

**As Passed by the House**

**125th General Assembly**

**Regular Session**

**2003-2004**

**Sub. H. B. No. 204**

**Representatives Wolpert, Gilb, Seitz, McGregor, Collier, Barrett, Allen, Kearns, Seaver, Chandler, Daniels, Cirelli, Domenick, C. Evans, Fessler, Flowers, Olman, Schlichter, Sferra, Skindell, Wagner, Walcher, Carano, DePiero, Distel, Gibbs, Harwood, Hughes, Key, Miller, Niehaus, S. Patton, Raussen, Reidelbach, Schmidt, Schneider, G. Smith, J. Stewart, Sykes**

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**A B I L L**

To amend sections 1.59, 9.08, 9.314, 101.691, 1  
125.072, 149.38, 149.432, 307.12, 341.42, 505.10, 2  
718.07, 721.15, 753.32, 955.013, 1306.16, 2307.64, 3  
3517.10, 3517.106, 3517.11, 5145.31, and 5703.49 4  
and to enact sections 117.111, 304.01, 304.02, 5  
304.03, and 304.04 of the Revised Code to provide 6  
for the use of electronic records and signatures 7  
by county offices if specified security procedures 8  
are adopted, to require the Auditor of State to 9  
audit electronic record security procedures 10  
adopted by county offices, to create a single 11  
definition of the "internet" to be used throughout 12  
the Revised Code, and to provide notice to county 13  
historical societies and other local entities that 14  
county records are being sent to the Ohio 15  
Historical Society for potential distribution. 16

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 1.59, 9.08, 9.314, 101.691, 125.072, 17

149.38, 149.432, 307.12, 341.42, 505.10, 718.07, 721.15, 753.32, 18  
955.013, 1306.16, 2307.64, 3517.10, 3517.106, 3517.11, 5145.31, 19  
and 5703.49 be amended and section 117.111, 304.01, 304.02, 20  
304.03, and 304.04 of the Revised Code be enacted to read as 21  
follows: 22

**Sec. 1.59.** As used in any statute, unless another definition 23  
is provided in ~~such~~ that statute or a related statute: 24

(A) "Child" includes child by adoption. 25

(B) "Oath" includes affirmation, and "swear" includes affirm. 26

(C) "Person" includes an individual, corporation, business 27  
trust, estate, trust, partnership, and association. 28

(D) "Population" means that shown by the most recent regular 29  
federal census. 30

(E) "Property" means real and personal property. 31

(F) "Rule" includes regulation. 32

(G) "State," when applied to a part of the United States, 33  
includes any state, district, commonwealth, territory, insular 34  
possession thereof, and any area subject to the legislative 35  
authority of the United States of America. "This state" or "the 36  
state" means the state of Ohio. 37

(H) "United States" includes all the states. 38

(I) "Will" includes codicil. 39

(J) "Written" or "in writing" includes any representation of 40  
words, letters, symbols, or figures; this provision does not 41  
affect any law relating to signatures. 42

(K) "Internet" means the international computer network of 43  
both federal and nonfederal interoperable packet switched data 44  
networks, including the graphical subnetwork known as the world 45

wide web.

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**Sec. 9.08.** (A) As used in this section:

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(1) "Computer," "computer network," "computer system,"  
"computer services," "telecommunications service," and  
"information service" have the same meanings as in section 2913.01  
of the Revised Code.

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(2) "Contractor" means either of the following:

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(a) A person who enters into a contract under section 9.06 of  
the Revised Code.

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(b) A person who enters into a contract under section 9.07 of  
the Revised Code to operate and manage a correctional facility in  
this state for out-of-state prisoners.

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(3) "Private correctional facility" means a correctional  
facility that is operated by a contractor under a contract  
pursuant to section 9.06 or 9.07 of the Revised Code.

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~~(4) "Internet" has the same meaning as in section 341.42 of  
the Revised Code.~~

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(B) No officer or employee of a contractor who is operating  
and managing a private correctional facility shall provide a  
prisoner in the private correctional facility access to or permit  
a prisoner in the private correctional facility to have access to  
the internet through the use of a computer, computer network,  
computer system, computer services, telecommunications service, or  
information service unless both of the following apply:

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(1) The prisoner is participating in an approved educational  
program with direct supervision that requires the use of the  
internet for training or research purposes.

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(2) The provision of and access to the internet is in  
accordance with rules promulgated by the department of

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rehabilitation and correction pursuant to section 5120.62 of the Revised Code. 75  
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(C)(1) No prisoner in a private correctional facility shall access the internet through the use of a computer, computer network, computer system, computer services, telecommunications service, or information service unless both of the following apply: 77  
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(a) The prisoner is participating in an approved educational program with direct supervision that requires the use of the internet for training or research purposes. 82  
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(b) The provision of and access to the internet is in accordance with rules promulgated by the department of rehabilitation and correction pursuant to section 5120.62 of the Revised Code. 85  
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(2) Whoever violates division (C)(1) of this section is guilty of improper internet access, a misdemeanor of the first degree. 89  
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**Sec. 9.314.** (A) As used in this section: 92

(1) "Contracting authority" has the same meaning as in section 307.92 of the Revised Code. 93  
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~~(2) "Internet" means the international computer network of both federal and nonfederal interoperable packet switched data networks, including the graphical subnetwork called the world wide web.~~ 95  
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~~(3)~~ "Political subdivision" means a municipal corporation, township, county, school district, or other body corporate and politic responsible for governmental activities only in geographic areas smaller than that of the state and also includes a contracting authority. 99  
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~~(4)~~(3) "Reverse auction" means a purchasing process in which 104

offerors submit proposals in competing to sell services or 105  
supplies in an open environment via the internet. 106

~~(5)~~(4) "Services" means the furnishing of labor, time, or 107  
effort by a person, not involving the delivery of a specific end 108  
product other than a report which, if provided, is merely 109  
incidental to the required performance. "Services" does not 110  
include services furnished pursuant to employment agreements or 111  
collective bargaining agreements. 112

~~(6)~~(5) "Supplies" means all property, including, but not 113  
limited to, equipment, materials, other tangible assets, and 114  
insurance, but excluding real property or interests in real 115  
property. 116

(B) Whenever any political subdivision that is required by 117  
law to purchase services or supplies by competitive sealed bidding 118  
or competitive sealed proposals determines that the use of a 119  
reverse auction is advantageous to the political subdivision, the 120  
political subdivision, in accordance with this section and rules 121  
the political subdivision shall adopt, may purchase services or 122  
supplies by reverse auction. 123

(C) A political subdivision shall solicit proposals through a 124  
request for proposals. The request for proposals shall state the 125  
relative importance of price and other evaluation factors. The 126  
political subdivision shall give notice of the request for 127  
proposals in accordance with the rules it adopts. 128

(D) As provided in the request for proposals and in the rules 129  
a political subdivision adopts, and to ensure full understanding 130  
of and responsiveness to solicitation requirements, the political 131  
subdivision may conduct discussions with responsible offerors who 132  
submit proposals determined to be reasonably susceptible of being 133  
selected for award. The political subdivision shall accord 134  
offerors fair and equal treatment with respect to any opportunity 135

for discussion regarding any clarification, correction, or 136  
revision of their proposals. 137

(E) A political subdivision may award a contract to the 138  
offeror whose proposal the political subdivision determines to be 139  
the most advantageous to the political subdivision, taking into 140  
consideration factors such as price and the evaluation criteria 141  
set forth in the request for proposals. The contract file shall 142  
contain the basis on which the award is made. 143

(F) The rules that a political subdivision adopts under this 144  
section may require the provision of a performance bond, or 145  
another similar form of financial security, in the amount and in 146  
the form specified in the rules. 147

**Sec. 101.691.** (A) Either house of the general assembly or any 148  
legislative agency may dispose of any excess or surplus supplies 149  
that it possesses by sale, lease, donation, or other transfer, 150  
including, but not limited to, sale by public auction over the 151  
~~internet, as defined in section 341.42 of the Revised Code.~~ 152  
Nothing in this division prohibits either house of the general 153  
assembly or a legislative agency from having the director of 154  
administrative services dispose of excess or surplus supplies of 155  
that house under sections 125.12 to 125.14 of the Revised Code. 156

(B) Any proceeds from sales, leases, or other transfers made 157  
under division (A) of this section shall be deposited in the house 158  
~~of representatives reimbursement special revenue~~ fund, the senate 159  
reimbursement ~~special revenue~~ fund, or a legislative agency 160  
special revenue fund identified by the director of the agency, as 161  
appropriate. 162

**Sec. 117.111.** (A) If a county office uses electronic records 163  
and electronic signatures under Chapter 1306. of the Revised Code, 164  
the auditor of state, in conducting an audit of that office under 165

division (A) or (B) of section 117.11 of the Revised Code, shall 166  
inquire into the method, accuracy, and effectiveness of any 167  
security procedure adopted by that office under section 304.02 of 168  
the Revised Code. 169

(B) As used in this section, "county office," "electronic," 170  
"electronic record," and "electronic signature" have the same 171  
meanings as in section 304.01 of the Revised Code. 172

**Sec. 125.072.** (A) As used in this section+ 173

~~(1) "Internet" means the international computer network of~~ 174  
~~both federal and nonfederal interoperable packet switched data~~ 175  
~~networks, including the graphical subnetwork called the world wide~~ 176  
~~web.~~ 177

~~(2) "Reverse, "reverse auction" means a purchasing process in~~ 178  
~~which offerors submit bids in competing to sell services or~~ 179  
~~supplies in an open environment via the internet.~~ 180

(B) Whenever the director of administrative services 181  
determines that the use of a reverse auction is advantageous to 182  
the state, the director, in accordance with rules the director 183  
shall adopt, may purchase services or supplies by reverse auction. 184

(C) The director, by rule, may authorize a state agency that 185  
is authorized to purchase services or supplies directly to 186  
purchase them by reverse auction in the same manner as this 187  
section and the rules adopted under this section authorize the 188  
director to do so. 189

**Sec. 149.38.** (A) There is hereby created in each county a 190  
county records commission, composed of the president of the board 191  
of county commissioners as ~~chairman~~ chairperson, the prosecuting 192  
attorney, the auditor, the recorder, and the clerk of the court of 193  
common pleas. The commission shall appoint a secretary, who may or 194

may not be a member of the commission and who shall serve at the 195  
pleasure of the commission. The commission may employ an archivist 196  
to serve under its direction. The commission shall meet at least 197  
once every six months, and upon call of the ~~chairman~~ chairperson. 198

(B) The functions of the county records commission shall be 199  
to provide rules for retention and disposal of records of the 200  
county and to review applications for one-time records disposal 201  
and schedules of records retention and disposal submitted by 202  
county offices. Records may be disposed of by the commission 203  
pursuant to the procedure outlined in this section. The commission 204  
~~may~~, at any time, may review any schedule it has previously 205  
approved, and, for good cause shown, may revise that schedule, 206  
subject to division (D) of this section. 207

(C) When the county records commission has approved county 208  
records ~~have been approved~~ for disposal, a copy of ~~such records~~ a 209  
list of those records shall be sent to the auditor of state. If ~~he~~ 210  
the auditor of state disapproves the action by the ~~county~~ 211  
commission in whole or in part, ~~he~~ the auditor of state shall so 212  
inform the commission within a period of sixty days, and ~~these~~ 213  
those records shall not be destroyed. Before public records are to 214  
be disposed of, the commission shall inform the Ohio historical 215  
society ~~shall be informed~~ and ~~given~~ give the society the 216  
opportunity for a period of sixty days to select for its custody 217  
such records as it considers to be of continuing historical value. 218  
When the Ohio historical society is so informed that public 219  
records are to be disposed of, the county records commission also 220  
shall notify the county historical society, and any public or 221  
quasi-public institutions, agencies, or corporations in the county 222  
that have provided the commission with their name and address for 223  
these notification purposes, that the Ohio historical society has 224  
been so informed and may select records of continuing historical 225  
value, including records that may be distributed to any of the 226



notified entities under section 149.31 of the Revised Code. 227

(D) The rules of the county records commission shall include 228  
a rule that requires any receipts, checks, vouchers, or other 229  
similar records pertaining to expenditures from the delinquent tax 230  
and assessment collection fund created in section 321.261 of the 231  
Revised Code, from the real estate assessment fund created in 232  
section 325.31 of the Revised Code, or from amounts allocated for 233  
the furtherance of justice to the county sheriff under section 234  
325.071 of the Revised Code or to the prosecuting attorney under 235  
section 325.12 of the Revised Code to be retained for at least 236  
four years. 237

(E) No person shall knowingly violate the rule adopted under 238  
division (D) of this section. Whoever violates that rule is guilty 239  
of a misdemeanor of the first degree. 240

**Sec. 149.432.** (A) As used in this section: 241

(1) "Library" means a library that is open to the public, 242  
including any of the following: 243

(a) A library that is maintained and regulated under section 244  
715.13 of the Revised Code; 245

(b) A library that is created, maintained, and regulated 246  
under Chapter 3375. of the Revised Code; 247

(c) A library that is created and maintained by a public or 248  
private school, college, university, or other educational 249  
institution; 250

(d) A library that is created and maintained by a historical 251  
or charitable organization, institution, association, or society. 252

"Library" includes the members of the governing body and the 253  
employees of a library. 254

(2) "Library record" means a record in any form that is 255

maintained by a library and that contains any of the following 256  
types of information: 257

(a) Information that the library requires an individual to 258  
provide in order to be eligible to use library services or borrow 259  
materials; 260

(b) Information that identifies an individual as having 261  
requested or obtained specific materials or materials on a 262  
particular subject; 263

(c) Information that is provided by an individual to assist a 264  
library staff member to answer a specific question or provide 265  
information on a particular subject. 266

"Library record" does not include information that does not 267  
identify any individual and that is retained for the purpose of 268  
studying or evaluating the use of a library and its materials and 269  
services. 270

(3) Subject to division (B)(5) of this section, "patron 271  
information" means personally identifiable information about an 272  
individual who has used any library service or borrowed any 273  
library materials. 274

~~(4) "Internet" has the same meaning as in section 3517.106 of 275  
the Revised Code. 276~~

(B) A library shall not release any library record or 277  
disclose any patron information except in the following 278  
situations: 279

(1) If a library record or patron information pertaining to a 280  
minor child is requested from a library by the minor child's 281  
parent, guardian, or custodian, the library shall make that record 282  
or information available to the parent, guardian, or custodian in 283  
accordance with division (B) of section 149.43 of the Revised 284  
Code. 285

(2) Library records or patron information shall be released	286
in the following situations:	287
(a) In accordance with a subpoena, search warrant, or other	288
court order;	289
(b) To a law enforcement officer who is acting in the scope	290
of the officer's law enforcement duties and who is investigating a	291
matter involving public safety in exigent circumstances.	292
(3) A library record or patron information shall be released	293
upon the request or with the consent of the individual who is the	294
subject of the record or information.	295
(4) Library records may be released for administrative	296
library purposes, including establishment or maintenance of a	297
system to manage the library records or to assist in the transfer	298
of library records from one records management system to another,	299
compilation of statistical data on library use, and collection of	300
finances and penalties.	301
(5) A library may release under division (B) of section	302
149.43 of the Revised Code records that document improper use of	303
the internet at the library so long as any patron information is	304
removed from those records. As used in division (B)(5) of this	305
section, "patron information" does not include information about	306
the age or gender of an individual.	307
<b><u>Sec. 304.01. As used in this chapter:</u></b>	308
<u>(A) "Agreement" means the bargain of the parties in fact, as</u>	309
<u>found in their language or inferred from other circumstances and</u>	310
<u>from rules, regulations, and procedures given the effect of</u>	311
<u>agreements under laws otherwise applicable to a particular</u>	312
<u>transaction.</u>	313
<u>(B) "County office" means any officer, department, board,</u>	314
<u>commission, agency, court, or other instrumentality of a county.</u>	315

(C) "Electronic" means relating to technology having 316  
electrical, digital, magnetic, wireless, optical, electromagnetic, 317  
or similar capabilities. 318

(D) "Electronic record" means a record created, generated, 319  
sent, communicated, received, or stored by electronic means. 320

(E) "Electronic signature" means an electronic sound, symbol, 321  
or process attached to or logically associated with a record and 322  
executed or adopted by a person with the intent to sign the 323  
record. 324

(F) "Information" means data, text, images, sounds, codes, 325  
computer programs, software, databases, or the like. 326

(G) "Person" means an individual, corporation, business 327  
trust, estate, trust, partnership, limited liability company, 328  
association, joint venture, governmental agency, public 329  
corporation, or other legal or commercial entity. 330

(H) "Record" means information that is inscribed on a 331  
tangible medium or that is stored in an electronic or other medium 332  
and is retrievable in perceivable form. 333

(I) "Transaction" means an action or set of actions occurring 334  
between two or more persons relating to the conduct of business, 335  
commercial, or governmental affairs. 336

**Sec. 304.02.** Prior to the use of electronic records and 337  
electronic signatures by a county office under Chapter 1306. of 338  
the Revised Code, and except as otherwise provided in section 339  
955.013 of the Revised Code, a county office shall adopt, in 340  
writing, a security procedure for the purpose of verifying that an 341  
electronic signature, record, or performance is that of a specific 342  
person or for detecting changes or errors in the information in an 343  
electronic record. A security procedure includes, but is not 344  
limited to, a procedure that requires the use of algorithms or 345

other codes, identifying words or numbers, encryption, or callback 346  
or other acknowledgment procedures. 347

Sec. 304.03. (A) Whenever any rule or law requires or 348  
authorizes the filing of any information, notice, lien, or other 349  
document or record with any county office, a filing made by an 350  
electronic record shall have the same force and effect as a filing 351  
made on paper in all cases where the county office has authorized 352  
or agreed to the electronic filing and the filing is made in 353  
accordance with applicable rules or an applicable agreement. 354

(B) Nothing in this section authorizes or shall be construed 355  
to authorize the use of a financial transaction device in an 356  
electronic transaction for the acceptance of payments for county 357  
expenses, except pursuant to section 301.28 or 955.013 of the 358  
Revised Code. 359

(C) As used in this section, "financial transaction device" 360  
and "county expenses" have the same meanings as in section 301.28 361  
of the Revised Code. 362

Sec. 304.04. Nothing in this chapter or Chapter 1306. of the 363  
Revised Code requires or shall be construed to require any county 364  
office to use or permit the use of electronic records and 365  
electronic signatures. 366

Sec. 307.12. (A) Except as otherwise provided in divisions 367  
(B), (C), and (E) of this section, when the board of county 368  
commissioners finds, by resolution, that the county has personal 369  
property, including motor vehicles acquired for the use of county 370  
officers and departments, and road machinery, equipment, tools, or 371  
supplies, which is not needed for public use, or is obsolete or 372  
unfit for the use for which it was acquired, and when the fair 373  
market value of the property to be sold under this division is, in 374

the opinion of the board, in excess of two thousand five hundred 375  
dollars, the board may do either of the following: 376

(1) Sell the property at public auction or by sealed bid to 377  
the highest bidder. Notice of the time, place, and manner of the 378  
sale shall be published in a newspaper of general circulation in 379  
the county at least ten days prior to the sale, and a typewritten 380  
or printed notice of the time, place, and manner of the sale shall 381  
be posted at least ten days before the sale in the offices of the 382  
county auditor and the board of county commissioners. 383

If a board conducts a sale of property by sealed bid, the 384  
form of the bid shall be as prescribed by the board, and each bid 385  
shall contain the name of the person submitting it. Bids received 386  
shall be opened and tabulated at the time stated in the notice. 387  
The property shall be sold to the highest bidder, except that the 388  
board may reject all bids and hold another sale, by public auction 389  
or sealed bid, in the manner prescribed by this section. 390

(2) Donate any motor vehicle that does not exceed four 391  
thousand five hundred dollars in value to a nonprofit organization 392  
exempt from federal income taxation pursuant to 26 U.S.C. 501(a) 393  
and (c)(3) for the purpose of meeting the transportation needs of 394  
participants in the Ohio works first program established under 395  
Chapter 5107. of the Revised Code and participants in the 396  
prevention, retention, and contingency program established under 397  
Chapter 5108. of the Revised Code. 398

(B) When the board of county commissioners finds, by 399  
resolution, that the county has personal property, including motor 400  
vehicles acquired for the use of county officers and departments, 401  
and road machinery, equipment, tools, or supplies, which is not 402  
needed for public use, or is obsolete or unfit for the use for 403  
which it was acquired, and when the fair market value of the 404  
property to be sold under this division is, in the opinion of the 405

board, two thousand five hundred dollars or less, the board may 406  
sell the property by private sale, without advertisement or public 407  
notification. 408

Notwithstanding anything to the contrary in division (A) or 409  
(C) of this section and regardless of the property's value, the 410  
board may sell or donate county personal property, including motor 411  
vehicles, to the federal government, the state, or any political 412  
subdivision of the state without advertisement or public 413  
notification. 414

(C) Notwithstanding anything to the contrary in division (A), 415  
(B), or (E) of this section and regardless of the property's 416  
value, the board of county commissioners may sell personal 417  
property, including motor vehicles acquired for the use of county 418  
officers and departments, and road machinery, equipment, tools, or 419  
supplies, which is not needed for public use, or is obsolete or 420  
unfit for the use for which it was acquired, by internet auction. 421  
The board shall adopt, during each calendar year, a resolution 422  
expressing its intent to sell that property by internet auction. 423  
The resolution shall include a description of how the auctions 424  
will be conducted and shall specify the number of days for bidding 425  
on the property, which shall be no less than fifteen days, 426  
including Saturdays, Sundays, and legal holidays. The resolution 427  
shall indicate whether the county will conduct the auction or the 428  
board will contract with a representative to conduct the auction 429  
and shall establish the general terms and conditions of sale. If a 430  
representative is known when the resolution is adopted, the 431  
resolution shall provide contact information such as the 432  
representative's name, address, and telephone number. 433

After adoption of the resolution, the board shall publish, in 434  
a newspaper of general circulation in the county, notice of its 435  
intent to sell unneeded, obsolete, or unfit county personal 436  
property by internet auction. The notice shall include a summary 437

of the information provided in the resolution and shall be 438  
published at least twice. The second and any subsequent notice 439  
shall be published not less than ten nor more than twenty days 440  
after the previous notice. A similar notice also shall be posted 441  
continually throughout the calendar year in a conspicuous place in 442  
the offices of the county auditor and the board of county 443  
commissioners, and, if the county maintains a website on the 444  
internet, the notice shall be posted continually throughout the 445  
calendar year at that website. 446

When property is to be sold by internet auction, the board or 447  
its representative may establish a minimum price that will be 448  
accepted for specific items and may establish any other terms and 449  
conditions for the particular sale, including requirements for 450  
pick-up or delivery, method of payment, and sales tax. This type 451  
of information shall be provided on the internet at the time of 452  
the auction and may be provided before that time upon request 453  
after the terms and conditions have been determined by the board 454  
or its representative. 455

(D) When a county officer or department head determines that 456  
county-owned personal property under the jurisdiction of the 457  
officer or department head, including motor vehicles, road 458  
machinery, equipment, tools, or supplies, is not of immediate 459  
need, the county officer or department head may notify the board 460  
of county commissioners, and the board may lease that personal 461  
property to any municipal corporation, township, or other 462  
political subdivision of the state. The lease shall require the 463  
county to be reimbursed under terms, conditions, and fees 464  
established by the board, or under contracts executed by the 465  
board. 466

(E) If the board of county commissioners finds, by 467  
resolution, that the county has vehicles, equipment, or machinery 468  
which is not needed, or is unfit for public use, and the board 469



desires to sell the vehicles, equipment, or machinery to the 470  
person or firm from which it proposes to purchase other vehicles, 471  
equipment, or machinery, the board may offer to sell the vehicles, 472  
equipment, or machinery to that person or firm, and to have the 473  
selling price credited to the person or firm against the purchase 474  
price of other vehicles, equipment, or machinery. 475

(F) If the board of county commissioners advertises for bids 476  
for the sale of new vehicles, equipment, or machinery to the 477  
county, it may include in the same advertisement a notice of the 478  
willingness of the board to accept bids for the purchase of 479  
county-owned vehicles, equipment, or machinery which is obsolete 480  
or not needed for public use, and to have the amount of those bids 481  
subtracted from the selling price of the other vehicles, 482  
equipment, or machinery as a means of determining the lowest 483  
responsible bidder. 484

(G) If a board of county commissioners determines that county 485  
personal property is not needed for public use, or is obsolete or 486  
unfit for the use for which it was acquired, and that the property 487  
has no value, the board may discard or salvage that property. 488

~~(H) As used in this section, "internet" means the 489  
international computer network of both federal and nonfederal 490  
interoperable packet switched data networks, including the 491  
graphical subnetwork called the world wide web. 492~~

**Sec. 341.42.** (A) As used in this section: 493

(1) "County correctional officer" has the same meaning as in 494  
section 341.41 of the Revised Code. 495

(2) "Computer," "computer network," "computer system," 496  
"computer services," "telecommunications service," and 497  
"information service" have the same meanings as in section 2913.01 498  
of the Revised Code. 499

(3) ~~"Internet" means the international computer network of both federal and nonfederal interoperable packet switched data networks, including the graphical subnetwork called the world wide web.~~

~~(4) "County correctional facility" means a county jail, county workhouse, minimum security jail, joint city and county workhouse, municipal-county correctional center, multicounty-municipal correctional center, municipal-county jail or workhouse, or multicounty-municipal jail or workhouse.~~

(B) No county correctional officer shall provide a prisoner access to or permit a prisoner to have access to the internet through the use of a computer, computer network, computer system, computer services, telecommunications service, or information service unless both of the following apply:

(1) The prisoner is participating in an approved educational program with direct supervision that requires the use of the internet for training or research purposes.

(2) The provision of and access to the internet is in accordance with rules promulgated by the department of rehabilitation and correction pursuant to section 5120.62 of the Revised Code.

(C)(1) No prisoner in a county correctional facility under the control of a county shall access the internet through the use of a computer, computer network, computer system, computer services, telecommunications service, or information service unless both of the following apply:

(a) The prisoner is participating in an approved educational program with direct supervision that requires the use of the internet for training or research purposes.

(b) The provision of and access to the internet is in

accordance with rules promulgated by the department of 530  
rehabilitation and correction pursuant to section 5120.62 of the 531  
Revised Code. 532

(2) Whoever violates division (C)(1) of this section is 533  
guilty of improper internet access, a misdemeanor of the first 534  
degree. 535

**Sec. 505.10.** The board of township trustees may accept, on 536  
behalf of the township, the donation by bequest, devise, deed of 537  
gift, or otherwise, of any real or personal property for any 538  
township use. When the township has property, including motor 539  
vehicles, road machinery, equipment, and tools, which the board, 540  
by resolution, finds it does not need for public use, is obsolete, 541  
or is unfit for the use for which it was acquired, the board may 542  
sell and convey that property or otherwise dispose of it in 543  
accordance with this section. Except as otherwise provided in 544  
sections 505.08, 505.101, and 505.102 of the Revised Code, the 545  
sale or other disposition of unneeded, obsolete, or unfit property 546  
shall be made in accordance with one of the following: 547

(A)(1) If the fair market value of property to be sold is, in 548  
the opinion of the board, in excess of two thousand five hundred 549  
dollars, the sale shall be by public auction, and the board shall 550  
publish notice of the time, place, and manner of the sale once a 551  
week for three weeks in a newspaper published, or of general 552  
circulation, in the township, the last of those publications to be 553  
at least five days before the date of sale, and shall post a 554  
typewritten or printed notice of the time, place, and manner of 555  
the sale in the office of the board for at least ten days prior to 556  
the sale. 557

(2) If the fair market value of property to be sold is, in 558  
the opinion of the board, two thousand five hundred dollars or 559  
less, the board may sell the property by private sale, without 560

advertisement or public notification. 561

(3) If the board finds, by resolution, that the township has 562  
motor vehicles, road machinery, equipment, or tools which are not 563  
needed or are unfit for public use, and the board wishes to sell 564  
the motor vehicles, road machinery, equipment, or tools to the 565  
person or firm from which it proposes to purchase other motor 566  
vehicles, road machinery, equipment, or tools, the board may offer 567  
to sell the motor vehicles, road machinery, equipment, or tools to 568  
that person or firm, and to have the selling price credited to the 569  
person or firm against the purchase price of other motor vehicles, 570  
road machinery, equipment, or tools. 571

(4) If the board advertises for bids for the sale of new 572  
motor vehicles, road machinery, equipment, or tools to the 573  
township, it may include in the same advertisement a notice of the 574  
willingness of the board to accept bids for the purchase of 575  
township-owned motor vehicles, road machinery, equipment, or tools 576  
which are obsolete or not needed for public use, and to have the 577  
amount of those bids subtracted from the selling price of the new 578  
motor vehicles, road machinery, equipment, or tools, as a means of 579  
determining the lowest responsible bidder. 580

(5) When a township has title to real property, the board of 581  
township trustees, by resolution, may authorize the transfer and 582  
conveyance of that property to any other political subdivision of 583  
the state upon such terms as are agreed to between the board and 584  
the legislative authority of that political subdivision. 585

(6) When a township has title to real property and the board 586  
of township trustees wishes to sell or otherwise transfer the 587  
property, the board, upon a unanimous vote of its members and by 588  
resolution, may authorize the transfer and conveyance of that real 589  
property to any person upon whatever terms are agreed to between 590  
the board and that person. 591

(7) If the board of township trustees determines that 592  
township personal property is not needed for public use, or is 593  
obsolete or unfit for the use for which it was acquired, and that 594  
the property has no value, the board may discard or salvage that 595  
property. 596

(B) When the board has offered property at public auction 597  
under this section and has not received an acceptable offer, the 598  
board, by resolution, may enter into a contract, without 599  
advertising or bidding, for the sale of that property. The 600  
resolution shall specify a minimum acceptable price and the 601  
minimum acceptable terms for the contract. The minimum acceptable 602  
price shall not be lower than the minimum price established for 603  
the public auction. 604

(C) Notwithstanding anything to the contrary in division (A) 605  
or (B) of this section and regardless of the property's value, the 606  
board of township trustees may sell personal property, including 607  
motor vehicles, road machinery, equipment, tools, or supplies, 608  
which is not needed for public use, or is obsolete or unfit for 609  
the use for which it was acquired, by internet auction. The board 610  
shall adopt, during each calendar year, a resolution expressing 611  
its intent to sell that property by internet auction. The 612  
resolution shall include a description of how the auctions will be 613  
conducted and shall specify the number of days for bidding on the 614  
property, which shall be no less than fifteen days, including 615  
Saturdays, Sundays, and legal holidays. The resolution shall 616  
indicate whether the township will conduct the auction or the 617  
board will contract with a representative to conduct the auction 618  
and shall establish the general terms and conditions of sale. If a 619  
representative is known when the resolution is adopted, the 620  
resolution shall provide contact information such as the 621  
representative's name, address, and telephone number. 622

After adoption of the resolution, the board shall publish, in 623

a newspaper of general circulation in the township, notice of its 624  
intent to sell unneeded, obsolete, or unfit township personal 625  
property by internet auction. The notice shall include a summary 626  
of the information provided in the resolution and shall be 627  
published at least twice. The second and any subsequent notice 628  
shall be published not less than ten nor more than twenty days 629  
after the previous notice. A clerk also shall post a similar 630  
notice throughout the calendar year in a conspicuous place in the 631  
board's office, and, if the township maintains a website on the 632  
internet, the notice shall be posted continually throughout the 633  
calendar year at that website. 634

When property is to be sold by internet auction, the board or 635  
its representative may establish a minimum price that will be 636  
accepted for specific items and may establish any other terms and 637  
conditions for the particular sale, including requirements for 638  
pick-up or delivery, method of payment, and sales tax. This type 639  
of information shall be provided on the internet at the time of 640  
the auction and may be provided before that time upon request 641  
after the terms and conditions have been determined by the board 642  
or its representative. 643

~~As used in this section, "internet" means the international 644  
computer network of both federal and nonfederal interoperable 645  
packet switched data networks, including the graphical subnetwork 646  
called the world wide web. 647~~

~~**Sec. 718.07.** As used in this section, "internet" means the 648  
international computer network of both federal and nonfederal 649  
interoperable packet switched data networks, including the 650  
graphical subnetwork known as the world wide web. 651~~

On and after January 1, 2002, each municipal corporation that 652  
imposes a tax on income shall make electronic versions of any 653  
rules or ordinances governing the tax available to the public 654

through the internet, including, but not limited to, ordinances or 655  
rules governing the rate of tax; payment and withholding of taxes; 656  
filing any prescribed returns, reports, or other documents; dates 657  
for filing or paying taxes, including estimated taxes; penalties, 658  
interest, assessment, and other collection remedies; rights of 659  
taxpayers to appeal; and procedures for filing appeals. On and 660  
after that date, any municipal corporation that requires taxpayers 661  
to file income tax returns, reports, or other documents shall make 662  
blanks of such returns, reports, or documents, and any 663  
instructions pertaining thereto, available to the public 664  
electronically through the internet. Electronic versions of rules, 665  
ordinances, blanks, and instructions shall be made available 666  
either by posting them on the electronic site established by the 667  
tax commissioner under section 5703.49 of the Revised Code or by 668  
posting them on an electronic site established by the municipal 669  
corporation that is accessible through the internet. If a 670  
municipal corporation establishes such an electronic site, the 671  
municipal corporation shall incorporate an electronic link between 672  
that site and the site established pursuant to section 5703.49 of 673  
the Revised Code, and shall provide to the tax commissioner the 674  
uniform resource locator of the site established pursuant to this 675  
division. 676

**Sec. 721.15.** (A) Personal property not needed for municipal 677  
purposes, the estimated value of which is less than one thousand 678  
dollars, may be sold by the board or officer having supervision or 679  
management of that property. If the estimated value of that 680  
property is one thousand dollars or more, it shall be sold only 681  
when authorized by an ordinance of the legislative authority of 682  
the municipal corporation and approved by the board, officer, or 683  
director having supervision or management of that property. When 684  
so authorized, the board, officer, or director shall make a 685  
written contract with the highest and best bidder after 686

advertisement for not less than two or more than four consecutive 687  
weeks in a newspaper of general circulation within the municipal 688  
corporation, or with a board of county commissioners upon such 689  
lawful terms as are agreed upon, as provided by section 721.27 of 690  
the Revised Code. 691

(B) When the legislative authority finds, by resolution, that 692  
the municipal corporation has vehicles, equipment, or machinery 693  
which is obsolete, or is not needed or is unfit for public use, 694  
that the municipal corporation has need of other vehicles, 695  
equipment, or machinery of the same type, and that it will be in 696  
the best interest of the municipal corporation that the sale of 697  
obsolete, unneeded, or unfit vehicles, equipment, or machinery be 698  
made simultaneously with the purchase of the new vehicles, 699  
equipment, or machinery of the same type, the legislative 700  
authority may offer to sell, or authorize a board, officer, or 701  
director of the municipal corporation having supervision or 702  
management of the property to offer to sell, those vehicles, 703  
equipment, or machinery and to have the selling price credited 704  
against the purchase price of other vehicles, equipment, or 705  
machinery and to consummate the sale and purchase by a single 706  
contract with the lowest and best bidder to be determined by 707  
subtracting from the selling price of the vehicles, equipment, or 708  
machinery to be purchased by the municipal corporation the 709  
purchase price offered for the municipally-owned vehicles, 710  
equipment, or machinery. When the legislative authority or the 711  
authorized board, officer, or director of a municipal corporation 712  
advertises for bids for the sale of new vehicles, equipment, or 713  
machinery to the municipal corporation, they may include in the 714  
same advertisement a notice of willingness to accept bids for the 715  
purchase of municipally-owned vehicles, equipment, or machinery 716  
which is obsolete, or is not needed or is unfit for public use, 717  
and to have the amount of those bids subtracted from the selling 718



price as a means of determining the lowest and best bidder. 719

(C) If the legislative authority of the municipal corporation 720  
determines that municipal personal property is not needed for 721  
public use, or is obsolete or unfit for the use for which it was 722  
acquired, and that the property has no value, the legislative 723  
authority may discard or salvage that property. 724

(D) Notwithstanding anything to the contrary in division (A) 725  
or (B) of this section and regardless of the property's value, the 726  
legislative authority of a municipal corporation may sell personal 727  
property, including motor vehicles acquired for the use of 728  
municipal officers and departments, and road machinery, equipment, 729  
tools, or supplies, which is not needed for public use, or is 730  
obsolete or unfit for the use for which it was acquired, by 731  
internet auction. The legislative authority shall adopt, during 732  
each calendar year, a resolution expressing its intent to sell 733  
that property by internet auction. The resolution shall include a 734  
description of how the auctions will be conducted and shall 735  
specify the number of days for bidding on the property, which 736  
shall be no less than fifteen days, including Saturdays, Sundays, 737  
and legal holidays. The resolution shall indicate whether the 738  
municipal corporation will conduct the auction or the legislative 739  
authority will contract with a representative to conduct the 740  
auction and shall establish the general terms and conditions of 741  
sale. If a representative is known when the resolution is adopted, 742  
the resolution shall provide contact information such as the 743  
representative's name, address, and telephone number. 744

After adoption of the resolution, the legislative authority 745  
shall publish, in a newspaper of general circulation in the 746  
municipal corporation, notice of its intent to sell unneeded, 747  
obsolete, or unfit municipal personal property by internet 748  
auction. The notice shall include a summary of the information 749  
provided in the resolution and shall be published at least twice. 750

The second and any subsequent notice shall be published not less 751  
than ten nor more than twenty days after the previous notice. A 752  
similar notice also shall be posted continually throughout the 753  
calendar year in a conspicuous place in the offices of the village 754  
clerk or city auditor, and the legislative authority, and, if the 755  
municipal corporation maintains a website on the internet, the 756  
notice shall be posted continually throughout the calendar year at 757  
that website. 758

When the property is to be sold by internet auction, the 759  
legislative authority or its representative may establish a 760  
minimum price that will be accepted for specific items and may 761  
establish any other terms and conditions for the particular sale, 762  
including requirements for pick-up or delivery, method of payment, 763  
and sales tax. This type of information shall be provided on the 764  
internet at the time of the auction and may be provided before 765  
that time upon request after the terms and conditions have been 766  
determined by the legislative authority or its representative. 767

~~As used in this section, "internet" means the international 768  
computer network of both federal and nonfederal interoperable 769  
packet switched data networks, including the graphical subnetwork 770  
called the world wide web. 771~~

**Sec. 753.32.** (A) As used in this section: 772

(1) "Municipal correctional officer" has the same meaning as 773  
in section 753.31 of the Revised Code. 774

(2) "Computer," "computer network," "computer system," 775  
"computer services," "telecommunications service," and 776  
"information service" have the same meanings as in section 2913.01 777  
of the Revised Code. 778

~~(3) "Internet" has the same meaning as in section 341.42 of 779  
the Revised Code. 780~~

(4) "Municipal correctional facility" means a municipal jail, 781  
municipal workhouse, minimum security jail, joint city and county 782  
workhouse, municipal-county correctional center, 783  
multicounty-municipal correctional center, municipal-county jail 784  
or workhouse, or multicounty-municipal jail or workhouse. 785

(B) No municipal correctional officer shall provide a 786  
prisoner access to or permit a prisoner to have access to the 787  
internet through the use of a computer, computer network, computer 788  
system, computer services, telecommunications service, or 789  
information service unless both of the following apply: 790

(1) The prisoner is participating in an approved educational 791  
program with direct supervision that requires the use of the 792  
internet for training or research purposes. 793

(2) The provision of and access to the internet is in 794  
accordance with rules promulgated by the department of 795  
rehabilitation and correction pursuant to section 5120.62 of the 796  
Revised Code. 797

(C)(1) No prisoner in a municipal correctional facility under 798  
the control of a municipal corporation shall access the internet 799  
through the use of a computer, computer network, computer system, 800  
computer services, telecommunications service, or information 801  
service unless both of the following apply: 802

(a) The prisoner is participating in an approved educational 803  
program with direct supervision that requires the use of the 804  
internet for training or research purposes. 805

(b) The provision of and access to the internet is in 806  
accordance with rules promulgated by the department of 807  
rehabilitation and correction pursuant to section 5120.62 of the 808  
Revised Code. 809

(2) Whoever violates division (C)(1) of this section is 810

guilty of improper internet access, a misdemeanor of the first 811  
degree. 812

**Sec. 955.013.** (A) As used in this section: 813

~~(1) "Financial, "financial~~ transaction device" has the same 814  
meaning as in section 301.28 of the Revised Code. 815

~~(2) "Internet" means the international computer network of 816  
both federal and nonfederal interoperable packet switched data 817  
networks, including the graphical subnetwork called the world wide 818  
web. 819~~

(B) A county auditor may establish procedures and take 820  
actions that are necessary to allow for either or both of the 821  
following: 822

(1) The registration of dogs and kennels under this chapter 823  
via the internet; 824

(2) The payment of dog and kennel registration fees under 825  
this chapter by financial transaction devices, including payment 826  
by financial transaction devices via the internet. 827

**Sec. 1306.16.** (A) A provision of a nonelectronic contract 828  
involving a consumer and to which a state agency or a county 829  
office is not a party that authorizes the conducting of a 830  
transaction or any part of a transaction by electronic means is 831  
unenforceable against the consumer, unless the consumer separately 832  
signs the provision. 833

(B) A consumer's agreement to conduct a transaction or a part 834  
of a transaction electronically shall not be inferred solely from 835  
the fact that the consumer has used electronic means to pay an 836  
account or register a purchase or warranty. 837

(C) Divisions (A) and (B) of this section apply to every 838  
transaction described in those divisions notwithstanding any other 839

provision of ~~sections 1306.01 to 1306.23 of the Revised Code~~ this 840  
chapter. This section shall not be varied by agreement. 841

(D) For purposes of this section, ~~both of the following~~ 842  
~~apply~~: 843

(1) "Consumer" means an individual who is involved in a 844  
transaction primarily for personal, family, or household purposes. 845

(2) "State agency" means every organized body, office, or 846  
agency established by the laws of the state for the exercise of 847  
any function of state government. 848

(3) "County office" means any officer, department, board, 849  
commission, agency, court, or other instrumentality of a county. 850

**Sec. 2307.64.** (A) As used in this section: 851

(1) "Advertisement" has the same meaning as in section 852  
4931.55 of the Revised Code. 853

(2) "Computer," "computer network," "computer program," 854  
"computer services," and "telecommunications device" have the same 855  
meanings as in section 2913.01 of the Revised Code. 856

(3) "Electronic mail" means an electronic message that is 857  
transmitted between two or more telecommunications devices or 858  
electronic devices capable of receiving electronic messages, 859  
whether or not the message is converted to hard copy format after 860  
receipt, and whether or not the message is viewed upon the 861  
transmission or stored for later retrieval. "Electronic mail" 862  
includes electronic messages that are transmitted through a local, 863  
regional, or global computer network. 864

(4) "Electronic mail advertisement" means electronic mail 865  
containing an advertisement. 866

(5) "Electronic mail service provider" means any person that 867  
is an intermediary in sending and receiving electronic mail and 868

that provides to users of electronic mail services the ability to 869  
send or receive electronic mail. "Electronic mail service 870  
provider" includes an internet service provider. 871

~~(6) "Internet" has the same meaning as in section 341.42 of 872  
the Revised Code. 873~~

~~(7)~~ "Originating address" means the string of characters used 874  
to specify the source of any electronic mail message. 875

~~(8)~~(7) "Person" has the same meaning as in section 1.59 of 876  
the Revised Code, but when a person is not an individual, the 877  
person responsible for transmitting or causing to be transmitted 878  
an electronic mail advertisement is the particular division of the 879  
partnership, corporation, or other business entity actually 880  
responsible for the transmission of the electronic mail 881  
advertisement. 882

~~(9)~~(8) "Pre-existing business relationship" means that there 883  
was a business transaction between the initiator and the recipient 884  
of a commercial electronic mail message during the five-year 885  
period preceding the receipt of that message. A pre-existing 886  
business relationship includes a transaction involving the free 887  
provision of information, goods, or services requested by the 888  
recipient. A pre-existing business relationship does not exist 889  
after a recipient requests to be removed from the distribution 890  
lists of an initiator pursuant to division (B) of this section and 891  
a reasonable amount of time has expired since that request. 892

~~(10)~~(9) "Receiving address" means the string of characters 893  
used to specify a recipient with each receiving address creating a 894  
unique and separate recipient. 895

~~(11)~~(10) "Recipient" means a person who receives an 896  
electronic mail advertisement at any one of the following 897  
receiving addresses: 898

(a) A receiving address furnished by an electronic mail 899

service provider that bills for furnishing and maintaining that 900  
receiving address to a mailing address within this state; 901

(b) A receiving address ordinarily accessed from a computer 902  
located within this state; 903

(c) A receiving address ordinarily accessed by a person 904  
domiciled within this state; 905

(d) Any other receiving address with respect to which the 906  
obligations imposed by this section can be imposed consistent with 907  
the United States Constitution. 908

(B)(1) Except as otherwise provided in division (B)(3) of 909  
this section, a person that transmits or causes to be transmitted 910  
to a recipient an electronic mail advertisement shall clearly and 911  
conspicuously provide to the recipient, within the body of the 912  
electronic mail advertisement, both of the following: 913

(a) The person's name and complete residence or business 914  
address and the electronic mail address of the person transmitting 915  
the electronic mail advertisement; 916

(b) A notice that the recipient may decline to receive from 917  
the person transmitting or causing to be transmitted the 918  
electronic mail advertisement any additional electronic mail 919  
advertisements and a detailed procedure for declining to receive 920  
any additional electronic mail advertisements at no cost. The 921  
notice shall be of the same size of type as the majority of the 922  
text of the message and shall not require that the recipient 923  
provide any information other than the receiving address. 924

(2) If the recipient of an electronic mail advertisement uses 925  
the procedure contained in the notice described in division 926  
(B)(1)(b) of this section to decline to receive any additional 927  
electronic mail advertisements, the person that transmitted or 928  
caused to be transmitted the original electronic mail 929  
advertisement, within a reasonable period of time, shall cease 930

transmitting or causing to be transmitted to the receiving address 931  
any additional electronic mail advertisements. 932

(3) A person does not violate division (B) of this section if 933  
the person transmits or causes to be transmitted to the recipient 934  
an electronic mail advertisement when any of the following apply: 935

(a) The person has a pre-existing business or personal 936  
relationship with the recipient. 937

(b) The recipient has consented or has agreed as a condition 938  
of service to receive the electronic mail advertisement. 939

(c) The recipient receives the electronic mail advertisement 940  
because another recipient forwarded the advertisement to that 941  
recipient via an internet web site or another recipient made a 942  
direct referral of that recipient to receive the advertisement. 943

(C) No person shall use a computer, a computer network, or 944  
the computer services of an electronic mail service provider to 945  
transmit an electronic mail advertisement in contravention of the 946  
authority granted by, or in violation of the policies related to 947  
electronic mail advertisements set by, the electronic mail service 948  
provider if the electronic mail service provider has provided the 949  
person notice of those policies. For the purposes of this 950  
division, notice of those policies shall be deemed sufficient if 951  
an electronic mail service provider maintains an easily accessible 952  
web page containing its policies regarding electronic mail 953  
advertisements and can demonstrate that notice was supplied via 954  
electronic means between the sending and receiving computers. 955

(D) No electronic mail service provider shall be liable for 956  
transmitting another person's electronic mail advertisement 957  
through its service in violation of this section, or shall be 958  
liable for any action it voluntarily takes in good faith to block 959  
the receipt or transmission through its service of any electronic 960  
mail advertisement that it believes is, or will be sent, in 961



violation of this section.	962
(E) A recipient of an electronic mail advertisement transmitted in violation of division (B) of this section may bring a civil action against a person who transmitted that advertisement or caused it to be transmitted. In that action, the recipient may recover the following:	963 964 965 966 967
(1) One hundred dollars for each violation, not to exceed a total of fifty thousand dollars;	968 969
(2) Reasonable attorney's fees, court costs, and other costs of bringing the action.	970 971
(F) An electronic mail service provider whose authority or policy has been contravened in violation of division (C) of this section may bring a civil action against a person who transmitted that advertisement or caused it to be transmitted. In that action, the electronic mail service provider may recover the following:	972 973 974 975 976
(1)(a) Fifty dollars for each violation of division (C) of this section, not to exceed fifty thousand dollars;	977 978
(b) If a violation of division (C) of this section is a willful or knowing violation, the court may increase the amount recoverable to an amount not to exceed five hundred thousand dollars.	979 980 981 982
(c) If a violation of division (C) of this section is accompanied by a violation of division (H) of this section, there shall be no limit on the amount that may be recovered pursuant to this section.	983 984 985 986
(2) Reasonable attorney's fees, court costs, and other costs of bringing the action.	987 988
(G) In addition to any recovery that is allowed under divisions (E) or (F) of this section, the recipient of an electronic mail advertisement transmitted in violation of division	989 990 991

(B) of this section or the electronic mail service provider of an 992  
advertisement transmitted in violation of division (C) of this 993  
section may apply to the court of common pleas of the county in 994  
which the recipient resides or the service provider is located for 995  
an order enjoining the person who transmitted or caused to be 996  
transmitted that electronic mail advertisement from transmitting 997  
or causing to be transmitted to the recipient any additional 998  
electronic mail advertisement. 999

(H) No person shall use a computer, a computer network, a 1000  
computer program, or the computer services of an electronic mail 1001  
service provider with the intent to forge an originating address 1002  
or other routing information, in any manner, in connection with 1003  
the transmission of an electronic mail advertisement through or 1004  
into the network of an electronic mail service provider or its 1005  
subscribers. Each use of a computer, a computer network, a 1006  
computer program, or the computer services of an electronic mail 1007  
service provider in violation of this division constitutes a 1008  
separate offense. A person who violates this division is guilty of 1009  
forgery under section 2913.31 of the Revised Code. 1010

**Sec. 3517.10.** (A) Except as otherwise provided in this 1011  
division, every campaign committee, political action committee, 1012  
legislative campaign fund, political party, and political 1013  
contributing entity that made or received a contribution or made 1014  
an expenditure in connection with the nomination or election of 1015  
any candidate or in connection with any ballot issue or question 1016  
at any election held or to be held in this state shall file, on a 1017  
form prescribed under this section, by electronic means of 1018  
transmission as provided in this section and section 3517.106 of 1019  
the Revised Code, or, until March 1, 2004, on computer disk as 1020  
provided in section 3517.106 of the Revised Code, a full, true, 1021  
and itemized statement, made under penalty of election 1022  
falsification, setting forth in detail the contributions and 1023

expenditures, no later than four p.m. of the following dates: 1024

(1) The twelfth day before the election to reflect 1025  
contributions received and expenditures made from the close of 1026  
business on the last day reflected in the last previously filed 1027  
statement, if any, to the close of business on the twentieth day 1028  
before the election; 1029

(2) The thirty-eighth day after the election to reflect the 1030  
contributions received and expenditures made from the close of 1031  
business on the last day reflected in the last previously filed 1032  
statement, if any, to the close of business on the seventh day 1033  
before the filing of the statement; 1034

(3) The last business day of January of every year to reflect 1035  
the contributions received and expenditures made from the close of 1036  
business on the last day reflected in the last previously filed 1037  
statement, if any, to the close of business on the last day of 1038  
December of the previous year. 1039

A campaign committee shall only be required to file the 1040  
statements prescribed under divisions (A)(1) and (2) of this 1041  
section in connection with the nomination or election of the 1042  
committee's candidate. 1043

The statement required under division (A)(1) of this section 1044  
shall not be required of any campaign committee, political action 1045  
committee, legislative campaign fund, political party, or 1046  
political contributing entity that has received contributions of 1047  
less than one thousand dollars and has made expenditures of less 1048  
than one thousand dollars at the close of business on the 1049  
twentieth day before the election. Those contributions and 1050  
expenditures shall be reported in the statement required under 1051  
division (A)(2) of this section. 1052

If an election to select candidates to appear on the general 1053

election ballot is held within sixty days before a general 1054  
election, the campaign committee of a successful candidate in the 1055  
earlier election may file the statement required by division 1056  
(A)(1) of this section for the general election instead of the 1057  
statement required by division (A)(2) of this section for the 1058  
earlier election if the pregeneral election statement reflects the 1059  
status of contributions and expenditures for the period twenty 1060  
days before the earlier election to twenty days before the general 1061  
election. 1062

If a person becomes a candidate less than twenty days before 1063  
an election, the candidate's campaign committee is not required to 1064  
file the statement required by division (A)(1) of this section. 1065

No statement under division (A)(3) of this section shall be 1066  
required for any year in which a campaign committee, political 1067  
action committee, legislative campaign fund, political party, or 1068  
political contributing entity is required to file a postgeneral 1069  
election statement under division (A)(2) of this section. However, 1070  
such a statement may be filed, at the option of the campaign 1071  
committee, political action committee, legislative campaign fund, 1072  
political party, or political contributing entity. 1073

No statement under division (A)(3) of this section shall be 1074  
required if the campaign committee, political action committee, 1075  
legislative campaign fund, political party, or political 1076  
contributing entity has no contributions that it has received and 1077  
no expenditures that it has made since the last date reflected in 1078  
its last previously filed statement. However, the campaign 1079  
committee, political action committee, legislative campaign fund, 1080  
political party, or political contributing entity shall file a 1081  
statement to that effect, on a form prescribed under this section 1082  
and made under penalty of election falsification, on the date 1083  
required in division (A)(3) of this section. 1084

The campaign committee of a statewide candidate shall file a 1085

monthly statement of contributions received during each of the 1086  
months of July, August, and September in the year of the general 1087  
election in which the candidate seeks office. The campaign 1088  
committee of a statewide candidate shall file the monthly 1089  
statement not later than three business days after the last day of 1090  
the month covered by the statement. During the period beginning on 1091  
the nineteenth day before the general election in which a 1092  
statewide candidate seeks election to office and extending through 1093  
the day of that general election, each time the campaign committee 1094  
of the joint candidates for the offices of governor and lieutenant 1095  
governor or of a candidate for the office of secretary of state, 1096  
auditor of state, treasurer of state, or attorney general receives 1097  
a contribution from a contributor that causes the aggregate amount 1098  
of contributions received from that contributor during that period 1099  
to equal or exceed two thousand five hundred dollars and each time 1100  
the campaign committee of a candidate for the office of chief 1101  
justice or justice of the supreme court receives a contribution 1102  
from a contributor that causes the aggregate amount of 1103  
contributions received from that contributor during that period to 1104  
exceed five hundred dollars, the campaign committee shall file a 1105  
two-business-day statement reflecting that contribution. During 1106  
the period beginning on the nineteenth day before a primary 1107  
election in which a candidate for statewide office seeks 1108  
nomination to office and extending through the day of that primary 1109  
election, each time either the campaign committee of a statewide 1110  
candidate in that primary election that files a notice under 1111  
division (C)(1) of section 3517.103 of the Revised Code or the 1112  
campaign committee of a statewide candidate in that primary 1113  
election to which, in accordance with division (D) of section 1114  
3517.103 of the Revised Code, the contribution limitations 1115  
prescribed in section 3517.102 of the Revised Code no longer apply 1116  
receives a contribution from a contributor that causes the 1117  
aggregate amount of contributions received from that contributor 1118

during that period to exceed two thousand five hundred dollars, 1119  
the campaign committee shall file a two-business-day statement 1120  
reflecting that contribution. Contributions reported on a 1121  
two-business-day statement required to be filed by a campaign 1122  
committee of a statewide candidate in a primary election shall 1123  
also be included in the postprimary election statement required to 1124  
be filed by that campaign committee under division (A)(2) of this 1125  
section. A two-business-day statement required by this paragraph 1126  
shall be filed not later than two business days after receipt of 1127  
the contribution. The statements required by this paragraph shall 1128  
be filed in addition to any other statements required by this 1129  
section. 1130

Subject to the secretary of state having implemented, tested, 1131  
and verified the successful operation of any system the secretary 1132  
of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of 1133  
this section and division (H)(1) of section 3517.106 of the 1134  
Revised Code for the filing of campaign finance statements by 1135  
electronic means of transmission, a campaign committee of a 1136  
statewide candidate shall file a two-business-day statement under 1137  
the preceding paragraph by electronic means of transmission if the 1138  
campaign committee is required to file a preelection, 1139  
postelection, or monthly statement of contributions and 1140  
expenditures by electronic means of transmission under this 1141  
section or section 3517.106 of the Revised Code. 1142

If a campaign committee or political action committee has no 1143  
balance on hand and no outstanding obligations and desires to 1144  
terminate itself, it shall file a statement to that effect, on a 1145  
form prescribed under this section and made under penalty of 1146  
election falsification, with the official with whom it files a 1147  
statement under division (A) of this section after filing a final 1148  
statement of contributions and a final statement of expenditures, 1149  
if contributions have been received or expenditures made since the 1150

period reflected in its last previously filed statement. 1151

(B) Except as otherwise provided in division (C)(7) of this 1152  
section, each statement required by division (A) of this section 1153  
shall contain the following information: 1154

(1) The full name and address of each campaign committee, 1155  
political action committee, legislative campaign fund, political 1156  
party, or political contributing entity, including any treasurer 1157  
of the committee, fund, party, or entity, filing a contribution 1158  
and expenditure statement; 1159

(2)(a) In the case of a campaign committee, the candidate's 1160  
full name and address; 1161

(b) In the case of a political action committee, the 1162  
registration number assigned to the committee under division 1163  
(D)(1) of this section. 1164

(3) The date of the election and whether it was or will be a 1165  
general, primary, or special election; 1166

(4) A statement of contributions received, which shall 1167  
include the following information: 1168

(a) The month, day, and year of the contribution; 1169

(b)(i) The full name and address of each person, political 1170  
party, campaign committee, legislative campaign fund, political 1171  
action committee, or political contributing entity from whom 1172  
contributions are received and the registration number assigned to 1173  
the political action committee under division (D)(1) of this 1174  
section. The requirement of filing the full address does not apply 1175  
to any statement filed by a state or local committee of a 1176  
political party, to a finance committee of such committee, or to a 1177  
committee recognized by a state or local committee as its 1178  
fund-raising auxiliary. Notwithstanding division (F)(1) of this 1179  
section, the requirement of filing the full address shall be 1180

considered as being met if the address filed is the same address 1181  
the contributor provided under division (E)(1) of this section. 1182

(ii) If a campaign committee of a statewide candidate or 1183  
candidate for the office of member of the general assembly 1184  
receives a contribution from an individual that exceeds one 1185  
hundred dollars, the name of the individual's current employer, if 1186  
any, or, if the individual is self-employed, the individual's 1187  
occupation; 1188

(iii) If a campaign committee of a statewide candidate or 1189  
candidate for the office of member of the general assembly 1190  
receives a contribution transmitted pursuant to section 3599.031 1191  
of the Revised Code from amounts deducted from the wages and 1192  
salaries of two or more employees that exceeds in the aggregate 1193  
one hundred dollars during any one filing period under division 1194  
(A)(1), (2), or (3) of this section, the full name of the 1195  
employees' employer and the full name of the labor organization of 1196  
which the employees are members, if any. 1197

(c) A description of the contribution received, if other than 1198  
money; 1199

(d) The value in dollars and cents of the contribution; 1200

(e) A separately itemized account of all contributions and 1201  
expenditures regardless of the amount, except a receipt of a 1202  
contribution from a person in the sum of twenty-five dollars or 1203  
less at one social or fund-raising activity and a receipt of a 1204  
contribution transmitted pursuant to section 3599.031 of the 1205  
Revised Code from amounts deducted from the wages and salaries of 1206  
employees if the contribution from the amount deducted from the 1207  
wages and salary of any one employee is twenty-five dollars or 1208  
less aggregated in a calendar year. An account of the total 1209  
contributions from each social or fund-raising activity shall 1210  
include a description of and the value of each in-kind 1211



contribution received at that activity from any person who made 1212  
one or more such contributions whose aggregate value exceeded two 1213  
hundred fifty dollars and shall be listed separately, together 1214  
with the expenses incurred and paid in connection with that 1215  
activity. A campaign committee, political action committee, 1216  
legislative campaign fund, political party, or political 1217  
contributing entity shall keep records of contributions from each 1218  
person in the amount of twenty-five dollars or less at one social 1219  
or fund-raising activity and contributions from amounts deducted 1220  
under section 3599.031 of the Revised Code from the wages and 1221  
salary of each employee in the amount of twenty-five dollars or 1222  
less aggregated in a calendar year. No continuing association that 1223  
is recognized by a state or local committee of a political party 1224  
as an auxiliary of the party and that makes a contribution from 1225  
funds derived solely from regular dues paid by members of the 1226  
auxiliary shall be required to list the name or address of any 1227  
members who paid those dues. 1228

Contributions that are other income shall be itemized 1229  
separately from all other contributions. The information required 1230  
under division (B)(4) of this section shall be provided for all 1231  
other income itemized. As used in this paragraph, "other income" 1232  
means a loan, investment income, or interest income. 1233

(f) In the case of a campaign committee of a state elected 1234  
officer, if a person doing business with the state elected officer 1235  
in the officer's official capacity makes a contribution to the 1236  
campaign committee of that officer, the information required under 1237  
division (B)(4) of this section in regard to that contribution, 1238  
which shall be filed together with and considered a part of the 1239  
committee's statement of contributions as required under division 1240  
(A) of this section but shall be filed on a separate form provided 1241  
by the secretary of state. As used in division (B)(4)(f) of this 1242  
section: 1243

(i) "State elected officer" has the same meaning as in 1244  
section 3517.092 of the Revised Code. 1245

(ii) "Person doing business" means a person or an officer of 1246  
an entity who enters into one or more contracts with a state 1247  
elected officer or anyone authorized to enter into contracts on 1248  
behalf of that officer to receive payments for goods or services, 1249  
if the payments total, in the aggregate, more than five thousand 1250  
dollars during a calendar year. 1251

(5) A statement of expenditures which shall include the 1252  
following information: 1253

(a) The month, day, and year of the expenditure; 1254

(b) The full name and address of each person, political 1255  
party, campaign committee, legislative campaign fund, political 1256  
action committee, or political contributing entity to whom the 1257  
expenditure was made and the registration number assigned to the 1258  
political action committee under division (D)(1) of this section; 1259

(c) The object or purpose for which the expenditure was made; 1260

(d) The amount of each expenditure. 1261

(C)(1) The statement of contributions and expenditures shall 1262  
be signed by the person completing the form. If a statement of 1263  
contributions and expenditures is filed by electronic means of 1264  
transmission pursuant to this section or section 3517.106 of the 1265  
Revised Code, the electronic signature of the person who executes 1266  
the statement and transmits the statement by electronic means of 1267  
transmission, as provided in division (H) of section 3517.106 of 1268  
the Revised Code, shall be attached to or associated with the 1269  
statement and shall be binding on all persons and for all purposes 1270  
under the campaign finance reporting law as if the signature had 1271  
been handwritten in ink on a printed form. 1272

(2) The person filing the statement, under penalty of 1273

election falsification, shall include with it a list of each 1274  
anonymous contribution, the circumstances under which it was 1275  
received, and the reason it cannot be attributed to a specific 1276  
donor. 1277

(3) Each statement of a campaign committee of a candidate who 1278  
holds public office shall contain a designation of each 1279  
contributor who is an employee in any unit or department under the 1280  
candidate's direct supervision and control. In a space provided in 1281  
the statement, the person filing the statement shall affirm that 1282  
each such contribution was voluntarily made. 1283

(4) A campaign committee that did not receive contributions 1284  
or make expenditures in connection with the nomination or election 1285  
of its candidate shall file a statement to that effect, on a form 1286  
prescribed under this section and made under penalty of election 1287  
falsification, on the date required in division (A)(2) of this 1288  
section. 1289

(5) The campaign committee of any person who attempts to 1290  
become a candidate and who, for any reason, does not become 1291  
certified in accordance with Title XXXV of the Revised Code for 1292  
placement on the official ballot of a primary, general, or special 1293  
election to be held in this state, and who, at any time prior to 1294  
or after an election, receives contributions or makes 1295  
expenditures, or has given consent for another to receive 1296  
contributions or make expenditures, for the purpose of bringing 1297  
about the person's nomination or election to public office, shall 1298  
file the statement or statements prescribed by this section and a 1299  
termination statement, if applicable. This paragraph does not 1300  
apply to any person with respect to an election to the offices of 1301  
member of a county or state central committee, presidential 1302  
elector, or delegate to a national convention or conference of a 1303  
political party. 1304

(6)(a) The statements required to be filed under this section 1305

shall specify the balance in the hands of the campaign committee, 1306  
political action committee, legislative campaign fund, political 1307  
party, or political contributing entity and the disposition 1308  
intended to be made of that balance. 1309

(b) The secretary of state shall prescribe the form for all 1310  
statements required to be filed under this section and shall 1311  
furnish the forms to the boards of elections in the several 1312  
counties. The boards of elections shall supply printed copies of 1313  
those forms without charge. The secretary of state shall prescribe 1314  
the appropriate methodology, protocol, and data file structure for 1315  
statements required or permitted to be filed by electronic means 1316  
of transmission under division (A) of this section and divisions 1317  
(E), (F), and (G) of section 3517.106 of the Revised Code and for 1318  
statements permitted to be filed on computer disk under division 1319  
(F) of section 3517.106 of the Revised Code. Subject to division 1320  
(A) of this section and divisions (E), (F), and (G) of section 1321  
3517.106 of the Revised Code, the statements required to be stored 1322  
on computer by the secretary of state under division (B) of 1323  
section 3517.106 of the Revised Code shall be filed in whatever 1324  
format the secretary of state considers necessary to enable the 1325  
secretary of state to store the information contained in the 1326  
statements on computer. Any such format shall be of a type and 1327  
nature that is readily available to whoever is required to file 1328  
the statements in that format. 1329

(c) The secretary of state shall assess the need for training 1330  
regarding the filing of campaign finance statements by electronic 1331  
means of transmission and regarding associated technologies for 1332  
candidates, campaign committees, political action committees, 1333  
legislative campaign funds, political parties, political 1334  
contributing entities, or individuals, partnerships, or other 1335  
entities required or permitted to file statements by electronic 1336  
means of transmission under this section or section 3517.105 or 1337

3517.106 of the Revised Code. If, in the opinion of the secretary 1338  
of state, training in these areas is necessary, the secretary of 1339  
state shall arrange for the provision of voluntary training 1340  
programs for candidates, campaign committees, political action 1341  
committees, legislative campaign funds, political parties, 1342  
political contributing entities, and individuals, partnerships, 1343  
and other entities. 1344

(7) Each monthly statement and each two-business-day 1345  
statement required by division (A) of this section shall contain 1346  
the information required by divisions (B)(1) to (4), (C)(2), and, 1347  
if appropriate, (C)(3) of this section. Each statement shall be 1348  
signed as required by division (C)(1) of this section. 1349

(D)(1) Prior to receiving a contribution or making an 1350  
expenditure, every campaign committee, political action committee, 1351  
legislative campaign fund, political party, or political 1352  
contributing entity shall appoint a treasurer and shall file, on a 1353  
form prescribed by the secretary of state, a designation of that 1354  
appointment, including the full name and address of the treasurer 1355  
and of the campaign committee, political action committee, 1356  
legislative campaign fund, political party, or political 1357  
contributing entity. That designation shall be filed with the 1358  
official with whom the campaign committee, political action 1359  
committee, legislative campaign fund, political party, or 1360  
political contributing entity is required to file statements under 1361  
section 3517.11 of the Revised Code. The name of a campaign 1362  
committee shall include at least the last name of the campaign 1363  
committee's candidate. The secretary of state shall assign a 1364  
registration number to each political action committee that files 1365  
a designation of the appointment of a treasurer under division 1366  
(D)(1) of this section if the political action committee is 1367  
required by division (A)(1) of section 3517.11 of the Revised Code 1368  
to file the statements prescribed by this section with the 1369

secretary of state. 1370

(2) The treasurer appointed under division (D)(1) of this 1371  
section shall keep a strict account of all contributions, from 1372  
whom received and the purpose for which they were disbursed. 1373

(3)(a) Except as otherwise provided in section 3517.108 of 1374  
the Revised Code, a campaign committee shall deposit all monetary 1375  
contributions received by the committee into an account separate 1376  
from a personal or business account of the candidate or campaign 1377  
committee. 1378

(b) A political action committee shall deposit all monetary 1379  
contributions received by the committee into an account separate 1380  
from all other funds. 1381

(c) A state or county political party may establish a state 1382  
candidate fund that is separate from an account that contains the 1383  
public moneys received from the Ohio political party fund under 1384  
section 3517.17 of the Revised Code and from all other funds. A 1385  
state or county political party may deposit into its state 1386  
candidate fund any amounts of monetary contributions that are made 1387  
to or accepted by the political party subject to the applicable 1388  
limitations, if any, prescribed in section 3517.102 of the Revised 1389  
Code. A state or county political party shall deposit all other 1390  
monetary contributions received by the party into one or more 1391  
accounts that are separate from its state candidate fund and from 1392  
its account that contains the public moneys received from the Ohio 1393  
political party fund under section 3517.17 of the Revised Code. 1394

(d) Each state political party shall have only one 1395  
legislative campaign fund for each house of the general assembly. 1396  
Each such fund shall be separate from any other funds or accounts 1397  
of that state party. A legislative campaign fund is authorized to 1398  
receive contributions and make expenditures for the primary 1399  
purpose of furthering the election of candidates who are members 1400

of that political party to the house of the general assembly with 1401  
which that legislative campaign fund is associated. Each 1402  
legislative campaign fund shall be administered and controlled in 1403  
a manner designated by the caucus. As used in division (D)(3)(d) 1404  
of this section, "caucus" has the same meaning as in section 1405  
3517.01 of the Revised Code and includes, as an ex officio member, 1406  
the chairperson of the state political party with which the caucus 1407  
is associated or that chairperson's designee. 1408

(4) Every expenditure in excess of twenty-five dollars shall 1409  
be vouched for by a receipted bill, stating the purpose of the 1410  
expenditures, that shall be filed with the statement of 1411  
expenditures. A canceled check with a notation of the purpose of 1412  
the expenditure is a receipted bill for purposes of division 1413  
(D)(4) of this section. 1414

(5) The secretary of state or the board of elections, as the 1415  
case may be, shall issue a receipt for each statement filed under 1416  
this section and shall preserve a copy of the receipt for a period 1417  
of at least six years. All statements filed under this section 1418  
shall be open to public inspection in the office where they are 1419  
filed and shall be carefully preserved for a period of at least 1420  
six years after the year in which they are filed. 1421

(6) The secretary of state, by rule adopted pursuant to 1422  
section 3517.23 of the Revised Code, shall prescribe the manner of 1423  
immediately acknowledging, with date and time received, and 1424  
preserving the receipt of statements that are transmitted by 1425  
electronic means of transmission to the secretary of state 1426  
pursuant to this section or section 3517.106 of the Revised Code 1427  
and the manner of preserving the contribution and expenditure 1428  
information in those statements. The secretary of state shall 1429  
preserve the contribution and expenditure information in those 1430  
statements for at least ten years after the year in which they are 1431  
filed by electronic means of transmission. 1432

(7) The secretary of state, pursuant to division (I) of 1433  
section 3517.106 of the Revised Code, shall make available online 1434  
to the public through the internet the contribution and 1435  
expenditure information in all statements, all addenda, 1436  
amendments, or other corrections to statements, and all amended 1437  
statements filed with the secretary of state by electronic or 1438  
other means of transmission under this section, division (B)(2)(b) 1439  
or (C)(2)(b) of section 3517.105, or section 3517.106 or 3517.11 1440  
of the Revised Code. The secretary of state may remove the 1441  
information from the internet after a reasonable period of time. 1442

(E)(1) Any person, political party, campaign committee, 1443  
legislative campaign fund, political action committee, or 1444  
political contributing entity that makes a contribution in 1445  
connection with the nomination or election of any candidate or in 1446  
connection with any ballot issue or question at any election held 1447  
or to be held in this state shall provide its full name and 1448  
address to the recipient of the contribution at the time the 1449  
contribution is made. The political action committee also shall 1450  
provide the registration number assigned to the committee under 1451  
division (D)(1) of this section to the recipient of the 1452  
contribution at the time the contribution is made. 1453

(2) Any individual who makes a contribution that exceeds one 1454  
hundred dollars to a campaign committee of a statewide candidate 1455  
or candidate for the office of member of the general assembly 1456  
shall provide the name of the individual's current employer, if 1457  
any, or, if the individual is self-employed, the individual's 1458  
occupation to the recipient of the contribution at the time the 1459  
contribution is made. Sections 3599.39 and 3599.40 of the Revised 1460  
Code do not apply to division (E)(2) of this section. 1461

(3) If a campaign committee shows that it has exercised its 1462  
best efforts to obtain, maintain, and submit the information 1463  
required under divisions (B)(4)(b)(ii) and (iii) of this section, 1464



that committee is considered to have met the requirements of those 1465  
divisions. A campaign committee shall not be considered to have 1466  
exercised its best efforts unless, in connection with written 1467  
solicitations, it regularly includes a written request for the 1468  
information required under division (B)(4)(b)(ii) of this section 1469  
from the contributor or the information required under division 1470  
(B)(4)(b)(iii) of this section from whoever transmits the 1471  
contribution. 1472

(4) Any check that a political action committee uses to make 1473  
a contribution or an expenditure shall contain the full name and 1474  
address of the committee and the registration number assigned to 1475  
the committee under division (D)(1) of this section. 1476

(F) As used in this section: 1477

(1) "Address" means all of the following if they exist: 1478  
apartment number, street, road, or highway name and number, rural 1479  
delivery route number, city or village, state, and zip code as 1480  
used in a person's post-office address, but not post-office box. 1481  
If an address is required in this section, a post-office box and 1482  
office, room, or suite number may be included in addition to but 1483  
not in lieu of an apartment, street, road, or highway name and 1484  
number. If an address is required in this section, a campaign 1485  
committee, political action committee, legislative campaign fund, 1486  
political party, or political contributing entity may use the 1487  
business or residence address of its treasurer or deputy 1488  
treasurer. The post-office box number of the campaign committee, 1489  
political action committee, legislative campaign fund, political 1490  
party, or political contributing entity may be used in addition to 1491  
that address. 1492

(2) "Statewide candidate" means the joint candidates for the 1493  
offices of governor and lieutenant governor or a candidate for the 1494  
office of secretary of state, auditor of state, treasurer of 1495  
state, attorney general, member of the state board of education, 1496

chief justice of the supreme court, or justice of the supreme court. 1497  
1498

~~(3) "Internet" has the same meaning as in section 3517.106 of the Revised Code.~~ 1499  
1500

(G) An independent expenditure shall be reported whenever and in the same manner that an expenditure is required to be reported under this section and shall be reported pursuant to division (B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code. 1501  
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1504

(H)(1) Except as otherwise provided in division (H)(2) of this section, if, during the combined preelection and postelection reporting periods for an election, a campaign committee has received contributions of five hundred dollars or less and has made expenditures in the total amount of five hundred dollars or less, it may file a statement to that effect, under penalty of election falsification, in lieu of the statement required by division (A)(2) of this section. The statement shall indicate the total amount of contributions received and the total amount of expenditures made during those combined reporting periods. 1505  
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(2) In the case of a successful candidate at a primary election, if either the total contributions received by or the total expenditures made by the candidate's campaign committee during the preprimary, postprimary, pregeneral, and postgeneral election periods combined equal more than five hundred dollars, the campaign committee may file the statement under division (H)(1) of this section only for the primary election. The first statement that the campaign committee files in regard to the general election shall reflect all contributions received and all expenditures made during the preprimary and postprimary election periods. 1515  
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(3) Divisions (H)(1) and (2) of this section do not apply if a campaign committee receives contributions or makes expenditures 1526  
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prior to the first day of January of the year of the election at 1528  
which the candidate seeks nomination or election to office or if 1529  
the campaign committee does not file a termination statement with 1530  
its postprimary election statement in the case of an unsuccessful 1531  
primary election candidate or with its postgeneral election 1532  
statement in the case of other candidates. 1533

(I) In the case of a contribution made by a partnership or 1534  
unincorporated business, all of the following apply: 1535

(1) The recipient of the contribution shall report the 1536  
contribution by listing both the partnership or unincorporated 1537  
business and the name of the partner or owner making the 1538  
contribution. 1539

(2) For purposes of section 3517.102 of the Revised Code, the 1540  
contribution shall be considered to have been made by the partner 1541  
or owner reported under division (I)(1) of this section. 1542

(3) No contribution from a partnership or unincorporated 1543  
business shall be accepted unless the recipient reports the 1544  
contribution under division (I)(1) of this section. 1545

(J) A candidate shall have only one campaign committee at any 1546  
given time for all of the offices for which the person is a 1547  
candidate or holds office. 1548

(K)(1) In addition to filing a designation of appointment of 1549  
a treasurer under division (D)(1) of this section, the campaign 1550  
committee of any candidate for an elected municipal office that 1551  
pays an annual amount of compensation of five thousand dollars or 1552  
less, the campaign committee of any candidate for member of a 1553  
board of education except member of the state board of education, 1554  
or the campaign committee of any candidate for township trustee or 1555  
township clerk may sign, under penalty of election falsification, 1556  
a certificate attesting that the committee will not accept 1557  
contributions during an election period that exceed in the 1558

aggregate two thousand dollars from all contributors and one 1559  
hundred dollars from any one individual, and that the campaign 1560  
committee will not make expenditures during an election period 1561  
that exceed in the aggregate two thousand dollars. 1562

The certificate shall be on a form prescribed by the 1563  
secretary of state and shall be filed not later than ten days 1564  
after the candidate files a declaration of candidacy and petition, 1565  
a nominating petition, or a declaration of intent to be a write-in 1566  
candidate. 1567

(2) Except as otherwise provided in division (K)(3) of this 1568  
section, a campaign committee that files a certificate under 1569  
division (K)(1) of this section is not required to file the 1570  
statements required by division (A) of this section ~~3517.10 of the~~ 1571  
~~Revised Code.~~ 1572

(3) If, after filing a certificate under division (K)(1) of 1573  
this section, a campaign committee exceeds any of the limitations 1574  
described in that division during an election period, the 1575  
certificate is void and thereafter the campaign committee shall 1576  
file the statements required by division (A) of this section 1577  
~~3517.10 of the Revised Code.~~ If the campaign committee has not 1578  
previously filed a statement, then on the first statement the 1579  
campaign committee is required to file under division (A) of this 1580  
section ~~3517.10 of the Revised Code~~ after the committee's 1581  
certificate is void, the committee shall report all contributions 1582  
received and expenditures made from the time the candidate filed 1583  
the candidate's declaration of candidacy and petition, nominating 1584  
petition, or declaration of intent to be a write-in candidate. 1585

(4) As used in division (K) of this section, "election 1586  
period" means the period of time beginning on the day a person 1587  
files a declaration of candidacy and petition, nominating 1588  
petition, or declaration of intent to be a write-in candidate 1589  
through the day of the election at which the person seeks 1590

nomination to office if the person is not elected to office, or, 1591  
if the candidate was nominated in a primary election, the day of 1592  
the election at which the candidate seeks office. 1593

(L) Notwithstanding division (B)(4) of this section, a 1594  
political contributing entity that receives contributions from the 1595  
dues, membership fees, or other assessments of its members or from 1596  
its officers, shareholders, and employees may report the aggregate 1597  
amount of contributions received from those contributors and the 1598  
number of individuals making those contributions, for each filing 1599  
period identified under divisions (A)(1), (2), and (3) of this 1600  
section. Division (B)(4) of this section applies to a political 1601  
contributing entity with regard to contributions it receives from 1602  
all other contributors. 1603

**Sec. 3517.106.** (A) As used in this section: 1604

(1) ~~"Internet" means the international computer network of 1605  
both federal and nonfederal interoperable packet switched data 1606  
networks, including the graphical subnetwork called the world wide 1607  
web.~~ 1608

~~(2)~~ "Statewide office" means any of the offices of governor, 1609  
lieutenant governor, secretary of state, auditor of state, 1610  
treasurer of state, attorney general, chief justice of the supreme 1611  
court, and justice of the supreme court. 1612

~~(3)~~(2) "Addendum to a statement" includes an amendment or 1613  
other correction to that statement. 1614

(B) The secretary of state shall store on computer the 1615  
information contained in statements of contributions and 1616  
expenditures and monthly statements required to be filed under 1617  
section 3517.10 of the Revised Code and in statements of 1618  
independent expenditures required to be filed under section 1619  
3517.105 of the Revised Code by any of the following: 1620

(1) The campaign committees of candidates for statewide office;	1621 1622
(2) The political action committees and political contributing entities described in division (A)(1) of section 3517.11 of the Revised Code;	1623 1624 1625
(3) Legislative campaign funds;	1626
(4) State political parties;	1627
(5) Individuals, partnerships, corporations, labor organizations, or other entities that make independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question;	1628 1629 1630 1631
(6) The campaign committees of candidates for the office of member of the general assembly.	1632 1633
(C)(1) The secretary of state shall make available to the campaign committees, political action committees, political contributing entities, legislative campaign funds, political parties, individuals, partnerships, corporations, labor organizations, and other entities described in division (B) of this section, and to members of the news media and other interested persons, for a reasonable fee, computer programs that are compatible with the secretary of state's method of storing the information contained in the statements.	1634 1635 1636 1637 1638 1639 1640 1641 1642
(2) The secretary of state shall make the information required to be stored under division (B) of this section available on computer at the secretary of state's office so that, to the maximum extent feasible, individuals may obtain at the secretary of state's office any part or all of that information for any given year, subject to the limitation expressed in division (D) of this section.	1643 1644 1645 1646 1647 1648 1649
(D) The secretary of state shall keep the information stored	1650

on computer under division (B) of this section for at least six 1651  
years. 1652

(E)(1) Subject to the secretary of state having implemented, 1653  
tested, and verified the successful operation of any system the 1654  
secretary of state prescribes pursuant to division (H)(1) of this 1655  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 1656  
the Revised Code for the filing of campaign finance statements by 1657  
electronic means of transmission, the campaign committee of each 1658  
candidate for statewide office may file the statements prescribed 1659  
by section 3517.10 of the Revised Code by electronic means of 1660  
transmission or, if the total amount of the contributions received 1661  
or the total amount of the expenditures made by the campaign 1662  
committee for the applicable reporting period as specified in 1663  
division (A) of section 3517.10 of the Revised Code exceeds ten 1664  
thousand dollars, shall file those statements by electronic means 1665  
of transmission. 1666

Except as otherwise provided in this division, within five 1667  
business days after a statement filed by a campaign committee of a 1668  
candidate for statewide office is received by the secretary of 1669  
state by electronic or other means of transmission, the secretary 1670  
of state shall make available online to the public through the 1671  
internet, as provided in division (I) of this section, the 1672  
contribution and expenditure information in that statement. The 1673  
secretary of state shall not make available online to the public 1674  
through the internet any contribution or expenditure information 1675  
contained in a statement for any candidate until the secretary of 1676  
state is able to make available online to the public through the 1677  
internet the contribution and expenditure information for all 1678  
candidates for a particular office. As soon as the secretary of 1679  
state has available all of that information, the secretary of 1680  
state shall simultaneously make available online to the public 1681  
through the internet the information for all candidates for a 1682

particular office. 1683

If a statement filed by electronic means of transmission is 1684  
found to be incomplete or inaccurate after the examination of the 1685  
statement for completeness and accuracy pursuant to division 1686  
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 1687  
committee shall file by electronic means of transmission any 1688  
addendum to the statement that provides the information necessary 1689  
to complete or correct the statement or, if required by the 1690  
secretary of state under that division, an amended statement. 1691

Within five business days after the secretary of state 1692  
receives from a campaign committee of a candidate for statewide 1693  
office an addendum to the statement or an amended statement by 1694  
electronic or other means of transmission under this division or 1695  
division (B)(3)(a) of section 3517.11 of the Revised Code, the 1696  
secretary of state shall make the contribution and expenditure 1697  
information in the addendum or amended statement available online 1698  
to the public through the internet as provided in division (I) of 1699  
this section. 1700

(2) Subject to division (E)(3) of this section and subject to 1701  
the secretary of state having implemented, tested, and verified 1702  
the successful operation of any system the secretary of state 1703  
prescribes pursuant to division (H)(1) of this section and 1704  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 1705  
Code for the filing of campaign finance statements by electronic 1706  
means of transmission, a political action committee and a 1707  
political contributing entity described in division (B)(2) of this 1708  
section, a legislative campaign fund, and a state political party 1709  
may file the statements prescribed by section 3517.10 of the 1710  
Revised Code by electronic means of transmission. 1711

Within five business days after a statement filed by a 1712  
political action committee or a political contributing entity 1713  
described in division (B)(2) of this section, a legislative 1714



campaign fund, or a state political party is received by the 1715  
secretary of state by electronic or other means of transmission, 1716  
the secretary of state shall make available online to the public 1717  
through the internet, as provided in division (I) of this section, 1718  
the contribution and expenditure information in that statement. 1719

If a statement filed by electronic means of transmission is 1720  
found to be incomplete or inaccurate after the examination of the 1721  
statement for completeness and accuracy pursuant to division 1722  
(B)(3)(a) of section 3517.11 of the Revised Code, the political 1723  
action committee, political contributing entity, legislative 1724  
campaign fund, or state political party shall file by electronic 1725  
means of transmission any addendum to the statement that provides 1726  
the information necessary to complete or correct the statement or, 1727  
if required by the secretary of state under that division, an 1728  
amended statement. 1729

Within five business days after the secretary of state 1730  
receives from a political action committee or a political 1731  
contributing entity described in division (B)(2) of this section, 1732  
a legislative campaign fund, or a state political party an 1733  
addendum to the statement or an amended statement by electronic or 1734  
other means of transmission under this division or division 1735  
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 1736  
state shall make the contribution and expenditure information in 1737  
the addendum or amended statement available online to the public 1738  
through the internet as provided in division (I) of this section. 1739

(3) Subject to the secretary of state having implemented, 1740  
tested, and verified the successful operation of any system the 1741  
secretary of state prescribes pursuant to division (H)(1) of this 1742  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 1743  
the Revised Code for the filing of campaign finance statements by 1744  
electronic means of transmission, a political action committee and 1745  
a political contributing entity described in division (B)(2) of 1746

this section, a legislative campaign fund, and a state political party shall file the statements prescribed by section 3517.10 of the Revised Code by electronic means of transmission if the total amount of the contributions received or the total amount of the expenditures made by the political action committee, political contributing entity, legislative campaign fund, or political party for the applicable reporting period as specified in division (A) of section 3517.10 of the Revised Code exceeds ten thousand dollars.

Within five business days after a statement filed by a political action committee or a political contributing entity described in division (B)(2) of this section, a legislative campaign fund, or a state political party is received by the secretary of state by electronic or other means of transmission, the secretary of state shall make available online to the public through the internet, as provided in division (I) of this section, the contribution and expenditure information in that statement.

If a statement filed by electronic means of transmission is found to be incomplete or inaccurate after the examination of the statement for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, the political action committee, political contributing entity, legislative campaign fund, or state political party shall file by electronic means of transmission any addendum to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives from a political action committee or a political contributing entity described in division (B)(2) of this section, a legislative campaign fund, or a state political party an addendum to the statement or an amended statement by electronic or

other means of transmission under this division or division 1779  
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 1780  
state shall make the contribution and expenditure information in 1781  
the addendum or amended statement available online to the public 1782  
through the internet as provided in division (I) of this section. 1783

(F)(1) Subject to division (F)(4) of this section and subject 1784  
to the secretary of state having implemented, tested, and verified 1785  
the successful operation of any system the secretary of state 1786  
prescribes pursuant to division (H)(1) of this section and 1787  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 1788  
Code for the filing of campaign finance statements by electronic 1789  
means of transmission or on computer disk, a campaign committee of 1790  
a candidate for the office of member of the general assembly may 1791  
file the statements prescribed by section 3517.10 of the Revised 1792  
Code by electronic means of transmission to the office of the 1793  
secretary of state or, until March 1, 2004, on computer disk with 1794  
the appropriate board of elections specified in division (A)(2) of 1795  
section 3517.11 of the Revised Code. 1796

Except as otherwise provided in this division, within five 1797  
business days after a statement filed by a campaign committee of a 1798  
candidate for the office of member of the general assembly is 1799  
received by the secretary of state by electronic or other means of 1800  
transmission, the secretary of state shall make available online 1801  
to the public through the internet, as provided in division (I) of 1802  
this section, the contribution and expenditure information in that 1803  
statement. The secretary of state shall not make available online 1804  
to the public through the internet any contribution or expenditure 1805  
information contained in a statement for any candidate until the 1806  
secretary of state is able to make available online to the public 1807  
through the internet the contribution and expenditure information 1808  
for all candidates for a particular office. As soon as the 1809  
secretary of state has available all of that information, the 1810

secretary of state shall simultaneously make available online to 1811  
the public through the internet the information for all candidates 1812  
for a particular office. 1813

If a statement filed by electronic means of transmission or 1814  
on computer disk is found to be incomplete or inaccurate after the 1815  
examination of the statement for completeness and accuracy 1816  
pursuant to division (B)(3)(a) of section 3517.11 of the Revised 1817  
Code, the campaign committee shall file by electronic means of 1818  
transmission to the office of the secretary of state, or, until 1819  
March 1, 2004, on computer disk with the appropriate board of 1820  
elections if the original statement was filed on computer disk, 1821  
any addendum to the statement that provides the information 1822  
necessary to complete or correct the statement or, if required by 1823  
the secretary of state under that division, an amended statement. 1824

Within five business days after the secretary of state 1825  
receives from a campaign committee of a candidate for the office 1826  
of member of the general assembly an addendum to the statement or 1827  
an amended statement by electronic or other means of transmission 1828  
under this division or division (B)(3)(a) of section 3517.11 of 1829  
the Revised Code, the secretary of state shall make the 1830  
contribution and expenditure information in the addendum or 1831  
amended statement available online to the public through the 1832  
internet as provided in division (I) of this section. 1833

(2) Until March 1, 2004, if a campaign committee of a 1834  
candidate for the office of member of the general assembly files a 1835  
statement of contributions and expenditures, an addendum to the 1836  
statement, or an amended statement by electronic means of 1837  
transmission or on computer disk pursuant to division (F)(1) of 1838  
this section, the campaign committee shall file as prescribed by 1839  
section 3517.10 of the Revised Code with the appropriate board of 1840  
elections specified in division (A)(2) of section 3517.11 of the 1841  
Revised Code a printed version of the statement, addendum, or 1842

amended statement filed by electronic means of transmission or on 1843  
computer disk, in the format that the secretary of state shall 1844  
prescribe. If a statement, addendum, or amended statement is not 1845  
filed by electronic means of transmission or on computer disk but 1846  
is filed by printed version only, the campaign committee shall 1847  
file two copies of the printed version of the statement, addendum, 1848  
or amended statement with the appropriate board of elections. The 1849  
board of elections shall send one of those copies by overnight 1850  
delivery service to the secretary of state before the close of 1851  
business on the day the board of elections receives the statement, 1852  
addendum, or amended statement. 1853

(3)(a) Subject to division (F)(4) of this section and subject 1854  
to the secretary of state having implemented, tested, and verified 1855  
the successful operation of any system the secretary of state 1856  
prescribes pursuant to division (H)(1) of this section and 1857  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 1858  
Code for the filing of campaign finance statements by electronic 1859  
means of transmission or on computer disk, the secretary of state 1860  
shall assess, and a campaign committee of a candidate for the 1861  
office of member of the general assembly shall pay, a fee as 1862  
provided in this division if the campaign committee has not filed 1863  
the campaign finance statements prescribed by section 3517.10 of 1864  
the Revised Code by electronic means of transmission or on 1865  
computer disk pursuant to division (F)(1) of this section. The fee 1866  
shall be calculated on the total contributions received for the 1867  
applicable reporting period specified in division (A) of section 1868  
3517.10 of the Revised Code as follows: 1869

(i) No fee for total contributions up to and including ten 1870  
thousand dollars; 1871

(ii) A fee of fifty dollars for total contributions of over 1872  
ten thousand dollars up to and including twenty-five thousand 1873  
dollars; 1874

(iii) A fee of one hundred fifty dollars for total 1875  
contributions over twenty-five thousand dollars up to and 1876  
including fifty thousand dollars; 1877

(iv) A fee of two hundred dollars for total contributions 1878  
over fifty thousand dollars. 1879

(b) No campaign committee of a candidate for the office of 1880  
member of the general assembly shall be required to pay the fee 1881  
prescribed by division (F)(3)(a) of this section in connection 1882  
with the filing of an addendum to a statement of contributions and 1883  
expenditures or in connection with the filing of an amended 1884  
statement. 1885

(c) The fee prescribed by division (F)(3)(a) of this section 1886  
shall be made payable to the secretary of state and shall be 1887  
collected by the appropriate board of elections at the time the 1888  
campaign committee of a candidate for the office of member of the 1889  
general assembly files the statement of contributions and 1890  
expenditures. The fee shall be sent along with the statement, 1891  
before the close of business on the day it is received, to the 1892  
secretary of state by overnight delivery service. 1893

(4) Subject to the secretary of state having implemented, 1894  
tested, and verified the successful operation of any system the 1895  
secretary of state prescribes pursuant to division (H)(1) of this 1896  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 1897  
the Revised Code for the filing of campaign finance statements by 1898  
electronic means of transmission, on and after March 1, 2004, a 1899  
campaign committee of a candidate for the office of member of the 1900  
general assembly shall file the statements prescribed by section 1901  
3517.10 of the Revised Code by electronic means of transmission to 1902  
the secretary of state if the total amount of the contributions 1903  
received by the campaign committee for the applicable reporting 1904  
period as specified in division (A) of section 3517.10 of the 1905

Revised Code exceeds ten thousand dollars. 1906

Except as otherwise provided in this division, within five 1907  
business days after a statement filed by a campaign committee of a 1908  
candidate for the office of member of the general assembly is 1909  
received by the secretary of state by electronic or other means of 1910  
transmission, the secretary of state shall make available online 1911  
to the public through the internet, as provided in division (I) of 1912  
this section, the contribution and expenditure information in that 1913  
statement. The secretary of state shall not make available online 1914  
to the public through the internet any contribution or expenditure 1915  
information contained in a statement for any candidate until the 1916  
secretary of state is able to make available online to the public 1917  
through the internet the contribution and expenditure information 1918  
for all candidates for a particular office. As soon as the 1919  
secretary of state has available all of that information, the 1920  
secretary of state shall simultaneously make available online to 1921  
the public through the internet the information for all candidates 1922  
for a particular office. 1923

If a statement filed by electronic means of transmission is 1924  
found to be incomplete or inaccurate after the examination of the 1925  
statement for completeness and accuracy pursuant to division 1926  
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 1927  
committee of a candidate for the office of member of the general 1928  
assembly shall file by electronic means of transmission any 1929  
addendum to the statement that provides the information necessary 1930  
to complete or correct the statement or, if required by the 1931  
secretary of state under that division, an amended statement. 1932

Within five business days after the secretary of state 1933  
receives from a campaign committee of a candidate for the office 1934  
of member of the general assembly an addendum to the statement or 1935  
an amended statement by electronic or other means of transmission 1936  
under this division or division (B)(3)(a) of section 3517.11 of 1937

the Revised Code, the secretary of state shall make the 1938  
contribution and expenditure information in the addendum or 1939  
amended statement available online to the public through the 1940  
internet as provided in division (I) of this section. 1941

(G)(1) Subject to division (G)(2) of this section and subject 1942  
to the secretary of state having implemented, tested, and verified 1943  
the successful operation of any system the secretary of state 1944  
prescribes pursuant to division (H)(1) of this section and 1945  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 1946  
Code for the filing of campaign finance statements by electronic 1947  
means of transmission, any individual, partnership, or other 1948  
entity that makes independent expenditures in support of or 1949  
opposition to a statewide candidate or a statewide ballot issue or 1950  
question as provided in division (B)(2)(b) or (C)(2)(b) of section 1951  
3517.105 of the Revised Code may file the statement specified in 1952  
that division by electronic means of transmission. 1953

Within five business days after a statement filed by an 1954  
individual, partnership, or other entity is received by the 1955  
secretary of state by electronic or other means of transmission, 1956  
the secretary of state shall make available online to the public 1957  
through the internet, as provided in division (I) of this section, 1958  
the expenditure information in that statement. 1959

If a statement filed by electronic means of transmission is 1960  
found to be incomplete or inaccurate after the examination of the 1961  
statement for completeness and accuracy pursuant to division 1962  
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 1963  
partnership, or other entity shall file by electronic means of 1964  
transmission any addendum to the statement that provides the 1965  
information necessary to complete or correct the statement or, if 1966  
required by the secretary of state under that division, an amended 1967  
statement. 1968

Within five business days after the secretary of state 1969



receives from an individual, partnership, or other entity 1970  
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 1971  
of the Revised Code an addendum to the statement or an amended 1972  
statement by electronic or other means of transmission under this 1973  
division or division (B)(3)(a) of section 3517.11 of the Revised 1974  
Code, the secretary of state shall make the expenditure 1975  
information in the addendum or amended statement available online 1976  
to the public through the internet as provided in division (I) of 1977  
this section. 1978

(2) Subject to the secretary of state having implemented, 1979  
tested, and verified the successful operation of any system the 1980  
secretary of state prescribes pursuant to division (H)(1) of this 1981  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 1982  
the Revised Code for the filing of campaign finance statements by 1983  
electronic means of transmission, any individual, partnership, or 1984  
other entity that makes independent expenditures in support of or 1985  
opposition to a statewide candidate or a statewide ballot issue or 1986  
question as provided in division (B)(2)(b) or (C)(2)(b) of section 1987  
3517.105 of the Revised Code shall file the statement specified in 1988  
that division by electronic means of transmission if the total 1989  
amount of the independent expenditures made during the reporting 1990  
period under that division exceeds ten thousand dollars. 1991

Within five business days after a statement filed by an 1992  
individual, partnership, or other entity is received by the 1993  
secretary of state by electronic or other means of transmission, 1994  
the secretary of state shall make available online to the public 1995  
through the internet, as provided in division (I) of this section, 1996  
the expenditure information in that statement. 1997

If a statement filed by electronic means of transmission is 1998  
found to be incomplete or inaccurate after the examination of the 1999  
statement for completeness and accuracy pursuant to division 2000  
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 2001

partnership, or other entity shall file by electronic means of 2002  
transmission any addendum to the statement that provides the 2003  
information necessary to complete or correct the statement or, if 2004  
required by the secretary of state under that division, an amended 2005  
statement. 2006

Within five business days after the secretary of state 2007  
receives from an individual, partnership, or other entity 2008  
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 2009  
of the Revised Code an addendum to the statement or an amended 2010  
statement by electronic or other means of transmission under this 2011  
division or division (B)(3)(a) of section 3517.11 of the Revised 2012  
Code, the secretary of state shall make the expenditure 2013  
information in the addendum or amended statement available online 2014  
to the public through the internet as provided in division (I) of 2015  
this section. 2016

(H)(1) The secretary of state, by rule adopted pursuant to 2017  
section 3517.23 of the Revised Code, shall prescribe one or more 2018  
techniques by which a person who executes and transmits by 2019  
electronic means a statement of contributions and expenditures, a 2020  
statement of independent expenditures, an addendum to either 2021  
statement, an amended statement of contributions and expenditures, 2022  
or an amended statement of independent expenditures under this 2023  
section or section 3517.10 or 3517.105 of the Revised Code shall 2024  
electronically sign the statement, addendum, or amended statement. 2025  
Any technique prescribed by the secretary of state pursuant to 2026  
this division shall create an electronic signature that satisfies 2027  
all of the following: 2028

(a) It is unique to the signer. 2029

(b) It objectively identifies the signer. 2030

(c) It involves the use of a signature device or other means 2031  
or method that is under the sole control of the signer and that 2032

cannot be readily duplicated or compromised. 2033

(d) It is created and linked to the electronic record to 2034  
which it relates in a manner that, if the record or signature is 2035  
intentionally or unintentionally changed after signing, the 2036  
electronic signature is invalidated. 2037

(2) An electronic signature prescribed by the secretary of 2038  
state under division (H)(1) of this section shall be attached to 2039  
or associated with the statement of contributions and 2040  
expenditures, the statement of independent expenditures, the 2041  
addendum to either statement, the amended statement of 2042  
contributions and expenditures, or the amended statement of 2043  
independent expenditures that is executed and transmitted by 2044  
electronic means by the person to whom the electronic signature is 2045  
attributed. The electronic signature that is attached to or 2046  
associated with the statement, addendum, or amended statement 2047  
under this division shall be binding on all persons and for all 2048  
purposes under the campaign finance reporting law as if the 2049  
signature had been handwritten in ink on a printed form of the 2050  
statement, addendum, or amended statement. 2051

(I) The secretary of state shall make the contribution and 2052  
expenditure information in all statements, all addenda to the 2053  
statements, and all amended statements that are filed with the 2054  
secretary of state by electronic or other means of transmission 2055  
under this section or section 3517.10, 3517.105, or 3517.11 of the 2056  
Revised Code available online to the public by any means that are 2057  
searchable, viewable, and accessible through the internet. 2058

(J)(1) As used in this division, "library" means a library 2059  
that is open to the public and that is one of the following: 2060

(a) A library that is maintained and regulated under section 2061  
715.13 of the Revised Code; 2062

(b) A library that is created, maintained, and regulated 2063

under Chapter 3375. of the Revised Code. 2064

(2) The secretary of state shall notify all libraries of the 2065  
location on the internet at which the contribution and expenditure 2066  
information in campaign finance statements required to be made 2067  
available online to the public through the internet pursuant to 2068  
division (I) of this section may be accessed. 2069

If that location is part of the graphical subnetwork called 2070  
the world wide web and if the secretary of state has notified a 2071  
library of that world wide web location as required by this 2072  
division, the library shall include a link to that world wide web 2073  
location on each internet-connected computer it maintains that is 2074  
accessible to the public. 2075

(3) If the system the secretary of state prescribes for the 2076  
filing of campaign finance statements by electronic means of 2077  
transmission pursuant to division (H)(1) of this section and 2078  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 2079  
Code includes filing those statements through the internet via an 2080  
interactive location on the graphical subnetwork called the world 2081  
wide web, the secretary of state shall notify all libraries of the 2082  
world wide web location at which those statements may be filed. 2083

If those statements may be filed through the internet via an 2084  
interactive location on the graphical subnetwork called the world 2085  
wide web and if the secretary of state has notified a library of 2086  
that world wide web location as required by this division, the 2087  
library shall include a link to that world wide web location on 2088  
each internet-connected computer it maintains that is accessible 2089  
to the public. 2090

(K) It is an affirmative defense to a complaint or charge 2091  
brought against any campaign committee, political action 2092  
committee, legislative campaign fund, political party, political 2093  
contributing entity, or individual, partnership, or other entity 2094

for the failure to file by electronic means of transmission a 2095  
campaign finance statement as required by this section or section 2096  
3517.10 or 3517.105 of the Revised Code that all of the following 2097  
apply to the campaign committee, political action committee, 2098  
legislative campaign fund, political party, political contributing 2099  
entity, or individual, partnership, or other entity that failed to 2100  
file the required statement: 2101

(1) The campaign committee, political action committee, 2102  
legislative campaign fund, political party, political contributing 2103  
entity, or individual, partnership, or other entity attempted to 2104  
file by electronic means of transmission the required statement 2105  
prior to the deadline set forth in the applicable section. 2106

(2) The campaign committee, political action committee, 2107  
legislative campaign fund, political party, political contributing 2108  
entity, or individual, partnership, or other entity was unable to 2109  
file by electronic means of transmission due to an expected or 2110  
unexpected shutdown of the whole or part of the electronic 2111  
campaign finance statement-filing system, such as for maintenance 2112  
or because of hardware, software, or network connection failure. 2113

(3) The campaign committee, political action committee, 2114  
legislative campaign fund, political party, political contributing 2115  
entity, or individual, partnership, or other entity filed by 2116  
electronic means of transmission the required statement within a 2117  
reasonable period of time after being unable to so file it under 2118  
the circumstance described in division (K)(2) of this section. 2119

**Sec. 3517.11.** (A)(1) Campaign committees of candidates for 2120  
statewide offices or the state board of education, political 2121  
action committees or political contributing entities that make 2122  
contributions to campaign committees of candidates that are 2123  
required to file the statements prescribed by section 3517.10 of 2124  
the Revised Code with the secretary of state, political action 2125

committees or political contributing entities that make 2126  
contributions to campaign committees of candidates for member of 2127  
the general assembly, political action committees or political 2128  
contributing entities that make contributions to state and 2129  
national political parties and to legislative campaign funds, 2130  
political action committees or political contributing entities 2131  
that receive contributions or make expenditures in connection with 2132  
a statewide ballot issue, political action committees or political 2133  
contributing entities that make contributions to other political 2134  
action committees or political contributing entities, political 2135  
parties, and campaign committees, except as set forth in division 2136  
(A)(3) of this section, legislative campaign funds, and state and 2137  
national political parties shall file the statements prescribed by 2138  
section 3517.10 of the Revised Code with the secretary of state. 2139

(2) Except as otherwise provided in division (F) of section 2140  
3517.106 of the Revised Code, campaign committees of candidates 2141  
for all other offices shall file the statements prescribed by 2142  
section 3517.10 of the Revised Code with the board of elections 2143  
where their candidates are required to file their petitions or 2144  
other papers for nomination or election. 2145

A campaign committee of a candidate for office of member of 2146  
the general assembly shall file two copies of the printed version 2147  
of any statement, addendum, or amended statement if the committee 2148  
does not file by electronic means of transmission or on computer 2149  
disk pursuant to division (F)(1) of section 3517.106 of the 2150  
Revised Code but files by printed version only with the 2151  
appropriate board of elections. The board of elections shall send 2152  
one of those copies by overnight delivery service to the secretary 2153  
of state before the close of business on the day the board of 2154  
elections receives the statement, addendum, or amended statement. 2155

(3) Political action committees or political contributing 2156

entities that only contribute to a county political party, 2157  
contribute to campaign committees of candidates whose nomination 2158  
or election is to be submitted only to electors within a county, 2159  
subdivision, or district, excluding candidates for member of the 2160  
general assembly, and receive contributions or make expenditures 2161  
in connection with ballot questions or issues to be submitted only 2162  
to electors within a county, subdivision, or district shall file 2163  
the statements prescribed by section 3517.10 of the Revised Code 2164  
with the board of elections in that county or in the county 2165  
contained in whole or part within the subdivision or district 2166  
having a population greater than that of any other county 2167  
contained in whole or part within that subdivision or district, as 2168  
the case may be. 2169

(4) County political parties shall file the statements 2170  
prescribed by section 3517.10 of the Revised Code with the board 2171  
of elections of their respective counties. 2172

(B)(1) The official with whom petitions and other papers for 2173  
nomination or election to public office are filed shall furnish 2174  
each candidate at the time of that filing a copy of sections 2175  
3517.01, 3517.08 to 3517.11, 3517.13 to 3517.993, 3599.03, and 2176  
3599.031 of the Revised Code and any other materials that the 2177  
secretary of state may require. Each candidate receiving the 2178  
materials shall acknowledge their receipt in writing. 2179

(2) On or before the tenth day before the dates on which 2180  
statements are required to be filed by section 3517.10 of the 2181  
Revised Code, every candidate subject to the provisions of this 2182  
section and sections 3517.10 and 3517.106 of the Revised Code 2183  
shall be notified of the requirements and applicable penalties of 2184  
those sections. The secretary of state, by certified mail, return 2185  
receipt requested, shall notify all candidates required to file 2186  
those statements with the secretary of state's office. The board 2187  
of elections of every county shall notify by first class mail any 2188

candidate who has personally appeared at the office of the board 2189  
on or before the tenth day before the statements are required to 2190  
be filed and signed a form, to be provided by the secretary of 2191  
state, attesting that the candidate has been notified of the 2192  
candidate's obligations under the campaign finance law. The board 2193  
shall forward the completed form to the secretary of state. The 2194  
board shall use certified mail, return receipt requested, to 2195  
notify all other candidates required to file those statements with 2196  
it. 2197

(3)(a) Any statement required to be filed under sections 2198  
3517.081 to 3517.17 of the Revised Code that is found to be 2199  
incomplete or inaccurate by the officer to whom it is submitted 2200  
shall be accepted on a conditional basis, and the person who filed 2201  
it shall be notified by certified mail as to the incomplete or 2202  
inaccurate nature of the statement. The secretary of state may 2203  
examine statements filed for candidates for the office of member 2204  
of the general assembly for completeness and accuracy. The 2205  
secretary of state shall examine for completeness and accuracy 2206  
statements that campaign committees of candidates for the office 2207  
of member of the general assembly file by electronic means of 2208  
transmission pursuant to division (F) of section 3517.106 of the 2209  
Revised Code. If an officer at the board of elections where a 2210  
statement filed for a candidate for the office of member of the 2211  
general assembly was submitted finds the statement to be 2212  
incomplete or inaccurate, the officer shall immediately notify the 2213  
secretary of state of its incomplete or inaccurate nature. If 2214  
either an officer at the board of elections or the secretary of 2215  
state finds a statement filed for a candidate for the office of 2216  
member of the general assembly to be incomplete or inaccurate, 2217  
only the secretary of state shall send the notification as to the 2218  
incomplete or inaccurate nature of the statement. 2219

Within twenty-one days after receipt of the notice, in the 2220



case of a pre-election statement, a postelection statement, a 2221  
monthly statement, or an annual statement prescribed by section 2222  
3517.10, an annual statement prescribed by section 3517.101, or a 2223  
statement prescribed by division (B)(2)(b) or (C)(2)(b) of section 2224  
3517.105 or section 3517.107 of the Revised Code, the recipient 2225  
shall file an addendum, amendment, or other correction to the 2226  
statement providing the information necessary to complete or 2227  
correct the statement. The secretary of state may require that, in 2228  
lieu of filing an addendum, amendment, or other correction to a 2229  
statement that is filed by electronic means of transmission to the 2230  
office of the secretary of state or on computer disk with the 2231  
appropriate board of elections pursuant to section 3517.106 of the 2232  
Revised Code, the recipient of the notice described in this 2233  
division file by electronic means of transmission, or, until March 2234  
1, 2004, on computer disk with the appropriate board of elections 2235  
if the original statement was filed on computer disk, an amended 2236  
statement that incorporates the information necessary to complete 2237  
or correct the statement. The secretary of state shall determine 2238  
by rule when an addendum, amendment, or other correction to a 2239  
two-business-day statement prescribed by section 3517.10 of the 2240  
Revised Code or an amended two-business-day statement shall be 2241  
filed. An addendum, amendment, or other correction to a statement 2242  
that is filed by electronic means of transmission or on computer 2243  
disk pursuant to section 3517.106 of the Revised Code shall be 2244  
filed in the same manner as the statement. The provisions of 2245  
sections 3517.10 and 3517.106 of the Revised Code pertaining to 2246  
the filing of statements of contributions and expenditures and 2247  
statements of independent expenditures by electronic means of 2248  
transmission or on computer disk apply to the filing of addenda, 2249  
amendments, or other corrections to those statements by electronic 2250  
means of transmission or, until March 1, 2004, on computer disk 2251  
and the filing of amended statements by electronic means of 2252  
transmission or, until March 1, 2004, on computer disk. 2253

(b) Within five business days after the secretary of state receives, by electronic or other means of transmission, an addendum, amendment, or other correction to a statement or an amended statement under division (B)(3)(a) of this section, the secretary of state, pursuant to divisions (E), (F), (G), and (I) of section 3517.106 of the Revised Code, shall make the contribution and expenditure information in that addendum, amendment, correction, or amended statement available online to the public through the internet. ~~As used in this division, "internet" has the same meaning as in section 3517.106 of the Revised Code.~~

(4)(a) The secretary of state or the board of elections shall examine all statements for compliance with sections 3517.08 to 3517.17 of the Revised Code.

(b) The secretary of state may contract with an individual or entity not associated with the secretary of state and experienced in interpreting the campaign finance law of this state to conduct examinations of statements filed by any statewide candidate, as defined in section 3517.103 of the Revised Code.

(c) The examination shall be conducted by a person or entity qualified to conduct it. The results of the examination shall be available to the public, and, when the examination is conducted by an individual or entity not associated with the secretary of state, the results of the examination shall be reported to the secretary of state.

(C)(1) In the event of a failure to file or a late filing of a statement required to be filed under sections 3517.081 to 3517.17 of the Revised Code or if a filed statement or any addendum to the statement, if an addendum is required to be filed, is incomplete or inaccurate or appears to disclose a failure to comply with or a violation of law, the official whose duty it is

to examine the statement shall promptly file a complaint with the 2285  
Ohio elections commission under section 3517.153 of the Revised 2286  
Code if the law is one over which the commission has jurisdiction 2287  
to hear complaints, or the official shall promptly report the 2288  
failure or violation to the board of elections and the board shall 2289  
promptly report it to the prosecuting attorney in accordance with 2290  
division (J) of section 3501.11 of the Revised Code. If the 2291  
official files a complaint with the commission, the commission 2292  
shall proceed in accordance with sections 3517.154 to 3517.157 of 2293  
the Revised Code. 2294

(2) For purposes of division (C)(1) of this section, a 2295  
statement or an addendum to a statement required to be filed under 2296  
sections 3517.081 to 3517.17 of the Revised Code is incomplete or 2297  
inaccurate under this section if the statement or addendum fails 2298  
to disclose substantially all contributions that are received from 2299  
a source and that are required to be reported under sections 2300  
3517.10, 3517.107, and 3517.108 of the Revised Code or if the 2301  
statement or addendum fails to disclose at least ninety per cent 2302  
of the total contributions received or of the total expenditures 2303  
made during the reporting period. 2304

(D) No certificate of nomination or election shall be issued 2305  
to a person, and no person elected to an office shall enter upon 2306  
the performance of the duties of that office, until that person or 2307  
that person's campaign committee, as appropriate, has fully 2308  
complied with this section and sections 3517.08, 3517.081, 2309  
3517.10, and 3517.13 of the Revised Code. 2310

**Sec. 5145.31.** (A) As used in this section+ 2311

~~(1) "Computer,"~~ "computer," "computer network," "computer 2312  
system," "computer services," "telecommunications service," and 2313  
"information service" have the same meanings as in section 2913.01 2314  
of the Revised Code. 2315

~~(2) "Internet" has the same meaning as in section 341.42 of  
the Revised Code.~~ 2316  
2317

(B) No officer or employee of a correctional institution 2318  
under the control or supervision of the department of 2319  
rehabilitation and correction shall provide a prisoner access to 2320  
or permit a prisoner to have access to the internet through the 2321  
use of a computer, computer network, computer system, computer 2322  
services, telecommunications service, or information service 2323  
unless both of the following apply: 2324

(1) The prisoner is participating in an approved educational 2325  
program with direct supervision that requires the use of the 2326  
internet for training or research purposes. 2327

(2) The provision of and access to the internet is in 2328  
accordance with rules promulgated by the department of 2329  
rehabilitation and correction pursuant to section 5120.62 of the 2330  
Revised Code. 2331

(C)(1) No prisoner in a correctional institution under the 2332  
control or supervision of the department of rehabilitation and 2333  
correction shall access the internet through the use of a 2334  
computer, computer network, computer system, computer services, 2335  
telecommunications service, or information service unless both of 2336  
the following apply: 2337

(a) The prisoner is participating in an approved educational 2338  
program with direct supervision that requires the use of the 2339  
internet for training or research purposes. 2340

(b) The provision of and access to the internet is in 2341  
accordance with rules promulgated by the department of 2342  
rehabilitation and correction pursuant to section 5120.62 of the 2343  
Revised Code. 2344

(2) Whoever violates division (C)(1) of this section is 2345

guilty of improper internet access, a misdemeanor of the first 2346  
degree. 2347

**Sec. 5703.49.** (A) ~~As used in this section, "internet" means 2348  
the international computer network of both federal and nonfederal 2349  
interoperable packet switched data networks, including the 2350  
graphical subnetwork known as the world wide web. 2351~~

~~(B)~~ On or before December 31, 2001, the tax commissioner 2352  
shall establish an electronic site accessible through the 2353  
internet. The tax commissioner shall provide access on the site 2354  
for each municipal corporation that has not established its own 2355  
electronic site to post documents or information required under 2356  
section 718.07 of the Revised Code. The tax commissioner shall 2357  
provide electronic links for each municipal corporation that 2358  
establishes a site under that section and for which a uniform 2359  
resource locator has been provided to the tax commissioner. The 2360  
tax commissioner is not responsible for the accuracy of the posted 2361  
information, and is not liable for any inaccurate or outdated 2362  
information provided by a municipal corporation. The tax 2363  
commissioner may adopt rules governing the format and means of 2364  
submitting such documents or information and other matters 2365  
necessary to implement this section. The tax commissioner may 2366  
charge municipal corporations a fee to defray the cost of 2367  
establishing and maintaining the electronic site established under 2368  
this section. 2369

~~(C)~~(B) The tax commissioner shall deposit any fees received 2370  
under this section to the credit of the municipal internet site 2371  
fund, which is hereby created in the state treasury. The 2372  
commissioner shall use the fund for costs of establishing and 2373  
maintaining the electronic site established under this section. 2374

**Section 2.** That existing sections 1.59, 9.08, 9.314, 101.691, 2375  
125.072, 149.38, 149.432, 307.12, 341.42, 505.10, 718.07, 721.15, 2376

753.32, 955.013, 1306.16, 2307.64, 3517.10, 3517.106, 3517.11, 2377  
5145.31, and 5703.49 of the Revised Code are hereby repealed. 2378