



## 11<sup>TH</sup> CONGRESSIONAL DISTRICT SPECIAL CONGRESSIONAL ELECTION QUESTIONS AND ANSWERS

### **Q. Does a special congressional election have to be held to fill the vacancy in the 11<sup>th</sup> Congressional District?**

A. Yes. Pursuant to Ohio law, the vacancy must be filled by a special congressional election, and candidates for that election must be nominated in a special congressional primary.<sup>1</sup>

### **Q. Will the Governor appoint someone to the seat until the special election is held?**

A. No. When there is a vacancy in the U.S. House of Representatives, the Governor does not have authority to appoint a representative, but the Governor has the authority to set the time and place for the special congressional election.<sup>2</sup>

### **Q. Who is eligible to run?**

A. For the qualifications to run for U.S. Representative, refer to the [2020 Candidate Requirement Guide](#). The qualifications to run for the vacant seat are the same as the qualifications for U.S. Representative in 2020.

### **Q. What is the process for becoming a candidate?**

A. Persons seeking the nomination of a political party for Representative to Congress for Ohio's 11<sup>th</sup> Congressional District (unexpired term ending January 3, 2023)<sup>3</sup> must file [Form 2-E](#) (Declaration of Candidacy - Party Primary Election for District Office - Representative to Congress) by **May 5, 2021** (90 days prior to the special primary election).

Persons seeking to run as an independent candidate must file [Form 3-F](#) (Nominating Petition and Statement of Candidacy – Representative to Congress) by **August 2, 2021** (the day before the special primary election).

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<sup>1</sup> [R.C. 3521.03; 3513.32](#).

<sup>2</sup> [R.C. 3521.03](#).

<sup>3</sup> U.S. Const. Amend. XX, Sec. 1, provides that “[t]he terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3<sup>rd</sup> day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.”

Persons seeking to run as a write-in candidate must file [Form 13-C](#) (Declaration of Intent to be a Write-in Candidate for Office of United States Representative) by **May 24, 2021**, for the special congressional primary or **August 23, 2021**, for the special congressional general election.

All petitions must be filed with the Cuyahoga County Board of Elections – the most populous county in the 11<sup>th</sup> Congressional District. Ohio law requires each candidate filing a Declaration of Candidacy or Nominating Petition for the remainder of an unexpired term to designate the date on which that unexpired term will end.<sup>4</sup> For the anticipated vacant seat, the last day of the term is January 3, 2023.

**Q. Who can vote in the special election?**

A. Eligible voters residing within the 11<sup>th</sup> Congressional District may vote in the special election. The 11<sup>th</sup> Eleventh District encompasses portions of Cuyahoga and Summit Counties.<sup>5</sup>

**Q. What is the registration deadline for the special election?**

A. The voter registration deadline for the special congressional primary is **July 6, 2021**. The voter registration deadline for the special congressional general election is **October 4, 2021**.

**Q. Will absentee ballot request forms be sent to every eligible registered voter?**

A. Only upon request. Ohio law prohibits county boards of elections from sending unsolicited absentee ballot applications.<sup>6</sup> Eligible voters may vote absentee by mail, early in-person, or at their polling place on Election Day.

**Q. Will there be any adjustments to the campaign finance calendar?**

A. Candidates for U.S. Representative must follow federal campaign finance deadlines. The Federal Election Commission (FEC) will set the deadlines for the special congressional election. Once established, the deadlines will be posted on the FEC’s website at <https://www.fec.gov/help-candidates-and-committees/dates-and-deadlines/>.

**Q. If only one candidate files for a political party’s primary nomination or no candidate files for a political party’s nomination, does the board need to conduct a special congressional primary election for that political party?**

A. No. Like a primary election in an odd-numbered year, “a primary election preceding a special election to fill a vacancy in an office shall be eliminated if no valid declaration of candidacy is filed for such office, or if the number of persons filing such declarations of candidacy as candidates

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<sup>4</sup> [R.C. 3513.08](#); [3513.28](#).

<sup>5</sup> [R.C. 3521.01](#).

<sup>6</sup> [R.C. 3501.05](#).

of one political party does not exceed the number of candidates which such political party is entitled to nominate for election to such office.”<sup>7</sup>

**Q. When do absent voter ballots need to be available for distribution for the special congressional primary and general elections?**

A. Absentee voting for uniformed services and overseas voters begins the 46<sup>th</sup> day prior to Election Day, which is **June 18, 2021** for the special congressional primary and **September 16, 2021** for the special congressional general election. Regular absentee voting begins the day after the close of voter registration (**July 6, 2021**) for each election, which is **July 7, 2021** for the special congressional primary and **October 5, 2021** for the special congressional general election.

**Q. Will the State pay the costs associated with holding the special congressional election?**

A. Yes. The State is required to pay the costs associated with conducting the special congressional election.<sup>8</sup> The Secretary of State’s Office will provide additional details on reimbursement to the affected boards of elections at a later date.

**Q. May a board of elections “combine” precincts for the special congressional election?**

A. Boards of elections may combine precincts within their jurisdiction. However, boards should note the following:

- Changes in precinct boundaries must not occur during the 25 days immediately preceding a primary or general election.<sup>9</sup>
- A precinct cannot contain more than 1,400 electors.<sup>10</sup>

**Q. Will a 17-year old elector who will be 18 years old on or before November 2, 2021 be eligible to vote in the special congressional primary election?**

A. Yes. A 17-year old elector who will be 18 years old on or before November 2, 2021 may vote in the special congressional primary to be held on August 3, 2021.<sup>11</sup>

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<sup>7</sup> [R.C. 3513.32](#).

<sup>8</sup> [R.C. 3521.03](#).

<sup>9</sup> [R.C. 3501.18\(A\)](#).

<sup>10</sup> [R.C. 3501.18\(A\)](#).

<sup>11</sup> [R.C. 3503.01](#); [3503.011](#); [3503.07](#).