

Death, Withdrawal, or Disqualification Before the Primary Election⁸⁵

If only one person filed for a party's nomination as a representative to Congress and that person withdraws or dies before the primary:

- A special election is scheduled, but only held if the race is contested.
- The Secretary of State sets the filing deadlines.
- The state pays all costs of this election.
- At this special election:
 - The withdrawn or deceased candidate's party may select a replacement candidate for Congress.
 - Other major parties may select candidates if they had no candidates or their only candidate withdrew or died.

If no special election is held, the Secretary of State issues a certificate of nomination to the person after the most populous county in the district confirms this.

Death, Withdrawal, or Disqualification Before the General Election⁸⁶

If a party's nominee for Congress withdraws or dies before the 90th day before the general election:

- A special election is scheduled, but only held if the race is contested.
- The Secretary of State sets the filing deadlines.
- The state pays all costs of this election.

If only one person filed a valid declaration of candidacy, that person automatically receives the nomination to appear on the ballot as that party's candidate.

⁸⁵[R.C. 3513.301.](#)

⁸⁶[R.C. 3513.312.](#)

Chapter 14 Checklist: Candidates

When Candidates File

- ☐ Give candidates newest forms from the Secretary of State website.
- ☐ Check filing deadlines.
- ☐ Collect filing fees.
- ☐ Send required portion to Ohio Election Integrity Commission Fund.
- ☐ Give candidates campaign finance materials.
- ☐ Get written confirmation they received these materials.

When Reviewing Petitions

- ☐ Check if partisan candidates voted in the right primaries.
- ☐ Make sure candidates aren't filing for multiple offices when not allowed.
- ☐ Process [Form 10-Y](#) for candidates changing parties.
- ☐ Certify qualified candidates.

When Handling Protests

- ☐ Accept written protests by these deadlines:
 - Partisan candidates: 4 p.m., 74 days before primary
 - Write-in candidates: 4 p.m., 67 days before election
 - Independent candidates: 4 p.m. on July 30
 - Nonpartisan candidates: 4 p.m., 74 days before the general election
- ☐ Schedule hearings.
- ☐ Notify all parties.
- ☐ Talk to the county prosecutor.
- ☐ Let both sides speak at hearings.
- ☐ Make fair decisions.

When Candidates Die or Withdraw

- ❑ Accept written withdrawal statements.
- ❑ If a candidate dies, follow procedures based on:
 - Type of candidate.
 - Timing before election.
 - Type of office.
- ❑ Allow party committees or petition committees to select replacements.
- ❑ Process replacement forms by legal deadlines.
- ❑ For governor/lieutenant governor or congressional races, follow special rules.
- ❑ Cancel primaries if needed.