



April 5, 2024

Chairwoman Liz Walters
Ohio Democratic Party
697 East Broad Street, Suite 101
Columbus, OH 43215

Re: Presidential Certification Dates and Ballot Access

Dear Chairwoman Walters,

I am seeking clarification on an apparent conflict in Ohio law between the Democratic National Committee's nominating process and the deadline by which the party's presidential nominee must be certified to this office for Ohio's November 5, 2024 general election ballot.

Ohio Revised Code 3505.10(B)(1) requires the ballot to include presidential candidates certified to this office who were "...[n]ominated by the national convention of a political party to which delegates and alternates were elected in this state at the next preceding primary election. A political party certifying candidates so nominated shall certify the names of those candidates to the secretary of state on or before the ninetieth day before the day of the general election."

The Democratic National Convention is scheduled to convene on August 19, 2024, which occurs more than a week after the August 7 deadline to certify a presidential candidate to this office. Therefore, pending further clarification, I am left to conclude that the Democratic National Committee must either move up its nominating convention or the Ohio General Assembly must act by May 9, 2024 (90 days prior to a new law's effective date) to create an exception to this statutory requirement. Please contact me as soon as possible with any information that can assure this office of timely compliance with Ohio law. Thank you for your prompt attention to this matter.

Sincerely,

Paul Disantis

Paul Disantis
Chief Legal Counsel

cc: Representative Allison Russo, Ohio House of Representatives Minority Leader
Senator Nickie Antonio, Ohio Senate Minority Leader