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H.B. 149
134th General Assembly

Bill Analysis

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Version: As Passed by the House

Primary Sponsors: Reps. Swearingen and Stewart

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SUMMARY

- Requires a candidate for chief justice or justice of the Ohio Supreme Court or judge of a court of appeals who was nominated at a primary election to appear on the ballot at the general election with a political party designation.
- Changes the placement of those offices on the ballot.

DETAILED ANALYSIS

The bill was enacted in identical form as S.B. 80 of the 134th General Assembly, which took effect September 30, 2021.

Party designation for judicial candidates

The bill requires a candidate for chief justice or justice of the Ohio Supreme Court or judge of a court of appeals who was nominated at a primary election to appear on the ballot at the general election with a political party designation. Under continuing law, such a candidate who is not affiliated with a party may file a nominating petition and appear on the general election ballot as an independent candidate.

Currently, judicial candidates in Ohio are nominated at party primaries in the same manner as candidates for other offices, but they do not have a party designation on the ballot at the general election. The bill changes this system for Ohio Supreme Court and court of appeals candidates, but maintains the current system for candidates for judge of a municipal court, county court, or court of common pleas.¹

¹ R.C. 3501.01, 3505.03, 3505.04, and 3513.257.

Ballot order

In moving Ohio Supreme Court and court of appeals candidates to the partisan office ballot, the bill also changes the order in which those offices appear on the ballot. Under continuing law, offices appear on the ballot in a prescribed order, with partisan offices appearing first, then nonpartisan offices, and finally ballot issues. The bill requires offices to appear on the ballot in the following order:²

Partisan offices	Nonpartisan offices
Governor and Lieutenant Governor	Member of the State Board of Education
Attorney General	County judicial offices
Auditor of State	Municipal and township offices
Secretary of State	Member of a district board of education
Treasurer of State	
<i>Chief Justice of the Ohio Supreme Court</i>	
<i>Justice of the Ohio Supreme Court</i>	
U.S. senator	
U.S. representative	
State senator	
State representative	
<i>Judge of a court of appeals</i>	
County commissioner	
County auditor	
Prosecutor	
Clerk of the court of common pleas	
Sheriff	
County recorder	

² R.C. 3505.03 and 3505.04.

Partisan offices	Nonpartisan offices
County treasurer County engineer Coroner	

HISTORY

Action	Date
Introduced	02-23-21
Reported, H. Government Oversight	06-10-21
Passed House (57-38)	06-23-21