

**As Passed by the Senate**

**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  
Senators Amstutz, Goodman, Stivers**

---

**A B I L L**

To amend sections 1.59, 9.08, 9.314, 9.48, 101.691, 1  
113.40, 125.04, 125.072, 149.38, 149.432, 307.12, 2  
341.42, 505.10, 718.07, 721.15, 753.32, 955.013, 3  
1306.16, 2307.64, 3517.10, 3517.106, 3517.11, 4  
5145.31, and 5703.49 and to enact sections 5  
117.111, 304.01, 304.02, 304.03, and 304.04 of the 6  
Revised Code to provide for the use of electronic 7  
records and signatures by county offices if 8  
specified security procedures are adopted, to 9  
require the Auditor of State to audit electronic 10  
record security procedures adopted by county 11  
offices, to create a single definition of the 12  
"internet" to be used throughout the Revised Code, 13  
to allow a county or township to participate in 14  
contract offerings from the federal government, to 15  
modify the law governing payment of state expenses 16  
by a financial transaction device, to provide 17  
notice to county historical societies and other 18  
local entities that county records are being sent 19

to the Ohio Historical Society for potential 20  
distribution, to create the Ohio Privacy/Public 21  
Access Study Committee, and to amend Section 3.18 22  
of Am. Sub. H.B. 95 of the 125th General Assembly, 23  
as subsequently amended, and Section 4 of Am. Sub. 24  
H.B. 168 of the 125th General Assembly to delay 25  
until July 1, 2005, the effective date of certain 26  
sales and use tax sourcing laws that were intended 27  
to take effect January 1, 2005, and to authorize 28  
vendors to commence destination-based sourcing 29  
prior to that effective date. 30

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

**Section 1.** That sections 1.59, 9.08, 9.314, 9.48, 101.691, 31  
113.40, 125.04, 125.072, 149.38, 149.432, 307.12, 341.42, 505.10, 32  
718.07, 721.15, 753.32, 955.013, 1306.16, 2307.64, 3517.10, 33  
3517.106, 3517.11, 5145.31, and 5703.49 be amended and section 34  
117.111, 304.01, 304.02, 304.03, and 304.04 of the Revised Code be 35  
enacted to read as follows: 36

**Sec. 1.59.** As used in any statute, unless another definition 37  
is provided in ~~such~~ that statute or a related statute: 38

(A) "Child" includes child by adoption. 39

(B) "Oath" includes affirmation, and "swear" includes affirm. 40

(C) "Person" includes an individual, corporation, business 41  
trust, estate, trust, partnership, and association. 42

(D) "Population" means that shown by the most recent regular 43  
federal census. 44

(E) "Property" means real and personal property. 45

(F) "Rule" includes regulation. 46

(G) "State," when applied to a part of the United States, 47  
includes any state, district, commonwealth, territory, insular 48  
possession thereof, and any area subject to the legislative 49  
authority of the United States of America. "This state" or "the 50  
state" means the state of Ohio. 51

(H) "United States" includes all the states. 52

(I) "Will" includes codicil. 53

(J) "Written" or "in writing" includes any representation of 54  
words, letters, symbols, or figures; this provision does not 55  
affect any law relating to signatures. 56

(K) "Internet" means the international computer network of 57  
both federal and nonfederal interoperable packet switched data 58  
networks, including the graphical subnetwork known as the world 59  
wide web. 60

**Sec. 9.08.** (A) As used in this section: 61

(1) "Computer," "computer network," "computer system," 62  
"computer services," "telecommunications service," and 63  
"information service" have the same meanings as in section 2913.01 64  
of the Revised Code. 65

(2) "Contractor" means either of the following: 66

(a) A person who enters into a contract under section 9.06 of 67  
the Revised Code. 68

(b) A person who enters into a contract under section 9.07 of 69  
the Revised Code to operate and manage a correctional facility in 70  
this state for out-of-state prisoners. 71

(3) "Private correctional facility" means a correctional 72  
facility that is operated by a contractor under a contract 73  
pursuant to section 9.06 or 9.07 of the Revised Code. 74

~~(4) "Internet" has the same meaning as in section 341.42 of 75~~

~~the Revised Code.~~

76

(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:

77

78

79

80

81

82

83

(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.

84

85

86

(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.

87

88

89

90

(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:

91

92

93

94

95

(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.

96

97

98

(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.

99

100

101

102

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

103

104

105

Sec. 9.314. (A) As used in this section:	106
(1) "Contracting authority" has the same meaning as in section 307.92 of the Revised Code.	107 108
(2) <del>"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.</del>	109 110 111 112
<del>(3)</del> "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.	113 114 115 116 117
<del>(4)</del> <u>(3)</u> "Reverse auction" means a purchasing process in which offerors submit proposals in competing to sell services or supplies in an open environment via the internet.	118 119 120
<del>(5)</del> <u>(4)</u> "Services" means the furnishing of labor, time, or effort by a person, not involving the delivery of a specific end product other than a report which, if provided, is merely incidental to the required performance. "Services" does not include services furnished pursuant to employment agreements or collective bargaining agreements.	121 122 123 124 125 126
<del>(6)</del> <u>(5)</u> "Supplies" means all property, including, but not limited to, equipment, materials, other tangible assets, and insurance, but excluding real property or interests in real property.	127 128 129 130
(B) Whenever any political subdivision that is required by law to purchase services or supplies by competitive sealed bidding or competitive sealed proposals determines that the use of a reverse auction is advantageous to the political subdivision, the political subdivision, in accordance with this section and rules	131 132 133 134 135

the political subdivision shall adopt, may purchase services or 136  
supplies by reverse auction. 137

(C) A political subdivision shall solicit proposals through a 138  
request for proposals. The request for proposals shall state the 139  
relative importance of price and other evaluation factors. The 140  
political subdivision shall give notice of the request for 141  
proposals in accordance with the rules it adopts. 142

(D) As provided in the request for proposals and in the rules 143  
a political subdivision adopts, and to ensure full understanding 144  
of and responsiveness to solicitation requirements, the political 145  
subdivision may conduct discussions with responsible offerors who 146  
submit proposals determined to be reasonably susceptible of being 147  
selected for award. The political subdivision shall accord 148  
offerors fair and equal treatment with respect to any opportunity 149  
for discussion regarding any clarification, correction, or 150  
revision of their proposals. 151

(E) A political subdivision may award a contract to the 152  
offeror whose proposal the political subdivision determines to be 153  
the most advantageous to the political subdivision, taking into 154  
consideration factors such as price and the evaluation criteria 155  
set forth in the request for proposals. The contract file shall 156  
contain the basis on which the award is made. 157

(F) The rules that a political subdivision adopts under this 158  
section may require the provision of a performance bond, or 159  
another similar form of financial security, in the amount and in 160  
the form specified in the rules. 161

**Sec. 9.48.** (A) A county or township may do ~~either~~ any of the 162  
following: 163

~~(A)(1)~~ Permit one or more other counties or townships to 164  
participate in contracts into which it has entered for the 165

acquisition of equipment, materials, supplies, or services, and 166  
may charge such participating counties or townships a reasonable 167  
fee to cover any additional costs incurred as a result of their 168  
participation; 169

~~(B)(2)~~ Participate in a joint purchasing program operated by 170  
or through a national or state association of political 171  
subdivisions in which the purchasing county or township is 172  
eligible for membership. 173

(3) Participate in contract offerings from the federal 174  
government that are available to a county or township including, 175  
but not limited to, contract offerings from the general services 176  
administration. 177

(B) Acquisition by a county or township of equipment, 178  
material, supplies, or services, through participation in a 179  
contract of another county or township or participation in an 180  
association program under division (A)(1) or (2) of this section, 181  
is exempt from any competitive selection requirements otherwise 182  
required by law, if the contract in which it is participating was 183  
awarded pursuant to a publicly solicited request for a proposal or 184  
a competitive selection procedure, and, in the case of 185  
~~participation in a joint purchasing program operated by or through 186  
a national or state association of political subdivisions, if the 187  
program has employed a competitive selection procedure 188  
substantially similar to the procedure that would have been 189  
required of the purchasing county or township acting alone of 190  
another political subdivision within this state or in another 191  
state. Acquisition by a county or township of equipment, 192  
materials, supplies, or services pursuant to division (A)(3) of 193  
this section is exempt from any competitive selection requirements 194  
otherwise required by law. No county or township shall acquire 195  
equipment, materials, supplies, or services by participating in a 196  
contract under this section if it has received bids for such 197~~

acquisition, unless its participation enables it to make the 198  
acquisition upon the same terms, conditions, and specifications at 199  
a lower price. 200

(C) A county or township that is eligible to participate in a 201  
joint purchasing program operated by or through a national or 202  
state association of political subdivisions in which the 203  
purchasing county or township is eligible for membership may 204  
purchase supplies or services from another party, including 205  
another political subdivision, instead of through participation in 206  
contracts authorized by division (A)(2) of this section if the 207  
county or township can purchase those supplies or services from 208  
the other party upon equivalent terms, conditions, and 209  
specifications but at a lower price than it can through those 210  
contracts. Purchases that a county or township makes under this 211  
division are exempt from any competitive selection procedures 212  
otherwise required by law. A county or township that makes any 213  
purchase under this division shall maintain sufficient information 214  
regarding the purchase to verify that the county or township 215  
satisfied the conditions for making a purchase under this 216  
division. Nothing in this division restricts any action taken by a 217  
county or township as authorized by division (A)(1) of this 218  
section. 219

**Sec. 101.691.** (A) Either house of the general assembly or any 220  
legislative agency may dispose of any excess or surplus supplies 221  
that it possesses by sale, lease, donation, or other transfer, 222  
including, but not limited to, sale by public auction over the 223  
internet, ~~as defined in section 341.42 of the Revised Code.~~ 224  
Nothing in this division prohibits either house of the general 225  
assembly or a legislative agency from having the director of 226  
administrative services dispose of excess or surplus supplies of 227  
that house under sections 125.12 to 125.14 of the Revised Code. 228



(B) Any proceeds from sales, leases, or other transfers made 229  
under division (A) of this section shall be deposited in the house 230  
~~of representatives~~ reimbursement ~~special revenue~~ fund, the senate 231  
reimbursement ~~special revenue~~ fund, or a legislative agency 232  
special revenue fund identified by the director of the agency, as 233  
appropriate. 234

**Sec. 113.40.** (A) As used in this section: 235

(1) "Financial transaction device" includes a credit card, 236  
debit card, charge card, ~~or~~ prepaid or stored value card, or 237  
automated clearinghouse network credit, debit, or e-check entry 238  
that includes, but is not limited to, accounts receivable and 239  
internet-initiated, point of purchase, and telephone-initiated 240  
applications. 241

(2) "State expenses" includes fees, costs, taxes, 242  
assessments, fines, penalties, payments, or any other expense a 243  
person owes to a state office under the authority of a state 244  
elected official or to a state entity. 245

(3) "State elected official" means the governor, lieutenant 246  
governor, attorney general, secretary of state, treasurer of 247  
state, and auditor of state. 248

(4) "State entity" includes any state department, agency, 249  
board, or commission that deposits funds into the state treasury. 250

(B) Notwithstanding any other section of the Revised Code and 251  
subject to division (D) of this section, the board of deposit may 252  
adopt a resolution authorizing the acceptance of payments by 253  
financial transaction device to pay for state expenses. The 254  
resolution shall include all of the following: 255

(1) A designation of those state elected officials and state 256  
entities authorized to accept payments by financial transaction 257  
device; 258

(2) A list of state expenses that may be paid by the use of a financial transaction device; 259  
260

(3) Specific identification of financial transaction devices that a state elected official or state entity may authorize as acceptable means of payment for state expenses. Division (B)(3) of this section does not require that the same financial transaction devices be accepted for the payment of different types of state expenses. 261  
262  
263  
264  
265  
266

(4) The amount, if any, authorized as a surcharge or convenience fee under division (E) of this section for persons using a financial transaction device. Division (B)(4) of this section does not require that the same surcharges or convenience fees be applied to the payment of different types of state expenses. 267  
268  
269  
270  
271  
272

(5) A specific requirement, as provided in division (G) of this section, for the payment of a penalty if a payment made by means of a financial transaction device is returned or dishonored for any reason. 273  
274  
275  
276

The board of deposit's resolution also shall designate the treasurer of state as the administrative agent to solicit proposals, within guidelines established by the board of deposit in the resolution and in compliance with the procedures provided in division (C) of this section, from financial institutions, issuers of financial transaction devices, and processors of financial transaction devices; to make recommendations about those proposals to the state elected officials; and to assist state offices in implementing the state's financial transaction device acceptance and processing program. 277  
278  
279  
280  
281  
282  
283  
284  
285  
286

(C) The administrative agent shall follow the procedures provided in this division whenever it plans to contract with financial institutions, issuers of financial transaction devices, 287  
288  
289

or processors of financial transaction devices for the purposes of 290  
this section. The administrative agent shall request proposals 291  
from at least three financial institutions, issuers of financial 292  
transaction devices, or processors of financial transaction 293  
devices, as appropriate in accordance with the resolution adopted 294  
under division (B) of this section. Prior to sending any financial 295  
institution, issuer, or processor a copy of any such request, the 296  
administrative agent shall advertise its intent to request 297  
proposals in a newspaper of general circulation in the state once 298  
a week for two consecutive weeks. The notice shall state that the 299  
administrative agent intends to request proposals; specify the 300  
purpose of the request; indicate the date, which shall be at least 301  
ten days after the second publication, on which the request for 302  
proposals will be mailed to financial institutions, issuers, or 303  
processors; and require that any financial institution, issuer, or 304  
processor, whichever is appropriate, interested in receiving the 305  
request for proposals submit written notice of this interest to 306  
the administrative agent not later than noon of the day on which 307  
the request for proposals will be mailed. 308

Upon receiving the proposals, the administrative agent shall 309  
review them and make a recommendation to the board of deposit 310  
regarding which proposals to accept. The board of deposit shall 311  
consider the agent's recommendation and review all proposals 312  
submitted, and then may choose to contract with any or all of the 313  
entities submitting proposals, as appropriate. The board of 314  
deposit shall provide any financial institution, issuer, or 315  
processor that submitted a proposal, but with which the board does 316  
not enter into a contract, notice that its proposal is rejected. 317

(D) The board of deposit shall send a copy of the resolution 318  
adopted under division (B) of this section to each state elected 319  
official and state entity authorized to accept payments for state 320  
expenses by financial transaction device. After receiving the 321

resolution and before accepting such payments by financial 322  
transaction device, such a state elected official or state entity 323  
shall provide written notification to the administrative agent of 324  
the official's or entity's intent to implement the resolution 325  
within the official's or entity's office. Each state office or 326  
entity subject to the board's resolution adopted under division 327  
(B) of this section shall use only the financial institutions, 328  
issuers of financial transaction devices, and processors of 329  
financial transaction devices with which the board of deposit 330  
contracts, and each such office or entity is subject to the terms 331  
of those contracts. 332

If a state entity under the authority of a state elected 333  
official is directly responsible for collecting one or more state 334  
expenses and the state elected official determines not to accept 335  
payments by financial transaction device for one or more of those 336  
expenses, the office is not required to accept payments by 337  
financial transaction device for those expenses, notwithstanding 338  
the adoption of a resolution by the board of deposit under 339  
division (B) of this section. 340

Any state entity that prior to ~~the effective date of this~~ 341  
~~section~~ March 18, 1999, accepted financial transaction devices may 342  
continue to accept such devices until June 30, 2000, without being 343  
subject to any resolution adopted by the board of deposit under 344  
division (B) of this section, or any other oversight by the board 345  
of the entity's financial transaction device program. Any such 346  
entity may use surcharges or convenience fees in any manner the 347  
state elected official or other official in charge of the entity 348  
determines to be appropriate, and, if the administrative agent 349  
consents, may appoint the administrative agent to be the entity's 350  
administrative agent for purposes of accepting financial 351  
transaction devices. In order to be exempt from the resolution of 352  
the board of deposit under division (B) of this section, a state 353

entity shall notify the board in writing within thirty days after 354  
~~the effective date of this section~~ March 18, 1999, that it 355  
accepted financial transaction devices prior to ~~the effective date~~ 356  
~~of this section~~ March 18, 1999. Each such notification shall 357  
explain how processing costs associated with financial transaction 358  
devices are being paid and shall indicate whether surcharge or 359  
convenience fees are being passed on to consumers. 360

(E) The board of deposit may establish a surcharge or 361  
convenience fee that may be imposed upon a person making payment 362  
by a financial transaction device. The surcharge or convenience 363  
fee shall not be imposed unless authorized or otherwise permitted 364  
by the rules prescribed under a contract, between the financial 365  
institution, issuer, or processor and the administrative agent, 366  
governing the use and acceptance of the financial transaction 367  
device. 368

The establishment of a surcharge or convenience fee shall 369  
follow the guidelines of the financial institution, issuer of 370  
financial transaction devices, or processor of financial 371  
transaction devices with which the board of deposit contracts. 372

If a surcharge or convenience fee is imposed, every state 373  
entity accepting payment by a financial transaction device, 374  
regardless of whether that entity is subject to a resolution 375  
adopted by the board of deposit, shall clearly post a notice in 376  
the entity's office, and shall notify each person making a payment 377  
by such a device, about the surcharge or fee. Notice to each 378  
person making a payment shall be provided regardless of the medium 379  
used to make the payment and in a manner appropriate to that 380  
medium. Each notice shall include all of the following: 381

(1) A statement that there is a surcharge or convenience fee 382  
for using a financial transaction device; 383

(2) The total amount of the charge or fee expressed in 384

dollars and cents for each transaction, or the rate of the charge 385  
or fee expressed as a percentage of the total amount of the 386  
transaction, whichever is applicable; 387

(3) A clear statement that the surcharge or convenience fee 388  
is nonrefundable. 389

(F) If a person elects to make a payment by a financial 390  
transaction device and a surcharge or convenience fee is imposed, 391  
the payment of the surcharge or convenience fee is not refundable. 392

(G) If a person makes payment by a financial transaction 393  
device and the payment is returned or dishonored for any reason, 394  
the person is liable to the state for the state expense and any 395  
reimbursable costs for collection, including banking charges, 396  
legal fees, or other expenses incurred by the state in collecting 397  
the returned or dishonored payment. The remedies and procedures 398  
provided in this section are in addition to any other available 399  
civil or criminal remedies provided by law. 400

(H) No person making any payment by a financial transaction 401  
device to a state office shall be relieved from liability for the 402  
underlying obligation, except to the extent that the state 403  
realizes final payment of the underlying obligation in cash or its 404  
equivalent. If final payment is not made by the financial 405  
transaction device issuer or other guarantor of payment in the 406  
transaction, the underlying obligation survives and the state 407  
shall retain all remedies for enforcement that would have applied 408  
if the transaction had not occurred. 409

(I) A state entity or employee who accepts a financial 410  
transaction device payment in accordance with this section and any 411  
applicable state or local policies or rules is immune from 412  
personal liability for the final collection of such payments as 413  
specified in section 9.87 of the Revised Code. 414

(J) The administrative agent, in cooperation with the office 415

of budget and management, may adopt, amend, and rescind rules in  
accordance with section 111.15 of the Revised Code to implement  
this section.

Sec. 117.111. (A) If a county office uses electronic records  
and electronic signatures under Chapter 1306. of the Revised Code,  
the auditor of state, in conducting an audit of that office under  
division (A) or (B) of section 117.11 of the Revised Code, shall  
inquire into the method, accuracy, and effectiveness of any  
security procedure adopted by that office under section 304.02 of  
the Revised Code.

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

**Sec. 125.04.** (A) Except as provided in division (D) of this  
section, the department of administrative services shall determine  
what supplies and services are purchased by or for state agencies.  
Whenever the department of administrative services makes any  
change or addition to the lists of supplies and services that it  
determines to purchase for state agencies, it shall provide a list  
to the agencies of the changes or additions and indicate when the  
department will be prepared to furnish each item listed. Except  
for the requirements of division (B) of section 125.11 of the  
Revised Code, sections 125.04 to 125.08 and 125.09 to 125.15 of  
the Revised Code do not apply to or affect the educational  
institutions of the state. The department shall not include the  
bureau of workers' compensation in the lists of supplies,  
equipment, and services purchased and furnished by the department.

Nothing in this division precludes the bureau from entering  
into a contract with the department for the department to perform  
services relative to supplies, equipment, and services contained

in this division for the bureau. 446

(B)(1) As used in this division: 447

(a) "Emergency medical service organization" has the same 448  
meaning as in section 4765.01 of the Revised Code. 449

(b) "Political subdivision" means any county, township, 450  
municipal corporation, school district, conservancy district, 451  
township park district, park district created under Chapter 1545. 452  
of the Revised Code, regional transit authority, regional airport 453  
authority, regional water and sewer district, or port authority. 454  
"Political subdivision" also includes any other political 455  
subdivision described in the Revised Code that has been approved 456  
by the department to participate in the department's contracts 457  
under this division. 458

(c) "Private fire company" has the same meaning as in section 459  
9.60 of the Revised Code. 460

(2) Subject to division (C) of this section, the department 461  
of administrative services may permit a political subdivision, 462  
private fire company, or private, nonprofit emergency medical 463  
service organization to participate in contracts into which the 464  
department has entered for the purchase of supplies and services. 465  
The department may charge the entity a reasonable fee to cover the 466  
administrative costs the department incurs as a result of 467  
participation by the entity in such a purchase contract. 468

A political subdivision desiring to participate in such 469  
purchase contracts shall file with the department a certified copy 470  
of an ordinance or resolution of the legislative authority or 471  
governing board of the political subdivision. The resolution or 472  
ordinance shall request that the political subdivision be 473  
authorized to participate in such contracts and shall agree that 474  
the political subdivision will be bound by such terms and 475  
conditions as the department prescribes and that it will directly 476



pay the vendor under each purchase contract. A private fire 477  
company or private, nonprofit emergency medical service 478  
organization desiring to participate in such purchase contracts 479  
shall file with the department a written request for inclusion in 480  
the program signed by the chief officer of the company or 481  
organization. The request shall include an agreement to be bound 482  
by such terms and conditions as the department prescribes and to 483  
make direct payments to the vendor under each purchase contract. 484

The department shall include in its annual report an estimate 485  
of the cost it incurs by permitting political subdivisions, 486  
private fire companies, and private, nonprofit emergency medical 487  
service organizations to participate in contracts pursuant to this 488  
division. The department may require such entities to file a 489  
report with the department, as often as it finds necessary, 490  
stating how many such contracts the entities participated in 491  
within a specified period of time, and any other information the 492  
department requires. 493

(3) Purchases made by a political subdivision under this 494  
division are exempt from any competitive selection procedures 495  
otherwise required by law. No political subdivision shall make any 496  
purchase under this division when bids have been received for such 497  
purchase by the subdivision, unless such purchase can be made upon 498  
the same terms, conditions, and specifications at a lower price 499  
under this division. 500

(C) A political subdivision as defined in division (B) of 501  
this section may purchase supplies or services from another party, 502  
including another political subdivision, instead of through 503  
participation in contracts described in division (B) of this 504  
section if the political subdivision can purchase those supplies 505  
or services from the other party upon equivalent terms, 506  
conditions, and specifications but at a lower price than it can 507  
through those contracts. Purchases that a political subdivision 508

makes under this division are exempt from any competitive 509  
selection procedures otherwise required by law. A political 510  
subdivision that makes any purchase under this division shall 511  
maintain sufficient information regarding the purchase to verify 512  
that the political subdivision satisfied the conditions for making 513  
a purchase under this division. Nothing in this division restricts 514  
any action taken by a county or township as authorized by division 515  
(A)(1) of section 9.48 of the Revised Code. 516

(D) This section does not apply to supplies or services 517  
required by the legislative or judicial branches, boards of 518  
elections, the capitol square review and advisory board, the 519  
adjutant general, to supplies or services purchased by a state 520  
agency directly as provided in division (A) or (E) of section 521  
125.05 of the Revised Code, to purchases of supplies or services 522  
for the emergency management agency as provided in section 125.023 523  
of the Revised Code, or to purchases of supplies or services for 524  
the department of rehabilitation and correction in its operation 525  
of the program for the employment of prisoners established under 526  
section 5145.16 of the Revised Code that shall be made pursuant to 527  
rules adopted by the director of administrative services and the 528  
director of rehabilitation and correction in accordance with 529  
Chapter 119. of the Revised Code. The rules may provide for the 530  
exemption of the program for the employment of prisoners from the 531  
requirements of division (A) of this section. 532

**Sec. 125.072.** (A) As used in this section: 533

~~(1) "Internet" means the international computer network of 534  
both federal and nonfederal interoperable packet switched data 535  
networks, including the graphical subnetwork called the world wide 536  
web. 537~~

~~(2) "Reverse, "reverse auction" means a purchasing process in 538  
which offerors submit bids in competing to sell services or 539~~

supplies in an open environment via the internet. 540

(B) Whenever the director of administrative services 541  
determines that the use of a reverse auction is advantageous to 542  
the state, the director, in accordance with rules the director 543  
shall adopt, may purchase services or supplies by reverse auction. 544

(C) The director, by rule, may authorize a state agency that 545  
is authorized to purchase services or supplies directly to 546  
purchase them by reverse auction in the same manner as this 547  
section and the rules adopted under this section authorize the 548  
director to do so. 549

**Sec. 149.38.** (A) There is hereby created in each county a 550  
county records commission, composed of the president of the board 551  
of county commissioners as ~~chairman~~ chairperson, the prosecuting 552  
attorney, the auditor, the recorder, and the clerk of the court of 553  
common pleas. The commission shall appoint a secretary, who may or 554  
may not be a member of the commission and who shall serve at the 555  
pleasure of the commission. The commission may employ an archivist 556  
to serve under its direction. The commission shall meet at least 557  
once every six months, and upon call of the ~~chairman~~ chairperson. 558

(B) The functions of the county records commission shall be 559  
to provide rules for retention and disposal of records of the 560  
county and to review applications for one-time records disposal 561  
and schedules of records retention and disposal submitted by 562  
county offices. Records may be disposed of by the commission 563  
pursuant to the procedure outlined in this section. The commission 564  
~~may~~, at any time, may review any schedule it has previously 565  
approved, and, for good cause shown, may revise that schedule, 566  
subject to division (D) of this section. 567

(C) When the county records commission has approved county 568  
records ~~have been approved~~ for disposal, a copy of ~~such records~~ a 569  
list of those records shall be sent to the auditor of state. If ~~he~~ 570

the auditor of state disapproves the action by the ~~county~~ 571  
commission in whole or in part, ~~he~~ the auditor of state shall so 572  
inform the commission within a period of sixty days, ~~and these~~ 573  
those records shall not be destroyed. Before public records are to 574  
be disposed of, the commission shall inform the Ohio historical 575  
society ~~shall be informed~~ and ~~given~~ give the society the 576  
opportunity for a period of sixty days to select for its custody 577  
such records as it considers to be of continuing historical value. 578  
When the Ohio historical society is so informed that public 579  
records are to be disposed of, the county records commission also 580  
shall notify the county historical society, and any public or 581  
quasi-public institutions, agencies, or corporations in the county 582  
that have provided the commission with their name and address for 583  
these notification purposes, that the Ohio historical society has 584  
been so informed and may select records of continuing historical 585  
value, including records that may be distributed to any of the 586  
notified entities under section 149.31 of the Revised Code. 587

(D) The rules of the county records commission shall include 588  
a rule that requires any receipts, checks, vouchers, or other 589  
similar records pertaining to expenditures from the delinquent tax 590  
and assessment collection fund created in section 321.261 of the 591  
Revised Code, from the real estate assessment fund created in 592  
section 325.31 of the Revised Code, or from amounts allocated for 593  
the furtherance of justice to the county sheriff under section 594  
325.071 of the Revised Code or to the prosecuting attorney under 595  
section 325.12 of the Revised Code to be retained for at least 596  
four years. 597

(E) No person shall knowingly violate the rule adopted under 598  
division (D) of this section. Whoever violates that rule is guilty 599  
of a misdemeanor of the first degree. 600

**Sec. 149.432.** (A) As used in this section: 601

(1) "Library" means a library that is open to the public, 602  
including any of the following: 603

(a) A library that is maintained and regulated under section 604  
715.13 of the Revised Code; 605

(b) A library that is created, maintained, and regulated 606  
under Chapter 3375. of the Revised Code; 607

(c) A library that is created and maintained by a public or 608  
private school, college, university, or other educational 609  
institution; 610

(d) A library that is created and maintained by a historical 611  
or charitable organization, institution, association, or society. 612

"Library" includes the members of the governing body and the 613  
employees of a library. 614

(2) "Library record" means a record in any form that is 615  
maintained by a library and that contains any of the following 616  
types of information: 617

(a) Information that the library requires an individual to 618  
provide in order to be eligible to use library services or borrow 619  
materials; 620

(b) Information that identifies an individual as having 621  
requested or obtained specific materials or materials on a 622  
particular subject; 623

(c) Information that is provided by an individual to assist a 624  
library staff member to answer a specific question or provide 625  
information on a particular subject. 626

"Library record" does not include information that does not 627  
identify any individual and that is retained for the purpose of 628  
studying or evaluating the use of a library and its materials and 629  
services. 630

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

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

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

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

(2) Library records or patron information shall be released in the following situations:

(a) In accordance with a subpoena, search warrant, or other court order;

(b) To a law enforcement officer who is acting in the scope of the officer's law enforcement duties and who is investigating a matter involving public safety in exigent circumstances.

(3) A library record or patron information shall be released upon the request or with the consent of the individual who is the subject of the record or information.

(4) Library records may be released for administrative library purposes, including establishment or maintenance of a system to manage the library records or to assist in the transfer of library records from one records management system to another, compilation of statistical data on library use, and collection of

661 fines and penalties.

662 (5) A library may release under division (B) of section  
663 149.43 of the Revised Code records that document improper use of  
664 the internet at the library so long as any patron information is  
665 removed from those records. As used in division (B)(5) of this  
666 section, "patron information" does not include information about  
667 the age or gender of an individual.

668 Sec. 304.01. As used in this chapter:

669 (A) "Agreement" means the bargain of the parties in fact, as  
670 found in their language or inferred from other circumstances and  
671 from rules, regulations, and procedures given the effect of  
672 agreements under laws otherwise applicable to a particular  
673 transaction.

674 (B) "County office" means any officer, department, board,  
675 commission, agency, court, or other instrumentality of a county.

676 (C) "Electronic" means relating to technology having  
677 electrical, digital, magnetic, wireless, optical, electromagnetic,  
678 or similar capabilities.

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

681 (E) "Electronic signature" means an electronic sound, symbol,  
682 or process attached to or logically associated with a record and  
683 executed or adopted by a person with the intent to sign the  
684 record.

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

687 (G) "Person" means an individual, corporation, business  
688 trust, estate, trust, partnership, limited liability company,  
689 association, joint venture, governmental agency, public  
690 corporation, or other legal or commercial entity.

(H) "Record" means information that is inscribed on a 691  
tangible medium or that is stored in an electronic or other medium 692  
and is retrievable in perceivable form. 693

(I) "Transaction" means an action or set of actions occurring 694  
between two or more persons relating to the conduct of business, 695  
commercial, or governmental affairs. 696

**Sec. 304.02. Prior to the use of electronic records and** 697  
**electronic signatures by a county office under Chapter 1306. of** 698  
**the Revised Code, and except as otherwise provided in section** 699  
**955.013 of the Revised Code, a county office shall adopt, in** 700  
**writing, a security procedure for the purpose of verifying that an** 701  
**electronic signature, record, or performance is that of a specific** 702  
**person or for detecting changes or errors in the information in an** 703  
**electronic record. A security procedure includes, but is not** 704  
**limited to, a procedure that requires the use of algorithms or** 705  
**other codes, identifying words or numbers, encryption, or callback** 706  
**or other acknowledgment procedures.** 707

**Sec. 304.03. (A) Whenever any rule or law requires or** 708  
**authorizes the filing of any information, notice, lien, or other** 709  
**document or record with any county office, a filing made by an** 710  
**electronic record shall have the same force and effect as a filing** 711  
**made on paper in all cases where the county office has authorized** 712  
**or agreed to the electronic filing and the filing is made in** 713  
**accordance with applicable rules or an applicable agreement.** 714

**(B) Nothing in this section authorizes or shall be construed** 715  
**to authorize the use of a financial transaction device in an** 716  
**electronic transaction for the acceptance of payments for county** 717  
**expenses, except pursuant to section 301.28 or 955.013 of the** 718  
**Revised Code.** 719

**(C) As used in this section, "financial transaction device"** 720



and "county expenses" have the same meanings as in section 301.28 721  
of the Revised Code. 722

Sec. 304.04. Nothing in this chapter or Chapter 1306. of the 723  
Revised Code requires or shall be construed to require any county 724  
office to use or permit the use of electronic records and 725  
electronic signatures. 726

**Sec. 307.12.** (A) Except as otherwise provided in divisions 727  
(B), (C), and (E) of this section, when the board of county 728  
commissioners finds, by resolution, that the county has personal 729  
property, including motor vehicles acquired for the use of county 730  
officers and departments, and road machinery, equipment, tools, or 731  
supplies, which is not needed for public use, or is obsolete or 732  
unfit for the use for which it was acquired, and when the fair 733  
market value of the property to be sold under this division is, in 734  
the opinion of the board, in excess of two thousand five hundred 735  
dollars, the board may do either of the following: 736

(1) Sell the property at public auction or by sealed bid to 737  
the highest bidder. Notice of the time, place, and manner of the 738  
sale shall be published in a newspaper of general circulation in 739  
the county at least ten days prior to the sale, and a typewritten 740  
or printed notice of the time, place, and manner of the sale shall 741  
be posted at least ten days before the sale in the offices of the 742  
county auditor and the board of county commissioners. 743

If a board conducts a sale of property by sealed bid, the 744  
form of the bid shall be as prescribed by the board, and each bid 745  
shall contain the name of the person submitting it. Bids received 746  
shall be opened and tabulated at the time stated in the notice. 747  
The property shall be sold to the highest bidder, except that the 748  
board may reject all bids and hold another sale, by public auction 749  
or sealed bid, in the manner prescribed by this section. 750

(2) Donate any motor vehicle that does not exceed four 751  
thousand five hundred dollars in value to a nonprofit organization 752  
exempt from federal income taxation pursuant to 26 U.S.C. 501(a) 753  
and (c)(3) for the purpose of meeting the transportation needs of 754  
participants in the Ohio works first program established under 755  
Chapter 5107. of the Revised Code and participants in the 756  
prevention, retention, and contingency program established under 757  
Chapter 5108. of the Revised Code. 758

(B) When the board of county commissioners finds, by 759  
resolution, that the county has personal property, including motor 760  
vehicles acquired for the use of county officers and departments, 761  
and road machinery, equipment, tools, or supplies, which is not 762  
needed for public use, or is obsolete or unfit for the use for 763  
which it was acquired, and when the fair market value of the 764  
property to be sold under this division is, in the opinion of the 765  
board, two thousand five hundred dollars or less, the board may 766  
sell the property by private sale, without advertisement or public 767  
notification. 768

Notwithstanding anything to the contrary in division (A) or 769  
(C) of this section and regardless of the property's value, the 770  
board may sell or donate county personal property, including motor 771  
vehicles, to the federal government, the state, or any political 772  
subdivision of the state without advertisement or public 773  
notification. 774

(C) Notwithstanding anything to the contrary in division (A), 775  
(B), or (E) of this section and regardless of the property's 776  
value, the board of county commissioners may sell personal 777  
property, including motor vehicles acquired for the use of county 778  
officers and departments, and road machinery, equipment, tools, or 779  
supplies, which is not needed for public use, or is obsolete or 780  
unfit for the use for which it was acquired, by internet auction. 781  
The board shall adopt, during each calendar year, a resolution 782

expressing its intent to sell that property by internet auction. 783  
The resolution shall include a description of how the auctions 784  
will be conducted and shall specify the number of days for bidding 785  
on the property, which shall be no less than fifteen days, 786  
including Saturdays, Sundays, and legal holidays. The resolution 787  
shall indicate whether the county will conduct the auction or the 788  
board will contract with a representative to conduct the auction 789  
and shall establish the general terms and conditions of sale. If a 790  
representative is known when the resolution is adopted, the 791  
resolution shall provide contact information such as the 792  
representative's name, address, and telephone number. 793

After adoption of the resolution, the board shall publish, in 794  
a newspaper of general circulation in the county, notice of its 795  
intent to sell unneeded, obsolete, or unfit county personal 796  
property by internet auction. The notice shall include a summary 797  
of the information provided in the resolution and shall be 798  
published at least twice. The second and any subsequent notice 799  
shall be published not less than ten nor more than twenty days 800  
after the previous notice. A similar notice also shall be posted 801  
continually throughout the calendar year in a conspicuous place in 802  
the offices of the county auditor and the board of county 803  
commissioners, and, if the county maintains a website on the 804  
internet, the notice shall be posted continually throughout the 805  
calendar year at that website. 806

When property is to be sold by internet auction, the board or 807  
its representative may establish a minimum price that will be 808  
accepted for specific items and may establish any other terms and 809  
conditions for the particular sale, including requirements for 810  
pick-up or delivery, method of payment, and sales tax. This type 811  
of information shall be provided on the internet at the time of 812  
the auction and may be provided before that time upon request 813  
after the terms and conditions have been determined by the board 814

or its representative. 815

(D) When a county officer or department head determines that 816  
county-owned personal property under the jurisdiction of the 817  
officer or department head, including motor vehicles, road 818  
machinery, equipment, tools, or supplies, is not of immediate 819  
need, the county officer or department head may notify the board 820  
of county commissioners, and the board may lease that personal 821  
property to any municipal corporation, township, or other 822  
political subdivision of the state. The lease shall require the 823  
county to be reimbursed under terms, conditions, and fees 824  
established by the board, or under contracts executed by the 825  
board. 826

(E) If the board of county commissioners finds, by 827  
resolution, that the county has vehicles, equipment, or machinery 828  
which is not needed, or is unfit for public use, and the board 829  
desires to sell the vehicles, equipment, or machinery to the 830  
person or firm from which it proposes to purchase other vehicles, 831  
equipment, or machinery, the board may offer to sell the vehicles, 832  
equipment, or machinery to that person or firm, and to have the 833  
selling price credited to the person or firm against the purchase 834  
price of other vehicles, equipment, or machinery. 835

(F) If the board of county commissioners advertises for bids 836  
for the sale of new vehicles, equipment, or machinery to the 837  
county, it may include in the same advertisement a notice of the 838  
willingness of the board to accept bids for the purchase of 839  
county-owned vehicles, equipment, or machinery which is obsolete 840  
or not needed for public use, and to have the amount of those bids 841  
subtracted from the selling price of the other vehicles, 842  
equipment, or machinery as a means of determining the lowest 843  
responsible bidder. 844

(G) If a board of county commissioners determines that county 845  
personal property is not needed for public use, or is obsolete or 846

unfit for the use for which it was acquired, and that the property 847  
has no value, the board may discard or salvage that property. 848

~~(H) As used in this section, "internet" means the 849  
international computer network of both federal and nonfederal 850  
interoperable packet switched data networks, including the 851  
graphical subnetwork called the world wide web. 852~~

**Sec. 341.42.** (A) As used in this section: 853

(1) "County correctional officer" has the same meaning as in 854  
section 341.41 of the Revised Code. 855

(2) "Computer," "computer network," "computer system," 856  
"computer services," "telecommunications service," and 857  
"information service" have the same meanings as in section 2913.01 858  
of the Revised Code. 859

~~(3) "Internet" means the international computer network of 860  
both federal and nonfederal interoperable packet switched data 861  
networks, including the graphical subnetwork called the world wide 862  
web. 863~~

~~(4) "County correctional facility" means a county jail, 864  
county workhouse, minimum security jail, joint city and county 865  
workhouse, municipal-county correctional center, 866  
multicounty-municipal correctional center, municipal-county jail 867  
or workhouse, or multicounty-municipal jail or workhouse. 868~~

(B) No county correctional officer shall provide a prisoner 869  
access to or permit a prisoner to have access to the internet 870  
through the use of a computer, computer network, computer system, 871  
computer services, telecommunications service, or information 872  
service unless both of the following apply: 873

(1) The prisoner is participating in an approved educational 874  
program with direct supervision that requires the use of the 875  
internet for training or research purposes. 876

(2) The provision of and access to the internet is in 877  
accordance with rules promulgated by the department of 878  
rehabilitation and correction pursuant to section 5120.62 of the 879  
Revised Code. 880

(C)(1) No prisoner in a county correctional facility under 881  
the control of a county shall access the internet through the use 882  
of a computer, computer network, computer system, computer 883  
services, telecommunications service, or information service 884  
unless both of the following apply: 885

(a) The prisoner is participating in an approved educational 886  
program with direct supervision that requires the use of the 887  
internet for training or research purposes. 888

(b) The provision of and access to the internet is in 889  
accordance with rules promulgated by the department of 890  
rehabilitation and correction pursuant to section 5120.62 of the 891  
Revised Code. 892

(2) Whoever violates division (C)(1) of this section is 893  
guilty of improper internet access, a misdemeanor of the first 894  
degree. 895

**Sec. 505.10.** The board of township trustees may accept, on 896  
behalf of the township, the donation by bequest, devise, deed of 897  
gift, or otherwise, of any real or personal property for any 898  
township use. When the township has property, including motor 899  
vehicles, road machinery, equipment, and tools, which the board, 900  
by resolution, finds is not needed for public use, is obsolete, or 901  
is unfit for the use for which it was acquired, the board may sell 902  
and convey that property or otherwise dispose of it in accordance 903  
with this section. Except as otherwise provided in sections 904  
505.08, 505.101, and 505.102 of the Revised Code, the sale or 905  
other disposition of unneeded, obsolete, or unfit for use property 906

shall be made in accordance with one of the following: 907

(A)(1) If the fair market value of property to be sold is, in 908  
the opinion of the board, in excess of two thousand five hundred 909  
dollars, the sale shall be by public auction or by sealed bid to 910  
the highest bidder. The board shall publish notice of the time, 911  
place, and manner of the sale once a week for three weeks in a 912  
newspaper published, or of general circulation, in the township, 913  
the last of those publications to be at least five days before the 914  
date of sale, and shall post a typewritten or printed notice of 915  
the time, place, and manner of the sale in the office of the board 916  
for at least ten days prior to the sale. 917

If the board conducts the sale of the property by sealed bid, 918  
the form of the bid shall be as prescribed by the board, and each 919  
bid shall contain the name of the person submitting it. Bids 920  
received shall be opened and tabulated at the time stated in the 921  
published and posted notices. The property shall be sold to the 922  
highest bidder, except that the board may reject all bids and hold 923  
another sale, by public auction or sealed bid, in the manner 924  
prescribed by this section. 925

(2) If the fair market value of property to be sold is, in 926  
the opinion of the board, two thousand five hundred dollars or 927  
less, the board may sell the property by private sale, without 928  
advertisement or public notification. 929

(3) If the board finds, by resolution, that the township has 930  
motor vehicles, road machinery, equipment, or tools which are not 931  
needed or are unfit for public use, and the board wishes to sell 932  
the motor vehicles, road machinery, equipment, or tools to the 933  
person or firm from which it proposes to purchase other motor 934  
vehicles, road machinery, equipment, or tools, the board may offer 935  
to sell the motor vehicles, road machinery, equipment, or tools to 936  
that person or firm, and to have the selling price credited to the 937

person or firm against the purchase price of other motor vehicles, 938  
road machinery, equipment, or tools. 939

(4) If the board advertises for bids for the sale of new 940  
motor vehicles, road machinery, equipment, or tools to the 941  
township, it may include in the same advertisement a notice of the 942  
willingness of the board to accept bids for the purchase of 943  
township-owned motor vehicles, road machinery, equipment, or tools 944  
which are obsolete or not needed for public use, and to have the 945  
amount of those bids subtracted from the selling price of the new 946  
motor vehicles, road machinery, equipment, or tools, as a means of 947  
determining the lowest responsible bidder. 948

(5) When a township has title to real property, the board of 949  
township trustees, by resolution, may authorize the transfer and 950  
conveyance of that property to any other political subdivision of 951  
the state upon such terms as are agreed to between the board and 952  
the legislative authority of that political subdivision. 953

(6) When a township has title to real property and the board 954  
of township trustees wishes to sell or otherwise transfer the 955  
property, the board, upon a unanimous vote of its members and by 956  
resolution, may authorize the transfer and conveyance of that real 957  
property to any person upon whatever terms are agreed to between 958  
the board and that person. 959

(7) If the board of township trustees determines that 960  
township personal property is not needed for public use, or is 961  
obsolete or unfit for the use for which it was acquired, and that 962  
the property has no value, the board may discard or salvage that 963  
property. 964

(B) When the board has offered property at public auction 965  
under this section and has not received an acceptable offer, the 966  
board, by resolution, may enter into a contract, without 967  
advertising or bidding, for the sale of that property. The 968



resolution shall specify a minimum acceptable price and the 969  
minimum acceptable terms for the contract. The minimum acceptable 970  
price shall not be lower than the minimum price established for 971  
the public auction. 972

(C) Notwithstanding anything to the contrary in division (A) 973  
or (B) of this section and regardless of the property's value, the 974  
board may sell personal property, including motor vehicles, road 975  
machinery, equipment, tools, or supplies, which is not needed for 976  
public use, or is obsolete or unfit for the use for which it was 977  
acquired, by internet auction. The board shall adopt, during each 978  
calendar year, a resolution expressing its intent to sell that 979  
property by internet auction. The resolution shall include a 980  
description of how the auctions will be conducted and shall 981  
specify the number of days for bidding on the property, which 982  
shall be no less than fifteen days, including Saturdays, Sundays, 983  
and legal holidays. The resolution shall indicate whether the 984  
township will conduct the auction or the board will contract with 985  
a representative to conduct the auction and shall establish the 986  
general terms and conditions of sale. If a representative is known 987  
when the resolution is adopted, the resolution shall provide 988  
contact information such as the representative's name, address, 989  
and telephone number. 990

After adoption of the resolution, the board shall publish, in 991  
a newspaper of general circulation in the township, notice of its 992  
intent to sell unneeded, obsolete, or unfit for use township 993  
personal property by internet auction. The notice shall include a 994  
summary of the information provided in the resolution and shall be 995  
published at least twice. The second and any subsequent notice 996  
shall be published not less than ten nor more than twenty days 997  
after the previous notice. A clerk also shall post a similar 998  
notice throughout the calendar year in a conspicuous place in the 999  
board's office, and, if the township maintains a web site on the 1000

internet, the notice shall be posted continually throughout the 1001  
calendar year at that web site. 1002

When property is to be sold by internet auction, the board or 1003  
its representative may establish a minimum price that will be 1004  
accepted for specific items and may establish any other terms and 1005  
conditions for the particular sale, including requirements for 1006  
pick-up or delivery, method of payment, and sales tax. This type 1007  
of information shall be provided on the internet at the time of 1008  
the auction and may be provided before that time upon request 1009  
after the terms and conditions have been determined by the board 1010  
or its representative. 1011

~~As used in this section, "internet" means the international 1012  
computer network of both federal and nonfederal interoperable 1013  
packet switched data networks, including the graphical subnetwork 1014  
called the world wide web. 1015~~

~~**Sec. 718.07.** As used in this section, "internet" means the 1016  
international computer network of both federal and nonfederal 1017  
interoperable packet switched data networks, including the 1018  
graphical subnetwork known as the world wide web. 1019~~

On and after January 1, 2002, each municipal corporation that 1020  
imposes a tax on income shall make electronic versions of any 1021  
rules or ordinances governing the tax available to the public 1022  
through the internet, including, but not limited to, ordinances or 1023  
rules governing the rate of tax; payment and withholding of taxes; 1024  
filing any prescribed returns, reports, or other documents; dates 1025  
for filing or paying taxes, including estimated taxes; penalties, 1026  
interest, assessment, and other collection remedies; rights of 1027  
taxpayers to appeal; and procedures for filing appeals. On and 1028  
after that date, any municipal corporation that requires taxpayers 1029  
to file income tax returns, reports, or other documents shall make 1030  
blanks of such returns, reports, or documents, and any 1031

instructions pertaining thereto, available to the public 1032  
electronically through the internet. Electronic versions of rules, 1033  
ordinances, blanks, and instructions shall be made available 1034  
either by posting them on the electronic site established by the 1035  
tax commissioner under section 5703.49 of the Revised Code or by 1036  
posting them on an electronic site established by the municipal 1037  
corporation that is accessible through the internet. If a 1038  
municipal corporation establishes such an electronic site, the 1039  
municipal corporation shall incorporate an electronic link between 1040  
that site and the site established pursuant to section 5703.49 of 1041  
the Revised Code, and shall provide to the tax commissioner the 1042  
uniform resource locator of the site established pursuant to this 1043  
division. 1044

**Sec. 721.15.** (A) Personal property not needed for municipal 1045  
purposes, the estimated value of which is less than one thousand 1046  
dollars, may be sold by the board or officer having supervision or 1047  
management of that property. If the estimated value of that 1048  
property is one thousand dollars or more, it shall be sold only 1049  
when authorized by an ordinance of the legislative authority of 1050  
the municipal corporation and approved by the board, officer, or 1051  
director having supervision or management of that property. When 1052  
so authorized, the board, officer, or director shall make a 1053  
written contract with the highest and best bidder after 1054  
advertisement for not less than two or more than four consecutive 1055  
weeks in a newspaper of general circulation within the municipal 1056  
corporation, or with a board of county commissioners upon such 1057  
lawful terms as are agreed upon, as provided by section 721.27 of 1058  
the Revised Code. 1059

(B) When the legislative authority finds, by resolution, that 1060  
the municipal corporation has vehicles, equipment, or machinery 1061  
which is obsolete, or is not needed or is unfit for public use, 1062  
that the municipal corporation has need of other vehicles, 1063

equipment, or machinery of the same type, and that it will be in 1064  
the best interest of the municipal corporation that the sale of 1065  
obsolete, unneeded, or unfit vehicles, equipment, or machinery be 1066  
made simultaneously with the purchase of the new vehicles, 1067  
equipment, or machinery of the same type, the legislative 1068  
authority may offer to sell, or authorize a board, officer, or 1069  
director of the municipal corporation having supervision or 1070  
management of the property to offer to sell, those vehicles, 1071  
equipment, or machinery and to have the selling price credited 1072  
against the purchase price of other vehicles, equipment, or 1073  
machinery and to consummate the sale and purchase by a single 1074  
contract with the lowest and best bidder to be determined by 1075  
subtracting from the selling price of the vehicles, equipment, or 1076  
machinery to be purchased by the municipal corporation the 1077  
purchase price offered for the municipally-owned vehicles, 1078  
equipment, or machinery. When the legislative authority or the 1079  
authorized board, officer, or director of a municipal corporation 1080  
advertises for bids for the sale of new vehicles, equipment, or 1081  
machinery to the municipal corporation, they may include in the 1082  
same advertisement a notice of willingness to accept bids for the 1083  
purchase of municipally-owned vehicles, equipment, or machinery 1084  
which is obsolete, or is not needed or is unfit for public use, 1085  
and to have the amount of those bids subtracted from the selling 1086  
price as a means of determining the lowest and best bidder. 1087

(C) If the legislative authority of the municipal corporation 1088  
determines that municipal personal property is not needed for 1089  
public use, or is obsolete or unfit for the use for which it was 1090  
acquired, and that the property has no value, the legislative 1091  
authority may discard or salvage that property. 1092

(D) Notwithstanding anything to the contrary in division (A) 1093  
or (B) of this section and regardless of the property's value, the 1094  
legislative authority of a municipal corporation may sell personal 1095

property, including motor vehicles acquired for the use of 1096  
municipal officers and departments, and road machinery, equipment, 1097  
tools, or supplies, which is not needed for public use, or is 1098  
obsolete or unfit for the use for which it was acquired, by 1099  
internet auction. The legislative authority shall adopt, during 1100  
each calendar year, a resolution expressing its intent to sell 1101  
that property by internet auction. The resolution shall include a 1102  
description of how the auctions will be conducted and shall 1103  
specify the number of days for bidding on the property, which 1104  
shall be no less than fifteen days, including Saturdays, Sundays, 1105  
and legal holidays. The resolution shall indicate whether the 1106  
municipal corporation will conduct the auction or the legislative 1107  
authority will contract with a representative to conduct the 1108  
auction and shall establish the general terms and conditions of 1109  
sale. If a representative is known when the resolution is adopted, 1110  
the resolution shall provide contact information such as the 1111  
representative's name, address, and telephone number. 1112

After adoption of the resolution, the legislative authority 1113  
shall publish, in a newspaper of general circulation in the 1114  
municipal corporation, notice of its intent to sell unneeded, 1115  
obsolete, or unfit municipal personal property by internet 1116  
auction. The notice shall include a summary of the information 1117  
provided in the resolution and shall be published at least twice. 1118  
The second and any subsequent notice shall be published not less 1119  
than ten nor more than twenty days after the previous notice. A 1120  
similar notice also shall be posted continually throughout the 1121  
calendar year in a conspicuous place in the offices of the village 1122  
clerk or city auditor, and the legislative authority, and, if the 1123  
municipal corporation maintains a website on the internet, the 1124  
notice shall be posted continually throughout the calendar year at 1125  
that website. 1126

When the property is to be sold by internet auction, the 1127

legislative authority or its representative may establish a 1128  
minimum price that will be accepted for specific items and may 1129  
establish any other terms and conditions for the particular sale, 1130  
including requirements for pick-up or delivery, method of payment, 1131  
and sales tax. This type of information shall be provided on the 1132  
internet at the time of the auction and may be provided before 1133  
that time upon request after the terms and conditions have been 1134  
determined by the legislative authority or its representative. 1135

~~As used in this section, "internet" means the international 1136  
computer network of both federal and nonfederal interoperable 1137  
packet switched data networks, including the graphical subnetwork 1138  
called the world wide web. 1139~~

**Sec. 753.32.** (A) As used in this section: 1140

(1) "Municipal correctional officer" has the same meaning as 1141  
in section 753.31 of the Revised Code. 1142

(2) "Computer," "computer network," "computer system," 1143  
"computer services," "telecommunications service," and 1144  
"information service" have the same meanings as in section 2913.01 1145  
of the Revised Code. 1146

~~(3) "Internet" has the same meaning as in section 341.42 of 1147  
the Revised Code. 1148~~

~~(4) "Municipal correctional facility" means a municipal jail, 1149  
municipal workhouse, minimum security jail, joint city and county 1150  
workhouse, municipal-county correctional center, 1151  
multicounty-municipal correctional center, municipal-county jail 1152  
or workhouse, or multicounty-municipal jail or workhouse. 1153~~

(B) No municipal correctional officer shall provide a 1154  
prisoner access to or permit a prisoner to have access to the 1155  
internet through the use of a computer, computer network, computer 1156  
system, computer services, telecommunications service, or 1157

information service unless both of the following apply: 1158

(1) The prisoner is participating in an approved educational 1159  
program with direct supervision that requires the use of the 1160  
internet for training or research purposes. 1161

(2) The provision of and access to the internet is in 1162  
accordance with rules promulgated by the department of 1163  
rehabilitation and correction pursuant to section 5120.62 of the 1164  
Revised Code. 1165

(C)(1) No prisoner in a municipal correctional facility under 1166  
the control of a municipal corporation shall access the internet 1167  
through the use of a computer, computer network, computer system, 1168  
computer services, telecommunications service, or information 1169  
service unless both of the following apply: 1170

(a) The prisoner is participating in an approved educational 1171  
program with direct supervision that requires the use of the 1172  
internet for training or research purposes. 1173

(b) The provision of and access to the internet is in 1174  
accordance with rules promulgated by the department of 1175  
rehabilitation and correction pursuant to section 5120.62 of the 1176  
Revised Code. 1177

(2) Whoever violates division (C)(1) of this section is 1178  
guilty of improper internet access, a misdemeanor of the first 1179  
degree. 1180

**Sec. 955.013.** (A) As used in this section: 1181

~~(1) "Financial, "financial~~ transaction device" has the same 1182  
meaning as in section 301.28 of the Revised Code. 1183

~~(2) "Internet" means the international computer network of 1184  
both federal and nonfederal interoperable packet switched data 1185  
networks, including the graphical subnetwork called the world wide 1186  
web. 1187~~

(B) A county auditor may establish procedures and take 1188  
actions that are necessary to allow for either or both of the 1189  
following: 1190

(1) The registration of dogs and kennels under this chapter 1191  
via the internet; 1192

(2) The payment of dog and kennel registration fees under 1193  
this chapter by financial transaction devices, including payment 1194  
by financial transaction devices via the internet. 1195

**Sec. 1306.16.** (A) A provision of a nonelectronic contract 1196  
involving a consumer and to which a state agency or a county 1197  
office is not a party that authorizes the conducting of a 1198  
transaction or any part of a transaction by electronic means is 1199  
unenforceable against the consumer, unless the consumer separately 1200  
signs the provision. 1201

(B) A consumer's agreement to conduct a transaction or a part 1202  
of a transaction electronically shall not be inferred solely from 1203  
the fact that the consumer has used electronic means to pay an 1204  
account or register a purchase or warranty. 1205

(C) Divisions (A) and (B) of this section apply to every 1206  
transaction described in those divisions notwithstanding any other 1207  
provision of ~~sections 1306.01 to 1306.23 of the Revised Code~~ this 1208  
chapter. This section shall not be varied by agreement. 1209

(D) For purposes of this section, ~~both of the following~~ 1210  
~~apply~~: 1211

(1) "Consumer" means an individual who is involved in a 1212  
transaction primarily for personal, family, or household purposes. 1213

(2) "State agency" means every organized body, office, or 1214  
agency established by the laws of the state for the exercise of 1215  
any function of state government. 1216



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

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

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

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

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

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

(5) "Electronic mail service provider" means any person that  
is an intermediary in sending and receiving electronic mail and  
that provides to users of electronic mail services the ability to  
send or receive electronic mail. "Electronic mail service  
provider" includes an internet service provider.

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

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

~~(8)~~(7) "Person" has the same meaning as in section 1.59 of  
the Revised Code, but when a person is not an individual, the

person responsible for transmitting or causing to be transmitted 1246  
an electronic mail advertisement is the particular division of the 1247  
partnership, corporation, or other business entity actually 1248  
responsible for the transmission of the electronic mail 1249  
advertisement. 1250

~~(9)~~(8) "Pre-existing business relationship" means that there 1251  
was a business transaction between the initiator and the recipient 1252  
of a commercial electronic mail message during the five-year 1253  
period preceding the receipt of that message. A pre-existing 1254  
business relationship includes a transaction involving the free 1255  
provision of information, goods, or services requested by the 1256  
recipient. A pre-existing business relationship does not exist 1257  
after a recipient requests to be removed from the distribution 1258  
lists of an initiator pursuant to division (B) of this section and 1259  
a reasonable amount of time has expired since that request. 1260

~~(10)~~(9) "Receiving address" means the string of characters 1261  
used to specify a recipient with each receiving address creating a 1262  
unique and separate recipient. 1263

~~(11)~~(10) "Recipient" means a person who receives an 1264  
electronic mail advertisement at any one of the following 1265  
receiving addresses: 1266

(a) A receiving address furnished by an electronic mail 1267  
service provider that bills for furnishing and maintaining that 1268  
receiving address to a mailing address within this state; 1269

(b) A receiving address ordinarily accessed from a computer 1270  
located within this state; 1271

(c) A receiving address ordinarily accessed by a person 1272  
domiciled within this state; 1273

(d) Any other receiving address with respect to which the 1274  
obligations imposed by this section can be imposed consistent with 1275  
the United States Constitution. 1276

(B)(1) Except as otherwise provided in division (B)(3) of 1277  
this section, a person that transmits or causes to be transmitted 1278  
to a recipient an electronic mail advertisement shall clearly and 1279  
conspicuously provide to the recipient, within the body of the 1280  
electronic mail advertisement, both of the following: 1281

(a) The person's name and complete residence or business 1282  
address and the electronic mail address of the person transmitting 1283  
the electronic mail advertisement; 1284

(b) A notice that the recipient may decline to receive from 1285  
the person transmitting or causing to be transmitted the 1286  
electronic mail advertisement any additional electronic mail 1287  
advertisements and a detailed procedure for declining to receive 1288  
any additional electronic mail advertisements at no cost. The 1289  
notice shall be of the same size of type as the majority of the 1290  
text of the message and shall not require that the recipient 1291  
provide any information other than the receiving address. 1292

(2) If the recipient of an electronic mail advertisement uses 1293  
the procedure contained in the notice described in division 1294  
(B)(1)(b) of this section to decline to receive any additional 1295  
electronic mail advertisements, the person that transmitted or 1296  
caused to be transmitted the original electronic mail 1297  
advertisement, within a reasonable period of time, shall cease 1298  
transmitting or causing to be transmitted to the receiving address 1299  
any additional electronic mail advertisements. 1300

(3) A person does not violate division (B) of this section if 1301  
the person transmits or causes to be transmitted to the recipient 1302  
an electronic mail advertisement when any of the following apply: 1303

(a) The person has a pre-existing business or personal 1304  
relationship with the recipient. 1305

(b) The recipient has consented or has agreed as a condition 1306  
of service to receive the electronic mail advertisement. 1307

(c) The recipient receives the electronic mail advertisement 1308  
because another recipient forwarded the advertisement to that 1309  
recipient via an internet web site or another recipient made a 1310  
direct referral of that recipient to receive the advertisement. 1311

(C) No person shall use a computer, a computer network, or 1312  
the computer services of an electronic mail service provider to 1313  
transmit an electronic mail advertisement in contravention of the 1314  
authority granted by, or in violation of the policies related to 1315  
electronic mail advertisements set by, the electronic mail service 1316  
provider if the electronic mail service provider has provided the 1317  
person notice of those policies. For the purposes of this 1318  
division, notice of those policies shall be deemed sufficient if 1319  
an electronic mail service provider maintains an easily accessible 1320  
web page containing its policies regarding electronic mail 1321  
advertisements and can demonstrate that notice was supplied via 1322  
electronic means between the sending and receiving computers. 1323

(D) No electronic mail service provider shall be liable for 1324  
transmitting another person's electronic mail advertisement 1325  
through its service in violation of this section, or shall be 1326  
liable for any action it voluntarily takes in good faith to block 1327  
the receipt or transmission through its service of any electronic 1328  
mail advertisement that it believes is, or will be sent, in 1329  
violation of this section. 1330

(E) A recipient of an electronic mail advertisement 1331  
transmitted in violation of division (B) of this section may bring 1332  
a civil action against a person who transmitted that advertisement 1333  
or caused it to be transmitted. In that action, the recipient may 1334  
recover the following: 1335

(1) One hundred dollars for each violation, not to exceed a 1336  
total of fifty thousand dollars; 1337

(2) Reasonable attorney's fees, court costs, and other costs 1338

of bringing the action. 1339

(F) An electronic mail service provider whose authority or 1340  
policy has been contravened in violation of division (C) of this 1341  
section may bring a civil action against a person who transmitted 1342  
that advertisement or caused it to be transmitted. In that action, 1343  
the electronic mail service provider may recover the following: 1344

(1)(a) Fifty dollars for each violation of division (C) of 1345  
this section, not to exceed fifty thousand dollars; 1346

(b) If a violation of division (C) of this section is a 1347  
willful or knowing violation, the court may increase the amount 1348  
recoverable to an amount not to exceed five hundred thousand 1349  
dollars. 1350

(c) If a violation of division (C) of this section is 1351  
accompanied by a violation of division (H) of this section, there 1352  
shall be no limit on the amount that may be recovered pursuant to 1353  
this section. 1354

(2) Reasonable attorney's fees, court costs, and other costs 1355  
of bringing the action. 1356

(G) In addition to any recovery that is allowed under 1357  
divisions (E) or (F) of this section, the recipient of an 1358  
electronic mail advertisement transmitted in violation of division 1359  
(B) of this section or the electronic mail service provider of an 1360  
advertisement transmitted in violation of division (C) of this 1361  
section may apply to the court of common pleas of the county in 1362  
which the recipient resides or the service provider is located for 1363  
an order enjoining the person who transmitted or caused to be 1364  
transmitted that electronic mail advertisement from transmitting 1365  
or causing to be transmitted to the recipient any additional 1366  
electronic mail advertisement. 1367

(H) No person shall use a computer, a computer network, a 1368  
computer program, or the computer services of an electronic mail 1369

service provider with the intent to forge an originating address 1370  
or other routing information, in any manner, in connection with 1371  
the transmission of an electronic mail advertisement through or 1372  
into the network of an electronic mail service provider or its 1373  
subscribers. Each use of a computer, a computer network, a 1374  
computer program, or the computer services of an electronic mail 1375  
service provider in violation of this division constitutes a 1376  
separate offense. A person who violates this division is guilty of 1377  
forgery under section 2913.31 of the Revised Code. 1378

**Sec. 3517.10.** (A) Except as otherwise provided in this 1379  
division, every campaign committee, political action committee, 1380  
legislative campaign fund, political party, and political 1381  
contributing entity that made or received a contribution or made 1382  
an expenditure in connection with the nomination or election of 1383  
any candidate or in connection with any ballot issue or question 1384  
at any election held or to be held in this state shall file, on a 1385  
form prescribed under this section, by electronic means of 1386  
transmission as provided in this section and section 3517.106 of 1387  
the Revised Code, or, until March 1, 2004, on computer disk as 1388  
provided in section 3517.106 of the Revised Code, a full, true, 1389  
and itemized statement, made under penalty of election 1390  
falsification, setting forth in detail the contributions and 1391  
expenditures, no later than four p.m. of the following dates: 1392

(1) The twelfth day before the election to reflect 1393  
contributions received and expenditures made from the close of 1394  
business on the last day reflected in the last previously filed 1395  
statement, if any, to the close of business on the twentieth day 1396  
before the election; 1397

(2) The thirty-eighth day after the election to reflect the 1398  
contributions received and expenditures made from the close of 1399  
business on the last day reflected in the last previously filed 1400

statement, if any, to the close of business on the seventh day 1401  
before the filing of the statement; 1402

(3) The last business day of January of every year to reflect 1403  
the contributions received and expenditures made from the close of 1404  
business on the last day reflected in the last previously filed 1405  
statement, if any, to the close of business on the last day of 1406  
December of the previous year. 1407

A campaign committee shall only be required to file the 1408  
statements prescribed under divisions (A)(1) and (2) of this 1409  
section in connection with the nomination or election of the 1410  
committee's candidate. 1411

The statement required under division (A)(1) of this section 1412  
shall not be required of any campaign committee, political action 1413  
committee, legislative campaign fund, political party, or 1414  
political contributing entity that has received contributions of 1415  
less than one thousand dollars and has made expenditures of less 1416  
than one thousand dollars at the close of business on the 1417  
twentieth day before the election. Those contributions and 1418  
expenditures shall be reported in the statement required under 1419  
division (A)(2) of this section. 1420

If an election to select candidates to appear on the general 1421  
election ballot is held within sixty days before a general 1422  
election, the campaign committee of a successful candidate in the 1423  
earlier election may file the statement required by division 1424  
(A)(1) of this section for the general election instead of the 1425  
statement required by division (A)(2) of this section for the 1426  
earlier election if the pregeneral election statement reflects the 1427  
status of contributions and expenditures for the period twenty 1428  
days before the earlier election to twenty days before the general 1429  
election. 1430

If a person becomes a candidate less than twenty days before 1431

an election, the candidate's campaign committee is not required to 1432  
file the statement required by division (A)(1) of this section. 1433

No statement under division (A)(3) of this section shall be 1434  
required for any year in which a campaign committee, political 1435  
action committee, legislative campaign fund, political party, or 1436  
political contributing entity is required to file a postgeneral 1437  
election statement under division (A)(2) of this section. However, 1438  
such a statement may be filed, at the option of the campaign 1439  
committee, political action committee, legislative campaign fund, 1440  
political party, or political contributing entity. 1441

No statement under division (A)(3) of this section shall be 1442  
required if the campaign committee, political action committee, 1443  
legislative campaign fund, political party, or political 1444  
contributing entity has no contributions that it has received and 1445  
no expenditures that it has made since the last date reflected in 1446  
its last previously filed statement. However, the campaign 1447  
committee, political action committee, legislative campaign fund, 1448  
political party, or political contributing entity shall file a 1449  
statement to that effect, on a form prescribed under this section 1450  
and made under penalty of election falsification, on the date 1451  
required in division (A)(3) of this section. 1452

The campaign committee of a statewide candidate shall file a 1453  
monthly statement of contributions received during each of the 1454  
months of July, August, and September in the year of the general 1455  
election in which the candidate seeks office. The campaign 1456  
committee of a statewide candidate shall file the monthly 1457  
statement not later than three business days after the last day of 1458  
the month covered by the statement. During the period beginning on 1459  
the nineteenth day before the general election in which a 1460  
statewide candidate seeks election to office and extending through 1461  
the day of that general election, each time the campaign committee 1462  
of the joint candidates for the offices of governor and lieutenant 1463



governor or of a candidate for the office of secretary of state, 1464  
auditor of state, treasurer of state, or attorney general receives 1465  
a contribution from a contributor that causes the aggregate amount 1466  
of contributions received from that contributor during that period 1467  
to equal or exceed two thousand five hundred dollars and each time 1468  
the campaign committee of a candidate for the office of chief 1469  
justice or justice of the supreme court receives a contribution 1470  
from a contributor that causes the aggregate amount of 1471  
contributions received from that contributor during that period to 1472  
exceed five hundred dollars, the campaign committee shall file a 1473  
two-business-day statement reflecting that contribution. During 1474  
the period beginning on the nineteenth day before a primary 1475  
election in which a candidate for statewide office seeks 1476  
nomination to office and extending through the day of that primary 1477  
election, each time either the campaign committee of a statewide 1478  
candidate in that primary election that files a notice under 1479  
division (C)(1) of section 3517.103 of the Revised Code or the 1480  
campaign committee of a statewide candidate in that primary 1481  
election to which, in accordance with division (D) of section 1482  
3517.103 of the Revised Code, the contribution limitations 1483  
prescribed in section 3517.102 of the Revised Code no longer apply 1484  
receives a contribution from a contributor that causes the 1485  
aggregate amount of contributions received from that contributor 1486  
during that period to exceed two thousand five hundred dollars, 1487  
the campaign committee shall file a two-business-day statement 1488  
reflecting that contribution. Contributions reported on a 1489  
two-business-day statement required to be filed by a campaign 1490  
committee of a statewide candidate in a primary election shall 1491  
also be included in the postprimary election statement required to 1492  
be filed by that campaign committee under division (A)(2) of this 1493  
section. A two-business-day statement required by this paragraph 1494  
shall be filed not later than two business days after receipt of 1495  
the contribution. The statements required by this paragraph shall 1496

be filed in addition to any other statements required by this 1497  
section. 1498

Subject to the secretary of state having implemented, tested, 1499  
and verified the successful operation of any system the secretary 1500  
of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of 1501  
this section and division (H)(1) of section 3517.106 of the 1502  
Revised Code for the filing of campaign finance statements by 1503  
electronic means of transmission, a campaign committee of a 1504  
statewide candidate shall file a two-business-day statement under 1505  
the preceding paragraph by electronic means of transmission if the 1506  
campaign committee is required to file a preelection, 1507  
postelection, or monthly statement of contributions and 1508  
expenditures by electronic means of transmission under this 1509  
section or section 3517.106 of the Revised Code. 1510

If a campaign committee or political action committee has no 1511  
balance on hand and no outstanding obligations and desires to 1512  
terminate itself, it shall file a statement to that effect, on a 1513  
form prescribed under this section and made under penalty of 1514  
election falsification, with the official with whom it files a 1515  
statement under division (A) of this section after filing a final 1516  
statement of contributions and a final statement of expenditures, 1517  
if contributions have been received or expenditures made since the 1518  
period reflected in its last previously filed statement. 1519

(B) Except as otherwise provided in division (C)(7) of this 1520  
section, each statement required by division (A) of this section 1521  
shall contain the following information: 1522

(1) The full name and address of each campaign committee, 1523  
political action committee, legislative campaign fund, political 1524  
party, or political contributing entity, including any treasurer 1525  
of the committee, fund, party, or entity, filing a contribution 1526  
and expenditure statement; 1527

(2)(a) In the case of a campaign committee, the candidate's full name and address;	1528 1529
(b) In the case of a political action committee, the registration number assigned to the committee under division (D)(1) of this section.	1530 1531 1532
(3) The date of the election and whether it was or will be a general, primary, or special election;	1533 1534
(4) A statement of contributions received, which shall include the following information:	1535 1536
(a) The month, day, and year of the contribution;	1537
(b)(i) The full name and address of each person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity from whom contributions are received and the registration number assigned to the political action committee under division (D)(1) of this section. The requirement of filing the full address does not apply to any statement filed by a state or local committee of a political party, to a finance committee of such committee, or to a committee recognized by a state or local committee as its fund-raising auxiliary. Notwithstanding division (F)(1) of this section, the requirement of filing the full address shall be considered as being met if the address filed is the same address the contributor provided under division (E)(1) of this section.	1538 1539 1540 1541 1542 1543 1544 1545 1546 1547 1548 1549 1550
(ii) If a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution from an individual that exceeds one hundred dollars, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation;	1551 1552 1553 1554 1555 1556
(iii) If a campaign committee of a statewide candidate or	1557

candidate for the office of member of the general assembly 1558  
receives a contribution transmitted pursuant to section 3599.031 1559  
of the Revised Code from amounts deducted from the wages and 1560  
salaries of two or more employees that exceeds in the aggregate 1561  
one hundred dollars during any one filing period under division 1562  
(A)(1), (2), or (3) of this section, the full name of the 1563  
employees' employer and the full name of the labor organization of 1564  
which the employees are members, if any. 1565

(c) A description of the contribution received, if other than 1566  
money; 1567

(d) The value in dollars and cents of the contribution; 1568

(e) A separately itemized account of all contributions and 1569  
expenditures regardless of the amount, except a receipt of a 1570  
contribution from a person in the sum of twenty-five dollars or 1571  
less at one social or fund-raising activity and a receipt of a 1572  
contribution transmitted pursuant to section 3599.031 of the 1573  
Revised Code from amounts deducted from the wages and salaries of 1574  
employees if the contribution from the amount deducted from the 1575  
wages and salary of any one employee is twenty-five dollars or 1576  
less aggregated in a calendar year. An account of the total 1577  
contributions from each social or fund-raising activity shall 1578  
include a description of and the value of each in-kind 1579  
contribution received at that activity from any person who made 1580  
one or more such contributions whose aggregate value exceeded two 1581  
hundred fifty dollars and shall be listed separately, together 1582  
with the expenses incurred and paid in connection with that 1583  
activity. A campaign committee, political action committee, 1584  
legislative campaign fund, political party, or political 1585  
contributing entity shall keep records of contributions from each 1586  
person in the amount of twenty-five dollars or less at one social 1587  
or fund-raising activity and contributions from amounts deducted 1588  
under section 3599.031 of the Revised Code from the wages and 1589

salary of each employee in the amount of twenty-five dollars or 1590  
less aggregated in a calendar year. No continuing association that 1591  
is recognized by a state or local committee of a political party 1592  
as an auxiliary of the party and that makes a contribution from 1593  
funds derived solely from regular dues paid by members of the 1594  
auxiliary shall be required to list the name or address of any 1595  
members who paid those dues. 1596

Contributions that are other income shall be itemized 1597  
separately from all other contributions. The information required 1598  
under division (B)(4) of this section shall be provided for all 1599  
other income itemized. As used in this paragraph, "other income" 1600  
means a loan, investment income, or interest income. 1601

(f) In the case of a campaign committee of a state elected 1602  
officer, if a person doing business with the state elected officer 1603  
in the officer's official capacity makes a contribution to the 1604  
campaign committee of that officer, the information required under 1605  
division (B)(4) of this section in regard to that contribution, 1606  
which shall be filed together with and considered a part of the 1607  
committee's statement of contributions as required under division 1608  
(A) of this section but shall be filed on a separate form provided 1609  
by the secretary of state. As used in division (B)(4)(f) of this 1610  
section: 1611

(i) "State elected officer" has the same meaning as in 1612  
section 3517.092 of the Revised Code. 1613

(ii) "Person doing business" means a person or an officer of 1614  
an entity who enters into one or more contracts with a state 1615  
elected officer or anyone authorized to enter into contracts on 1616  
behalf of that officer to receive payments for goods or services, 1617  
if the payments total, in the aggregate, more than five thousand 1618  
dollars during a calendar year. 1619

(5) A statement of expenditures which shall include the 1620

following information: 1621

(a) The month, day, and year of the expenditure; 1622

(b) The full name and address of each person, political 1623  
party, campaign committee, legislative campaign fund, political 1624  
action committee, or political contributing entity to whom the 1625  
expenditure was made and the registration number assigned to the 1626  
political action committee under division (D)(1) of this section; 1627

(c) The object or purpose for which the expenditure was made; 1628

(d) The amount of each expenditure. 1629

(C)(1) The statement of contributions and expenditures shall 1630  
be signed by the person completing the form. If a statement of 1631  
contributions and expenditures is filed by electronic means of 1632  
transmission pursuant to this section or section 3517.106 of the 1633  
Revised Code, the electronic signature of the person who executes 1634  
the statement and transmits the statement by electronic means of 1635  
transmission, as provided in division (H) of section 3517.106 of 1636  
the Revised Code, shall be attached to or associated with the 1637  
statement and shall be binding on all persons and for all purposes 1638  
under the campaign finance reporting law as if the signature had 1639  
been handwritten in ink on a printed form. 1640

(2) The person filing the statement, under penalty of 1641  
election falsification, shall include with it a list of each 1642  
anonymous contribution, the circumstances under which it was 1643  
received, and the reason it cannot be attributed to a specific 1644  
donor. 1645

(3) Each statement of a campaign committee of a candidate who 1646  
holds public office shall contain a designation of each 1647  
contributor who is an employee in any unit or department under the 1648  
candidate's direct supervision and control. In a space provided in 1649  
the statement, the person filing the statement shall affirm that 1650  
each such contribution was voluntarily made. 1651

(4) A campaign committee that did not receive contributions 1652  
or make expenditures in connection with the nomination or election 1653  
of its candidate shall file a statement to that effect, on a form 1654  
prescribed under this section and made under penalty of election 1655  
falsification, on the date required in division (A)(2) of this 1656  
section. 1657

(5) The campaign committee of any person who attempts to 1658  
become a candidate and who, for any reason, does not become 1659  
certified in accordance with Title XXXV of the Revised Code for 1660  
placement on the official ballot of a primary, general, or special 1661  
election to be held in this state, and who, at any time prior to 1662  
or after an election, receives contributions or makes 1663  
expenditures, or has given consent for another to receive 1664  
contributions or make expenditures, for the purpose of bringing 1665  
about the person's nomination or election to public office, shall 1666  
file the statement or statements prescribed by this section and a 1667  
termination statement, if applicable. This paragraph does not 1668  
apply to any person with respect to an election to the offices of 1669  
member of a county or state central committee, presidential 1670  
elector, or delegate to a national convention or conference of a 1671  
political party. 1672

(6)(a) The statements required to be filed under this section 1673  
shall specify the balance in the hands of the campaign committee, 1674  
political action committee, legislative campaign fund, political 1675  
party, or political contributing entity and the disposition 1676  
intended to be made of that balance. 1677

(b) The secretary of state shall prescribe the form for all 1678  
statements required to be filed under this section and shall 1679  
furnish the forms to the boards of elections in the several 1680  
counties. The boards of elections shall supply printed copies of 1681  
those forms without charge. The secretary of state shall prescribe 1682  
the appropriate methodology, protocol, and data file structure for 1683

statements required or permitted to be filed by electronic means 1684  
of transmission under division (A) of this section and divisions 1685  
(E), (F), and (G) of section 3517.106 of the Revised Code and for 1686  
statements permitted to be filed on computer disk under division 1687  
(F) of section 3517.106 of the Revised Code. Subject to division 1688  
(A) of this section and divisions (E), (F), and (G) of section 1689  
3517.106 of the Revised Code, the statements required to be stored 1690  
on computer by the secretary of state under division (B) of 1691  
section 3517.106 of the Revised Code shall be filed in whatever 1692  
format the secretary of state considers necessary to enable the 1693  
secretary of state to store the information contained in the 1694  
statements on computer. Any such format shall be of a type and 1695  
nature that is readily available to whoever is required to file 1696  
the statements in that format. 1697

(c) The secretary of state shall assess the need for training 1698  
regarding the filing of campaign finance statements by electronic 1699  
means of transmission and regarding associated technologies for 1700  
candidates, campaign committees, political action committees, 1701  
legislative campaign funds, political parties, political 1702  
contributing entities, or individuals, partnerships, or other 1703  
entities required or permitted to file statements by electronic 1704  
means of transmission under this section or section 3517.105 or 1705  
3517.106 of the Revised Code. If, in the opinion of the secretary 1706  
of state, training in these areas is necessary, the secretary of 1707  
state shall arrange for the provision of voluntary training 1708  
programs for candidates, campaign committees, political action 1709  
committees, legislative campaign funds, political parties, 1710  
political contributing entities, and individuals, partnerships, 1711  
and other entities. 1712

(7) Each monthly statement and each two-business-day 1713  
statement required by division (A) of this section shall contain 1714  
the information required by divisions (B)(1) to (4), (C)(2), and, 1715



if appropriate, (C)(3) of this section. Each statement shall be 1716  
signed as required by division (C)(1) of this section. 1717

(D)(1) Prior to receiving a contribution or making an 1718  
expenditure, every campaign committee, political action committee, 1719  
legislative campaign fund, political party, or political 1720  
contributing entity shall appoint a treasurer and shall file, on a 1721  
form prescribed by the secretary of state, a designation of that 1722  
appointment, including the full name and address of the treasurer 1723  
and of the campaign committee, political action committee, 1724  
legislative campaign fund, political party, or political 1725  
contributing entity. That designation shall be filed with the 1726  
official with whom the campaign committee, political action 1727  
committee, legislative campaign fund, political party, or 1728  
political contributing entity is required to file statements under 1729  
section 3517.11 of the Revised Code. The name of a campaign 1730  
committee shall include at least the last name of the campaign 1731  
committee's candidate. The secretary of state shall assign a 1732  
registration number to each political action committee that files 1733  
a designation of the appointment of a treasurer under division 1734  
(D)(1) of this section if the political action committee is 1735  
required by division (A)(1) of section 3517.11 of the Revised Code 1736  
to file the statements prescribed by this section with the 1737  
secretary of state. 1738

(2) The treasurer appointed under division (D)(1) of this 1739  
section shall keep a strict account of all contributions, from 1740  
whom received and the purpose for which they were disbursed. 1741

(3)(a) Except as otherwise provided in section 3517.108 of 1742  
the Revised Code, a campaign committee shall deposit all monetary 1743  
contributions received by the committee into an account separate 1744  
from a personal or business account of the candidate or campaign 1745  
committee. 1746

(b) A political action committee shall deposit all monetary 1747

contributions received by the committee into an account separate 1748  
from all other funds. 1749

(c) A state or county political party may establish a state 1750  
candidate fund that is separate from an account that contains the 1751  
public moneys received from the Ohio political party fund under 1752  
section 3517.17 of the Revised Code and from all other funds. A 1753  
state or county political party may deposit into its state 1754  
candidate fund any amounts of monetary contributions that are made 1755  
to or accepted by the political party subject to the applicable 1756  
limitations, if any, prescribed in section 3517.102 of the Revised 1757  
Code. A state or county political party shall deposit all other 1758  
monetary contributions received by the party into one or more 1759  
accounts that are separate from its state candidate fund and from 1760  
its account that contains the public moneys received from the Ohio 1761  
political party fund under section 3517.17 of the Revised Code. 1762

(d) Each state political party shall have only one 1763  
legislative campaign fund for each house of the general assembly. 1764  
Each such fund shall be separate from any other funds or accounts 1765  
of that state party. A legislative campaign fund is authorized to 1766  
receive contributions and make expenditures for the primary 1767  
purpose of furthering the election of candidates who are members 1768  
of that political party to the house of the general assembly with 1769  
which that legislative campaign fund is associated. Each 1770  
legislative campaign fund shall be administered and controlled in 1771  
a manner designated by the caucus. As used in division (D)(3)(d) 1772  
of this section, "caucus" has the same meaning as in section 1773  
3517.01 of the Revised Code and includes, as an ex officio member, 1774  
the chairperson of the state political party with which the caucus 1775  
is associated or that chairperson's designee. 1776

(4) Every expenditure in excess of twenty-five dollars shall 1777  
be vouched for by a receipted bill, stating the purpose of the 1778  
expenditures, that shall be filed with the statement of 1779

expenditures. A canceled check with a notation of the purpose of 1780  
the expenditure is a receipted bill for purposes of division 1781  
(D)(4) of this section. 1782

(5) The secretary of state or the board of elections, as the 1783  
case may be, shall issue a receipt for each statement filed under 1784  
this section and shall preserve a copy of the receipt for a period 1785  
of at least six years. All statements filed under this section 1786  
shall be open to public inspection in the office where they are 1787  
filed and shall be carefully preserved for a period of at least 1788  
six years after the year in which they are filed. 1789

(6) The secretary of state, by rule adopted pursuant to 1790  
section 3517.23 of the Revised Code, shall prescribe the manner of 1791  
immediately acknowledging, with date and time received, and 1792  
preserving the receipt of statements that are transmitted by 1793  
electronic means of transmission to the secretary of state 1794  
pursuant to this section or section 3517.106 of the Revised Code 1795  
and the manner of preserving the contribution and expenditure 1796  
information in those statements. The secretary of state shall 1797  
preserve the contribution and expenditure information in those 1798  
statements for at least ten years after the year in which they are 1799  
filed by electronic means of transmission. 1800

(7) The secretary of state, pursuant to division (I) of 1801  
section 3517.106 of the Revised Code, shall make available online 1802  
to the public through the internet the contribution and 1803  
expenditure information in all statements, all addenda, 1804  
amendments, or other corrections to statements, and all amended 1805  
statements filed with the secretary of state by electronic or 1806  
other means of transmission under this section, division (B)(2)(b) 1807  
or (C)(2)(b) of section 3517.105, or section 3517.106 or 3517.11 1808  
of the Revised Code. The secretary of state may remove the 1809  
information from the internet after a reasonable period of time. 1810

(E)(1) Any person, political party, campaign committee, 1811

legislative campaign fund, political action committee, or 1812  
political contributing entity that makes a contribution in 1813  
connection with the nomination or election of any candidate or in 1814  
connection with any ballot issue or question at any election held 1815  
or to be held in this state shall provide its full name and 1816  
address to the recipient of the contribution at the time the 1817  
contribution is made. The political action committee also shall 1818  
provide the registration number assigned to the committee under 1819  
division (D)(1) of this section to the recipient of the 1820  
contribution at the time the contribution is made. 1821

(2) Any individual who makes a contribution that exceeds one 1822  
hundred dollars to a campaign committee of a statewide candidate 1823  
or candidate for the office of member of the general assembly 1824  
shall provide the name of the individual's current employer, if 1825  
any, or, if the individual is self-employed, the individual's 1826  
occupation to the recipient of the contribution at the time the 1827  
contribution is made. Sections 3599.39 and 3599.40 of the Revised 1828  
Code do not apply to division (E)(2) of this section. 1829

(3) If a campaign committee shows that it has exercised its 1830  
best efforts to obtain, maintain, and submit the information 1831  
required under divisions (B)(4)(b)(ii) and (iii) of this section, 1832  
that committee is considered to have met the requirements of those 1833  
divisions. A campaign committee shall not be considered to have 1834  
exercised its best efforts unless, in connection with written 1835  
solicitations, it regularly includes a written request for the 1836  
information required under division (B)(4)(b)(ii) of this section 1837  
from the contributor or the information required under division 1838  
(B)(4)(b)(iii) of this section from whoever transmits the 1839  
contribution. 1840

(4) Any check that a political action committee uses to make 1841  
a contribution or an expenditure shall contain the full name and 1842  
address of the committee and the registration number assigned to 1843

the committee under division (D)(1) of this section. 1844

(F) As used in this section: 1845

(1) "Address" means all of the following if they exist: 1846  
apartment number, street, road, or highway name and number, rural 1847  
delivery route number, city or village, state, and zip code as 1848  
used in a person's post-office address, but not post-office box. 1849  
If an address is required in this section, a post-office box and 1850  
office, room, or suite number may be included in addition to but 1851  
not in lieu of an apartment, street, road, or highway name and 1852  
number. If an address is required in this section, a campaign 1853  
committee, political action committee, legislative campaign fund, 1854  
political party, or political contributing entity may use the 1855  
business or residence address of its treasurer or deputy 1856  
treasurer. The post-office box number of the campaign committee, 1857  
political action committee, legislative campaign fund, political 1858  
party, or political contributing entity may be used in addition to 1859  
that address. 1860

(2) "Statewide candidate" means the joint candidates for the 1861  
offices of governor and lieutenant governor or a candidate for the 1862  
office of secretary of state, auditor of state, treasurer of 1863  
state, attorney general, member of the state board of education, 1864  
chief justice of the supreme court, or justice of the supreme 1865  
court. 1866

~~(3) "Internet" has the same meaning as in section 3517.106 of~~ 1867  
~~the Revised Code.~~ 1868

(G) An independent expenditure shall be reported whenever and 1869  
in the same manner that an expenditure is required to be reported 1870  
under this section and shall be reported pursuant to division 1871  
(B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code. 1872

(H)(1) Except as otherwise provided in division (H)(2) of 1873  
this section, if, during the combined preelection and postelection 1874

reporting periods for an election, a campaign committee has 1875  
received contributions of five hundred dollars or less and has 1876  
made expenditures in the total amount of five hundred dollars or 1877  
less, it may file a statement to that effect, under penalty of 1878  
election falsification, in lieu of the statement required by 1879  
division (A)(2) of this section. The statement shall indicate the 1880  
total amount of contributions received and the total amount of 1881  
expenditures made during those combined reporting periods. 1882

(2) In the case of a successful candidate at a primary 1883  
election, if either the total contributions received by or the 1884  
total expenditures made by the candidate's campaign committee 1885  
during the preprimary, postprimary, pregeneral, and postgeneral 1886  
election periods combined equal more than five hundred dollars, 1887  
the campaign committee may file the statement under division 1888  
(H)(1) of this section only for the primary election. The first 1889  
statement that the campaign committee files in regard to the 1890  
general election shall reflect all contributions received and all 1891  
expenditures made during the preprimary and postprimary election 1892  
periods. 1893

(3) Divisions (H)(1) and (2) of this section do not apply if 1894  
a campaign committee receives contributions or makes expenditures 1895  
prior to the first day of January of the year of the election at 1896  
which the candidate seeks nomination or election to office or if 1897  
the campaign committee does not file a termination statement with 1898  
its postprimary election statement in the case of an unsuccessful 1899  
primary election candidate or with its postgeneral election 1900  
statement in the case of other candidates. 1901

(I) In the case of a contribution made by a partnership or 1902  
unincorporated business, all of the following apply: 1903

(1) The recipient of the contribution shall report the 1904  
contribution by listing both the partnership or unincorporated 1905  
business and the name of the partner or owner making the 1906

contribution. 1907

(2) For purposes of section 3517.102 of the Revised Code, the 1908  
contribution shall be considered to have been made by the partner 1909  
or owner reported under division (I)(1) of this section. 1910

(3) No contribution from a partnership or unincorporated 1911  
business shall be accepted unless the recipient reports the 1912  
contribution under division (I)(1) of this section. 1913

(J) A candidate shall have only one campaign committee at any 1914  
given time for all of the offices for which the person is a 1915  
candidate or holds office. 1916

(K)(1) In addition to filing a designation of appointment of 1917  
a treasurer under division (D)(1) of this section, the campaign 1918  
committee of any candidate for an elected municipal office that 1919  
pays an annual amount of compensation of five thousand dollars or 1920  
less, the campaign committee of any candidate for member of a 1921  
board of education except member of the state board of education, 1922  
or the campaign committee of any candidate for township trustee or 1923  
township clerk may sign, under penalty of election falsification, 1924  
a certificate attesting that the committee will not accept 1925  
contributions during an election period that exceed in the 1926  
aggregate two thousand dollars from all contributors and one 1927  
hundred dollars from any one individual, and that the campaign 1928  
committee will not make expenditures during an election period 1929  
that exceed in the aggregate two thousand dollars. 1930

The certificate shall be on a form prescribed by the 1931  
secretary of state and shall be filed not later than ten days 1932  
after the candidate files a declaration of candidacy and petition, 1933  
a nominating petition, or a declaration of intent to be a write-in 1934  
candidate. 1935

(2) Except as otherwise provided in division (K)(3) of this 1936  
section, a campaign committee that files a certificate under 1937

division (K)(1) of this section is not required to file the 1938  
statements required by division (A) of this section ~~3517.10 of the~~ 1939  
~~Revised Code.~~ 1940

(3) If, after filing a certificate under division (K)(1) of 1941  
this section, a campaign committee exceeds any of the limitations 1942  
described in that division during an election period, the 1943  
certificate is void and thereafter the campaign committee shall 1944  
file the statements required by division (A) of this section 1945  
~~3517.10 of the Revised Code.~~ If the campaign committee has not 1946  
previously filed a statement, then on the first statement the 1947  
campaign committee is required to file under division (A) of this 1948  
section ~~3517.10 of the Revised Code~~ after the committee's 1949  
certificate is void, the committee shall report all contributions 1950  
received and expenditures made from the time the candidate filed 1951  
the candidate's declaration of candidacy and petition, nominating 1952  
petition, or declaration of intent to be a write-in candidate. 1953

(4) As used in division (K) of this section, "election 1954  
period" means the period of time beginning on the day a person 1955  
files a declaration of candidacy and petition, nominating 1956  
petition, or declaration of intent to be a write-in candidate 1957  
through the day of the election at which the person seeks 1958  
nomination to office if the person is not elected to office, or, 1959  
if the candidate was nominated in a primary election, the day of 1960  
the election at which the candidate seeks office. 1961

(L) Notwithstanding division (B)(4) of this section, a 1962  
political contributing entity that receives contributions from the 1963  
dues, membership fees, or other assessments of its members or from 1964  
its officers, shareholders, and employees may report the aggregate 1965  
amount of contributions received from those contributors and the 1966  
number of individuals making those contributions, for each filing 1967  
period identified under divisions (A)(1), (2), and (3) of this 1968  
section. Division (B)(4) of this section applies to a political 1969



contributing entity with regard to contributions it receives from 1970  
all other contributors. 1971

**Sec. 3517.106.** (A) As used in this section: 1972

(1) ~~"Internet" means the international computer network of 1973  
both federal and nonfederal interoperable packet switched data 1974  
networks, including the graphical subnetwork called the world wide 1975  
web. 1976~~

~~(2)~~ "Statewide office" means any of the offices of governor, 1977  
lieutenant governor, secretary of state, auditor of state, 1978  
treasurer of state, attorney general, chief justice of the supreme 1979  
court, and justice of the supreme court. 1980

~~(3)~~(2) "Addendum to a statement" includes an amendment or 1981  
other correction to that statement. 1982

(B) The secretary of state shall store on computer the 1983  
information contained in statements of contributions and 1984  
expenditures and monthly statements required to be filed under 1985  
section 3517.10 of the Revised Code and in statements of 1986  
independent expenditures required to be filed under section 1987  
3517.105 of the Revised Code by any of the following: 1988

(1) The campaign committees of candidates for statewide 1989  
office; 1990

(2) The political action committees and political 1991  
contributing entities described in division (A)(1) of section 1992  
3517.11 of the Revised Code; 1993

(3) Legislative campaign funds; 1994

(4) State political parties; 1995

(5) Individuals, partnerships, corporations, labor 1996  
organizations, or other entities that make independent 1997  
expenditures in support of or opposition to a statewide candidate 1998

or a statewide ballot issue or question;	1999
(6) The campaign committees of candidates for the office of member of the general assembly.	2000 2001
(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.	2002 2003 2004 2005 2006 2007 2008 2009 2010
(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.	2011 2012 2013 2014 2015 2016 2017
(D) The secretary of state shall keep the information stored on computer under division (B) of this section for at least six years.	2018 2019 2020
(E)(1) Subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to division (H)(1) of this section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, the campaign committee of each candidate for statewide office may file the statements prescribed by section 3517.10 of the Revised Code by electronic means of transmission or, if the total amount of the contributions received	2021 2022 2023 2024 2025 2026 2027 2028 2029

or the total amount of the expenditures made by the campaign 2030  
committee for the applicable reporting period as specified in 2031  
division (A) of section 3517.10 of the Revised Code exceeds ten 2032  
thousand dollars, shall file those statements by electronic means 2033  
of transmission. 2034

Except as otherwise provided in this division, within five 2035  
business days after a statement filed by a campaign committee of a 2036  
candidate for statewide office is received by the secretary of 2037  
state by electronic or other means of transmission, the secretary 2038  
of state shall make available online to the public through the 2039  
internet, as provided in division (I) of this section, the 2040  
contribution and expenditure information in that statement. The 2041  
secretary of state shall not make available online to the public 2042  
through the internet any contribution or expenditure information 2043  
contained in a statement for any candidate until the secretary of 2044  
state is able to make available online to the public through the 2045  
internet the contribution and expenditure information for all 2046  
candidates for a particular office. As soon as the secretary of 2047  
state has available all of that information, the secretary of 2048  
state shall simultaneously make available online to the public 2049  
through the internet the information for all candidates for a 2050  
particular office. 2051

If a statement filed by electronic means of transmission is 2052  
found to be incomplete or inaccurate after the examination of the 2053  
statement for completeness and accuracy pursuant to division 2054  
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 2055  
committee shall file by electronic means of transmission any 2056  
addendum to the statement that provides the information necessary 2057  
to complete or correct the statement or, if required by the 2058  
secretary of state under that division, an amended statement. 2059

Within five business days after the secretary of state 2060  
receives from a campaign committee of a candidate for statewide 2061

office an addendum to the statement or an amended statement by 2062  
electronic or other means of transmission under this division or 2063  
division (B)(3)(a) of section 3517.11 of the Revised Code, the 2064  
secretary of state shall make the contribution and expenditure 2065  
information in the addendum or amended statement available online 2066  
to the public through the internet as provided in division (I) of 2067  
this section. 2068

(2) Subject to division (E)(3) of this section and subject to 2069  
the secretary of state having implemented, tested, and verified 2070  
the successful operation of any system the secretary of state 2071  
prescribes pursuant to division (H)(1) of this section and 2072  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 2073  
Code for the filing of campaign finance statements by electronic 2074  
means of transmission, a political action committee and a 2075  
political contributing entity described in division (B)(2) of this 2076  
section, a legislative campaign fund, and a state political party 2077  
may file the statements prescribed by section 3517.10 of the 2078  
Revised Code by electronic means of transmission. 2079

Within five business days after a statement filed by a 2080  
political action committee or a political contributing entity 2081  
described in division (B)(2) of this section, a legislative 2082  
campaign fund, or a state political party is received by the 2083  
secretary of state by electronic or other means of transmission, 2084  
the secretary of state shall make available online to the public 2085  
through the internet, as provided in division (I) of this section, 2086  
the contribution and expenditure information in that statement. 2087

If a statement filed by electronic means of transmission is 2088  
found to be incomplete or inaccurate after the examination of the 2089  
statement for completeness and accuracy pursuant to division 2090  
(B)(3)(a) of section 3517.11 of the Revised Code, the political 2091  
action committee, political contributing entity, legislative 2092  
campaign fund, or state political party shall file by electronic 2093

means of transmission any addendum to the statement that provides 2094  
the information necessary to complete or correct the statement or, 2095  
if required by the secretary of state under that division, an 2096  
amended statement. 2097

Within five business days after the secretary of state 2098  
receives from a political action committee or a political 2099  
contributing entity described in division (B)(2) of this section, 2100  
a legislative campaign fund, or a state political party an 2101  
addendum to the statement or an amended statement by electronic or 2102  
other means of transmission under this division or division 2103  
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 2104  
state shall make the contribution and expenditure information in 2105  
the addendum or amended statement available online to the public 2106  
through the internet as provided in division (I) of this section. 2107

(3) Subject to the secretary of state having implemented, 2108  
tested, and verified the successful operation of any system the 2109  
secretary of state prescribes pursuant to division (H)(1) of this 2110  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 2111  
the Revised Code for the filing of campaign finance statements by 2112  
electronic means of transmission, a political action committee and 2113  
a political contributing entity described in division (B)(2) of 2114  
this section, a legislative campaign fund, and a state political 2115  
party shall file the statements prescribed by section 3517.10 of 2116  
the Revised Code by electronic means of transmission if the total 2117  
amount of the contributions received or the total amount of the 2118  
expenditures made by the political action committee, political 2119  
contributing entity, legislative campaign fund, or political party 2120  
for the applicable reporting period as specified in division (A) 2121  
of section 3517.10 of the Revised Code exceeds ten thousand 2122  
dollars. 2123

Within five business days after a statement filed by a 2124  
political action committee or a political contributing entity 2125

described in division (B)(2) of this section, a legislative 2126  
campaign fund, or a state political party is received by the 2127  
secretary of state by electronic or other means of transmission, 2128  
the secretary of state shall make available online to the public 2129  
through the internet, as provided in division (I) of this section, 2130  
the contribution and expenditure information in that statement. 2131

If a statement filed by electronic means of transmission is 2132  
found to be incomplete or inaccurate after the examination of the 2133  
statement for completeness and accuracy pursuant to division 2134  
(B)(3)(a) of section 3517.11 of the Revised Code, the political 2135  
action committee, political contributing entity, legislative 2136  
campaign fund, or state political party shall file by electronic 2137  
means of transmission any addendum to the statement that provides 2138  
the information necessary to complete or correct the statement or, 2139  
if required by the secretary of state under that division, an 2140  
amended statement. 2141

Within five business days after the secretary of state 2142  
receives from a political action committee or a political 2143  
contributing entity described in division (B)(2) of this section, 2144  
a legislative campaign fund, or a state political party an 2145  
addendum to the statement or an amended statement by electronic or 2146  
other means of transmission under this division or division 2147  
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 2148  
state shall make the contribution and expenditure information in 2149  
the addendum or amended statement available online to the public 2150  
through the internet as provided in division (I) of this section. 2151

(F)(1) Subject to division (F)(4) of this section and subject 2152  
to the secretary of state having implemented, tested, and verified 2153  
the successful operation of any system the secretary of state 2154  
prescribes pursuant to division (H)(1) of this section and 2155  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 2156  
Code for the filing of campaign finance statements by electronic 2157

means of transmission or on computer disk, a campaign committee of 2158  
a candidate for the office of member of the general assembly may 2159  
file the statements prescribed by section 3517.10 of the Revised 2160  
Code by electronic means of transmission to the office of the 2161  
secretary of state or, until March 1, 2004, on computer disk with 2162  
the appropriate board of elections specified in division (A)(2) of 2163  
section 3517.11 of the Revised Code. 2164

Except as otherwise provided in this division, within five 2165  
business days after a statement filed by a campaign committee of a 2166  
candidate for the office of member of the general assembly is 2167  
received by the secretary of state by electronic or other means of 2168  
transmission, the secretary of state shall make available online 2169  
to the public through the internet, as provided in division (I) of 2170  
this section, the contribution and expenditure information in that 2171  
statement. The secretary of state shall not make available online 2172  
to the public through the internet any contribution or expenditure 2173  
information contained in a statement for any candidate until the 2174  
secretary of state is able to make available online to the public 2175  
through the internet the contribution and expenditure information 2176  
for all candidates for a particular office. As soon as the 2177  
secretary of state has available all of that information, the 2178  
secretary of state shall simultaneously make available online to 2179  
the public through the internet the information for all candidates 2180  
for a particular office. 2181

If a statement filed by electronic means of transmission or 2182  
on computer disk is found to be incomplete or inaccurate after the 2183  
examination of the statement for completeness and accuracy 2184  
pursuant to division (B)(3)(a) of section 3517.11 of the Revised 2185  
Code, the campaign committee shall file by electronic means of 2186  
transmission to the office of the secretary of state, or, until 2187  
March 1, 2004, on computer disk with the appropriate board of 2188  
elections if the original statement was filed on computer disk, 2189

any addendum to the statement that provides the information 2190  
necessary to complete or correct the statement or, if required by 2191  
the secretary of state under that division, an amended statement. 2192

Within five business days after the secretary of state 2193  
receives from a campaign committee of a candidate for the office 2194  
of member of the general assembly an addendum to the statement or 2195  
an amended statement by electronic or other means of transmission 2196  
under this division or division (B)(3)(a) of section 3517.11 of 2197  
the Revised Code, the secretary of state shall make the 2198  
contribution and expenditure information in the addendum or 2199  
amended statement available online to the public through the 2200  
internet as provided in division (I) of this section. 2201

(2) Until March 1, 2004, if a campaign committee of a 2202  
candidate for the office of member of the general assembly files a 2203  
statement of contributions and expenditures, an addendum to the 2204  
statement, or an amended statement by electronic means of 2205  
transmission or on computer disk pursuant to division (F)(1) of 2206  
this section, the campaign committee shall file as prescribed by 2207  
section 3517.10 of the Revised Code with the appropriate board of 2208  
elections specified in division (A)(2) of section 3517.11 of the 2209  
Revised Code a printed version of the statement, addendum, or 2210  
amended statement filed by electronic means of transmission or on 2211  
computer disk, in the format that the secretary of state shall 2212  
prescribe. If a statement, addendum, or amended statement is not 2213  
filed by electronic means of transmission or on computer disk but 2214  
is filed by printed version only, the campaign committee shall 2215  
file two copies of the printed version of the statement, addendum, 2216  
or amended statement with the appropriate board of elections. The 2217  
board of elections shall send one of those copies by overnight 2218  
delivery service to the secretary of state before the close of 2219  
business on the day the board of elections receives the statement, 2220  
addendum, or amended statement. 2221



(3)(a) Subject to division (F)(4) of this section and subject 2222  
to the secretary of state having implemented, tested, and verified 2223  
the successful operation of any system the secretary of state 2224  
prescribes pursuant to division (H)(1) of this section and 2225  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 2226  
Code for the filing of campaign finance statements by electronic 2227  
means of transmission or on computer disk, the secretary of state 2228  
shall assess, and a campaign committee of a candidate for the 2229  
office of member of the general assembly shall pay, a fee as 2230  
provided in this division if the campaign committee has not filed 2231  
the campaign finance statements prescribed by section 3517.10 of 2232  
the Revised Code by electronic means of transmission or on 2233  
computer disk pursuant to division (F)(1) of this section. The fee 2234  
shall be calculated on the total contributions received for the 2235  
applicable reporting period specified in division (A) of section 2236  
3517.10 of the Revised Code as follows: 2237

(i) No fee for total contributions up to and including ten 2238  
thousand dollars; 2239

(ii) A fee of fifty dollars for total contributions of over 2240  
ten thousand dollars up to and including twenty-five thousand 2241  
dollars; 2242

(iii) A fee of one hundred fifty dollars for total 2243  
contributions over twenty-five thousand dollars up to and 2244  
including fifty thousand dollars; 2245

(iv) A fee of two hundred dollars for total contributions 2246  
over fifty thousand dollars. 2247

(b) No campaign committee of a candidate for the office of 2248  
member of the general assembly shall be required to pay the fee 2249  
prescribed by division (F)(3)(a) of this section in connection 2250  
with the filing of an addendum to a statement of contributions and 2251  
expenditures or in connection with the filing of an amended 2252

statement. 2253

(c) The fee prescribed by division (F)(3)(a) of this section 2254  
shall be made payable to the secretary of state and shall be 2255  
collected by the appropriate board of elections at the time the 2256  
campaign committee of a candidate for the office of member of the 2257  
general assembly files the statement of contributions and 2258  
expenditures. The fee shall be sent along with the statement, 2259  
before the close of business on the day it is received, to the 2260  
secretary of state by overnight delivery service. 2261

(4) Subject to the secretary of state having implemented, 2262  
tested, and verified the successful operation of any system the 2263  
secretary of state prescribes pursuant to division (H)(1) of this 2264  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 2265  
the Revised Code for the filing of campaign finance statements by 2266  
electronic means of transmission, on and after March 1, 2004, a 2267  
campaign committee of a candidate for the office of member of the 2268  
general assembly shall file the statements prescribed by section 2269  
3517.10 of the Revised Code by electronic means of transmission to 2270  
the secretary of state if the total amount of the contributions 2271  
received by the campaign committee for the applicable reporting 2272  
period as specified in division (A) of section 3517.10 of the 2273  
Revised Code exceeds ten thousand dollars. 2274

Except as otherwise provided in this division, within five 2275  
business days after a statement filed by a campaign committee of a 2276  
candidate for the office of member of the general assembly is 2277  
received by the secretary of state by electronic or other means of 2278  
transmission, the secretary of state shall make available online 2279  
to the public through the internet, as provided in division (I) of 2280  
this section, the contribution and expenditure information in that 2281  
statement. The secretary of state shall not make available online 2282  
to the public through the internet any contribution or expenditure 2283  
information contained in a statement for any candidate until the 2284

secretary of state is able to make available online to the public 2285  
through the internet the contribution and expenditure information 2286  
for all candidates for a particular office. As soon as the 2287  
secretary of state has available all of that information, the 2288  
secretary of state shall simultaneously make available online to 2289  
the public through the internet the information for all candidates 2290  
for a particular office. 2291

If a statement filed by electronic means of transmission is 2292  
found to be incomplete or inaccurate after the examination of the 2293  
statement for completeness and accuracy pursuant to division 2294  
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 2295  
committee of a candidate for the office of member of the general 2296  
assembly shall file by electronic means of transmission any 2297  
addendum to the statement that provides the information necessary 2298  
to complete or correct the statement or, if required by the 2299  
secretary of state under that division, an amended statement. 2300

Within five business days after the secretary of state 2301  
receives from a campaign committee of a candidate for the office 2302  
of member of the general assembly an addendum to the statement or 2303  
an amended statement by electronic or other means of transmission 2304  
under this division or division (B)(3)(a) of section 3517.11 of 2305  
the Revised Code, the secretary of state shall make the 2306  
contribution and expenditure information in the addendum or 2307  
amended statement available online to the public through the 2308  
internet as provided in division (I) of this section. 2309

(G)(1) Subject to division (G)(2) of this section and subject 2310  
to the secretary of state having implemented, tested, and verified 2311  
the successful operation of any system the secretary of state 2312  
prescribes pursuant to division (H)(1) of this section and 2313  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 2314  
Code for the filing of campaign finance statements by electronic 2315  
means of transmission, any individual, partnership, or other 2316

entity that makes independent expenditures in support of or 2317  
opposition to a statewide candidate or a statewide ballot issue or 2318  
question as provided in division (B)(2)(b) or (C)(2)(b) of section 2319  
3517.105 of the Revised Code may file the statement specified in 2320  
that division by electronic means of transmission. 2321

Within five business days after a statement filed by an 2322  
individual, partnership, or other entity is received by the 2323  
secretary of state by electronic or other means of transmission, 2324  
the secretary of state shall make available online to the public 2325  
through the internet, as provided in division (I) of this section, 2326  
the expenditure information in that statement. 2327

If a statement filed by electronic means of transmission is 2328  
found to be incomplete or inaccurate after the examination of the 2329  
statement for completeness and accuracy pursuant to division 2330  
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 2331  
partnership, or other entity shall file by electronic means of 2332  
transmission any addendum to the statement that provides the 2333  
information necessary to complete or correct the statement or, if 2334  
required by the secretary of state under that division, an amended 2335  
statement. 2336

Within five business days after the secretary of state 2337  
receives from an individual, partnership, or other entity 2338  
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 2339  
of the Revised Code an addendum to the statement or an amended 2340  
statement by electronic or other means of transmission under this 2341  
division or division (B)(3)(a) of section 3517.11 of the Revised 2342  
Code, the secretary of state shall make the expenditure 2343  
information in the addendum or amended statement available online 2344  
to the public through the internet as provided in division (I) of 2345  
this section. 2346

(2) Subject to the secretary of state having implemented, 2347  
tested, and verified the successful operation of any system the 2348

secretary of state prescribes pursuant to division (H)(1) of this 2349  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 2350  
the Revised Code for the filing of campaign finance statements by 2351  
electronic means of transmission, any individual, partnership, or 2352  
other entity that makes independent expenditures in support of or 2353  
opposition to a statewide candidate or a statewide ballot issue or 2354  
question as provided in division (B)(2)(b) or (C)(2)(b) of section 2355  
3517.105 of the Revised Code shall file the statement specified in 2356  
that division by electronic means of transmission if the total 2357  
amount of the independent expenditures made during the reporting 2358  
period under that division exceeds ten thousand dollars. 2359

Within five business days after a statement filed by an 2360  
individual, partnership, or other entity is received by the 2361  
secretary of state by electronic or other means of transmission, 2362  
the secretary of state shall make available online to the public 2363  
through the internet, as provided in division (I) of this section, 2364  
the expenditure information in that statement. 2365

If a statement filed by electronic means of transmission is 2366  
found to be incomplete or inaccurate after the examination of the 2367  
statement for completeness and accuracy pursuant to division 2368  
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 2369  
partnership, or other entity shall file by electronic means of 2370  
transmission any addendum to the statement that provides the 2371  
information necessary to complete or correct the statement or, if 2372  
required by the secretary of state under that division, an amended 2373  
statement. 2374

Within five business days after the secretary of state 2375  
receives from an individual, partnership, or other entity 2376  
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 2377  
of the Revised Code an addendum to the statement or an amended 2378  
statement by electronic or other means of transmission under this 2379  
division or division (B)(3)(a) of section 3517.11 of the Revised 2380

Code, the secretary of state shall make the expenditure 2381  
information in the addendum or amended statement available online 2382  
to the public through the internet as provided in division (I) of 2383  
this section. 2384

(H)(1) The secretary of state, by rule adopted pursuant to 2385  
section 3517.23 of the Revised Code, shall prescribe one or more 2386  
techniques by which a person who executes and transmits by 2387  
electronic means a statement of contributions and expenditures, a 2388  
statement of independent expenditures, an addendum to either 2389  
statement, an amended statement of contributions and expenditures, 2390  
or an amended statement of independent expenditures under this 2391  
section or section 3517.10 or 3517.105 of the Revised Code shall 2392  
electronically sign the statement, addendum, or amended statement. 2393  
Any technique prescribed by the secretary of state pursuant to 2394  
this division shall create an electronic signature that satisfies 2395  
all of the following: 2396

(a) It is unique to the signer. 2397

(b) It objectively identifies the signer. 2398

(c) It involves the use of a signature device or other means 2399  
or method that is under the sole control of the signer and that 2400  
cannot be readily duplicated or compromised. 2401

(d) It is created and linked to the electronic record to 2402  
which it relates in a manner that, if the record or signature is 2403  
intentionally or unintentionally changed after signing, the 2404  
electronic signature is invalidated. 2405

(2) An electronic signature prescribed by the secretary of 2406  
state under division (H)(1) of this section shall be attached to 2407  
or associated with the statement of contributions and 2408  
expenditures, the statement of independent expenditures, the 2409  
addendum to either statement, the amended statement of 2410  
contributions and expenditures, or the amended statement of 2411

independent expenditures that is executed and transmitted by 2412  
electronic means by the person to whom the electronic signature is 2413  
attributed. The electronic signature that is attached to or 2414  
associated with the statement, addendum, or amended statement 2415  
under this division shall be binding on all persons and for all 2416  
purposes under the campaign finance reporting law as if the 2417  
signature had been handwritten in ink on a printed form of the 2418  
statement, addendum, or amended statement. 2419

(I) The secretary of state shall make the contribution and 2420  
expenditure information in all statements, all addenda to the 2421  
statements, and all amended statements that are filed with the 2422  
secretary of state by electronic or other means of transmission 2423  
under this section or section 3517.10, 3517.105, or 3517.11 of the 2424  
Revised Code available online to the public by any means that are 2425  
searchable, viewable, and accessible through the internet. 2426

(J)(1) As used in this division, "library" means a library 2427  
that is open to the public and that is one of the following: 2428

(a) A library that is maintained and regulated under section 2429  
715.13 of the Revised Code; 2430

(b) A library that is created, maintained, and regulated 2431  
under Chapter 3375. of the Revised Code. 2432

(2) The secretary of state shall notify all libraries of the 2433  
location on the internet at which the contribution and expenditure 2434  
information in campaign finance statements required to be made 2435  
available online to the public through the internet pursuant to 2436  
division (I) of this section may be accessed. 2437

If that location is part of the graphical subnetwork called 2438  
the world wide web and if the secretary of state has notified a 2439  
library of that world wide web location as required by this 2440  
division, the library shall include a link to that world wide web 2441  
location on each internet-connected computer it maintains that is 2442

accessible to the public. 2443

(3) If the system the secretary of state prescribes for the 2444  
filing of campaign finance statements by electronic means of 2445  
transmission pursuant to division (H)(1) of this section and 2446  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 2447  
Code includes filing those statements through the internet via an 2448  
interactive location on the graphical subnetwork called the world 2449  
wide web, the secretary of state shall notify all libraries of the 2450  
world wide web location at which those statements may be filed. 2451

If those statements may be filed through the internet via an 2452  
interactive location on the graphical subnetwork called the world 2453  
wide web and if the secretary of state has notified a library of 2454  
that world wide web location as required by this division, the 2455  
library shall include a link to that world wide web location on 2456  
each internet-connected computer it maintains that is accessible 2457  
to the public. 2458

(K) It is an affirmative defense to a complaint or charge 2459  
brought against any campaign committee, political action 2460  
committee, legislative campaign fund, political party, political 2461  
contributing entity, or individual, partnership, or other entity 2462  
for the failure to file by electronic means of transmission a 2463  
campaign finance statement as required by this section or section 2464  
3517.10 or 3517.105 of the Revised Code that all of the following 2465  
apply to the campaign committee, political action committee, 2466  
legislative campaign fund, political party, political contributing 2467  
entity, or individual, partnership, or other entity that failed to 2468  
file the required statement: 2469

(1) The campaign committee, political action committee, 2470  
legislative campaign fund, political party, political contributing 2471  
entity, or individual, partnership, or other entity attempted to 2472  
file by electronic means of transmission the required statement 2473  
prior to the deadline set forth in the applicable section. 2474



(2) The campaign committee, political action committee, 2475  
legislative campaign fund, political party, political contributing 2476  
entity, or individual, partnership, or other entity was unable to 2477  
file by electronic means of transmission due to an expected or 2478  
unexpected shutdown of the whole or part of the electronic 2479  
campaign finance statement-filing system, such as for maintenance 2480  
or because of hardware, software, or network connection failure. 2481

(3) The campaign committee, political action committee, 2482  
legislative campaign fund, political party, political contributing 2483  
entity, or individual, partnership, or other entity filed by 2484  
electronic means of transmission the required statement within a 2485  
reasonable period of time after being unable to so file it under 2486  
the circumstance described in division (K)(2) of this section. 2487

**Sec. 3517.11.** (A)(1) Campaign committees of candidates for 2488  
statewide offices or the state board of education, political 2489  
action committees or political contributing entities that make 2490  
contributions to campaign committees of candidates that are 2491  
required to file the statements prescribed by section 3517.10 of 2492  
the Revised Code with the secretary of state, political action 2493  
committees or political contributing entities that make 2494  
contributions to campaign committees of candidates for member of 2495  
the general assembly, political action committees or political 2496  
contributing entities that make contributions to state and 2497  
national political parties and to legislative campaign funds, 2498  
political action committees or political contributing entities 2499  
that receive contributions or make expenditures in connection with 2500  
a statewide ballot issue, political action committees or political 2501  
contributing entities that make contributions to other political 2502  
action committees or political contributing entities, political 2503  
parties, and campaign committees, except as set forth in division 2504  
(A)(3) of this section, legislative campaign funds, and state and 2505

national political parties shall file the statements prescribed by 2506  
section 3517.10 of the Revised Code with the secretary of state. 2507

(2) Except as otherwise provided in division (F) of section 2508  
3517.106 of the Revised Code, campaign committees of candidates 2509  
for all other offices shall file the statements prescribed by 2510  
section 3517.10 of the Revised Code with the board of elections 2511  
where their candidates are required to file their petitions or 2512  
other papers for nomination or election. 2513

A campaign committee of a candidate for office of member of 2514  
the general assembly shall file two copies of the printed version 2515  
of any statement, addendum, or amended statement if the committee 2516  
does not file by electronic means of transmission or on computer 2517  
disk pursuant to division (F)(1) of section 3517.106 of the 2518  
Revised Code but files by printed version only with the 2519  
appropriate board of elections. The board of elections shall send 2520  
one of those copies by overnight delivery service to the secretary 2521  
of state before the close of business on the day the board of 2522  
elections receives the statement, addendum, or amended statement. 2523

(3) Political action committees or political contributing 2524  
entities that only contribute to a county political party, 2525  
contribute to campaign committees of candidates whose nomination 2526  
or election is to be submitted only to electors within a county, 2527  
subdivision, or district, excluding candidates for member of the 2528  
general assembly, and receive contributions or make expenditures 2529  
in connection with ballot questions or issues to be submitted only 2530  
to electors within a county, subdivision, or district shall file 2531  
the statements prescribed by section 3517.10 of the Revised Code 2532  
with the board of elections in that county or in the county 2533  
contained in whole or part within the subdivision or district 2534  
having a population greater than that of any other county 2535  
contained in whole or part within that subdivision or district, as 2536

the case may be. 2537

(4) County political parties shall file the statements 2538  
prescribed by section 3517.10 of the Revised Code with the board 2539  
of elections of their respective counties. 2540

(B)(1) The official with whom petitions and other papers for 2541  
nomination or election to public office are filed shall furnish 2542  
each candidate at the time of that filing a copy of sections 2543  
3517.01, 3517.08 to 3517.11, 3517.13 to 3517.993, 3599.03, and 2544  
3599.031 of the Revised Code and any other materials that the 2545  
secretary of state may require. Each candidate receiving the 2546  
materials shall acknowledge their receipt in writing. 2547

(2) On or before the tenth day before the dates on which 2548  
statements are required to be filed by section 3517.10 of the 2549  
Revised Code, every candidate subject to the provisions of this 2550  
section and sections 3517.10 and 3517.106 of the Revised Code 2551  
shall be notified of the requirements and applicable penalties of 2552  
those sections. The secretary of state, by certified mail, return 2553  
receipt requested, shall notify all candidates required to file 2554  
those statements with the secretary of state's office. The board 2555  
of elections of every county shall notify by first class mail any 2556  
candidate who has personally appeared at the office of the board 2557  
on or before the tenth day before the statements are required to 2558  
be filed and signed a form, to be provided by the secretary of 2559  
state, attesting that the candidate has been notified of the 2560  
candidate's obligations under the campaign finance law. The board 2561  
shall forward the completed form to the secretary of state. The 2562  
board shall use certified mail, return receipt requested, to 2563  
notify all other candidates required to file those statements with 2564  
it. 2565

(3)(a) Any statement required to be filed under sections 2566  
3517.081 to 3517.17 of the Revised Code that is found to be 2567  
incomplete or inaccurate by the officer to whom it is submitted 2568

shall be accepted on a conditional basis, and the person who filed 2569  
it shall be notified by certified mail as to the incomplete or 2570  
inaccurate nature of the statement. The secretary of state may 2571  
examine statements filed for candidates for the office of member 2572  
of the general assembly for completeness and accuracy. The 2573  
secretary of state shall examine for completeness and accuracy 2574  
statements that campaign committees of candidates for the office 2575  
of member of the general assembly file by electronic means of 2576  
transmission pursuant to division (F) of section 3517.106 of the 2577  
Revised Code. If an officer at the board of elections where a 2578  
statement filed for a candidate for the office of member of the 2579  
general assembly was submitted finds the statement to be 2580  
incomplete or inaccurate, the officer shall immediately notify the 2581  
secretary of state of its incomplete or inaccurate nature. If 2582  
either an officer at the board of elections or the secretary of 2583  
state finds a statement filed for a candidate for the office of 2584  
member of the general assembly to be incomplete or inaccurate, 2585  
only the secretary of state shall send the notification as to the 2586  
incomplete or inaccurate nature of the statement. 2587

Within twenty-one days after receipt of the notice, in the 2588  
case of a pre-election statement, a postelection statement, a 2589  
monthly statement, or an annual statement prescribed by section 2590  
3517.10, an annual statement prescribed by section 3517.101, or a 2591  
statement prescribed by division (B)(2)(b) or (C)(2)(b) of section 2592  
3517.105 or section 3517.107 of the Revised Code, the recipient 2593  
shall file an addendum, amendment, or other correction to the 2594  
statement providing the information necessary to complete or 2595  
correct the statement. The secretary of state may require that, in 2596  
lieu of filing an addendum, amendment, or other correction to a 2597  
statement that is filed by electronic means of transmission to the 2598  
office of the secretary of state or on computer disk with the 2599  
appropriate board of elections pursuant to section 3517.106 of the 2600  
Revised Code, the recipient of the notice described in this 2601

division file by electronic means of transmission, or, until March 2602  
1, 2004, on computer disk with the appropriate board of elections 2603  
if the original statement was filed on computer disk, an amended 2604  
statement that incorporates the information necessary to complete 2605  
or correct the statement. The secretary of state shall determine 2606  
by rule when an addendum, amendment, or other correction to a 2607  
two-business-day statement prescribed by section 3517.10 of the 2608  
Revised Code or an amended two-business-day statement shall be 2609  
filed. An addendum, amendment, or other correction to a statement 2610  
that is filed by electronic means of transmission or on computer 2611  
disk pursuant to section 3517.106 of the Revised Code shall be 2612  
filed in the same manner as the statement. The provisions of 2613  
sections 3517.10 and 3517.106 of the Revised Code pertaining to 2614  
the filing of statements of contributions and expenditures and 2615  
statements of independent expenditures by electronic means of 2616  
transmission or on computer disk apply to the filing of addenda, 2617  
amendments, or other corrections to those statements by electronic 2618  
means of transmission or, until March 1, 2004, on computer disk 2619  
and the filing of amended statements by electronic means of 2620  
transmission or, until March 1, 2004, on computer disk. 2621

(b) Within five business days after the secretary of state 2622  
receives, by electronic or other means of transmission, an 2623  
addendum, amendment, or other correction to a statement or an 2624  
amended statement under division (B)(3)(a) of this section, the 2625  
secretary of state, pursuant to divisions (E), (F), (G), and (I) 2626  
of section 3517.106 of the Revised Code, shall make the 2627  
contribution and expenditure information in that addendum, 2628  
amendment, correction, or amended statement available online to 2629  
the public through the internet. ~~As used in this division,~~ 2630  
~~"internet" has the same meaning as in section 3517.106 of the~~ 2631  
~~Revised Code.~~ 2632

(4)(a) The secretary of state or the board of elections shall 2633

examine all statements for compliance with sections 3517.08 to 2634  
3517.17 of the Revised Code. 2635

(b) The secretary of state may contract with an individual or 2636  
entity not associated with the secretary of state and experienced 2637  
in interpreting the campaign finance law of this state to conduct 2638  
examinations of statements filed by any statewide candidate, as 2639  
defined in section 3517.103 of the Revised Code. 2640

(c) The examination shall be conducted by a person or entity 2641  
qualified to conduct it. The results of the examination shall be 2642  
available to the public, and, when the examination is conducted by 2643  
an individual or entity not associated with the secretary of 2644  
state, the results of the examination shall be reported to the 2645  
secretary of state. 2646

(C)(1) In the event of a failure to file or a late filing of 2647  
a statement required to be filed under sections 3517.081 to 2648  
3517.17 of the Revised Code or if a filed statement or any 2649  
addendum to the statement, if an addendum is required to be filed, 2650  
is incomplete or inaccurate or appears to disclose a failure to 2651  
comply with or a violation of law, the official whose duty it is 2652  
to examine the statement shall promptly file a complaint with the 2653  
Ohio elections commission under section 3517.153 of the Revised 2654  
Code if the law is one over which the commission has jurisdiction 2655  
to hear complaints, or the official shall promptly report the 2656  
failure or violation to the board of elections and the board shall 2657  
promptly report it to the prosecuting attorney in accordance with 2658  
division (J) of section 3501.11 of the Revised Code. If the 2659  
official files a complaint with the commission, the commission 2660  
shall proceed in accordance with sections 3517.154 to 3517.157 of 2661  
the Revised Code. 2662

(2) For purposes of division (C)(1) of this section, a 2663  
statement or an addendum to a statement required to be filed under 2664  
sections 3517.081 to 3517.17 of the Revised Code is incomplete or 2665

inaccurate under this section if the statement or addendum fails 2666  
to disclose substantially all contributions that are received from 2667  
a source and that are required to be reported under sections 2668  
3517.10, 3517.107, and 3517.108 of the Revised Code or if the 2669  
statement or addendum fails to disclose at least ninety per cent 2670  
of the total contributions received or of the total expenditures 2671  
made during the reporting period. 2672

(D) No certificate of nomination or election shall be issued 2673  
to a person, and no person elected to an office shall enter upon 2674  
the performance of the duties of that office, until that person or 2675  
that person's campaign committee, as appropriate, has fully 2676  
complied with this section and sections 3517.08, 3517.081, 2677  
3517.10, and 3517.13 of the Revised Code. 2678

**Sec. 5145.31.** (A) As used in this section: 2679

~~(1) "Computer," "computer," "computer network," "computer~~ 2680  
~~system," "computer services," "telecommunications service," and~~ 2681  
~~"information service" have the same meanings as in section 2913.01~~ 2682  
~~of the Revised Code.~~ 2683

~~(2) "Internet" has the same meaning as in section 341.42 of~~ 2684  
~~the Revised Code.~~ 2685

(B) No officer or employee of a correctional institution 2686  
under the control or supervision of the department of 2687  
rehabilitation and correction shall provide a prisoner access to 2688  
or permit a prisoner to have access to the internet through the 2689  
use of a computer, computer network, computer system, computer 2690  
services, telecommunications service, or information service 2691  
unless both of the following apply: 2692

(1) The prisoner is participating in an approved educational 2693  
program with direct supervision that requires the use of the 2694  
internet for training or research purposes. 2695

(2) The provision of and access to the internet is in 2696  
accordance with rules promulgated by the department of 2697  
rehabilitation and correction pursuant to section 5120.62 of the 2698  
Revised Code. 2699

(C)(1) No prisoner in a correctional institution under the 2700  
control or supervision of the department of rehabilitation and 2701  
correction shall access the internet through the use of a 2702  
computer, computer network, computer system, computer services, 2703  
telecommunications service, or information service unless both of 2704  
the following apply: 2705

(a) The prisoner is participating in an approved educational 2706  
program with direct supervision that requires the use of the 2707  
internet for training or research purposes. 2708

(b) The provision of and access to the internet is in 2709  
accordance with rules promulgated by the department of 2710  
rehabilitation and correction pursuant to section 5120.62 of the 2711  
Revised Code. 2712

(2) Whoever violates division (C)(1) of this section is 2713  
guilty of improper internet access, a misdemeanor of the first 2714  
degree. 2715

**Sec. 5703.49.** (A) ~~As used in this section, "internet" means~~ 2716  
~~the international computer network of both federal and nonfederal~~ 2717  
~~interoperable packet switched data networks, including the~~ 2718  
~~graphical subnetwork known as the world wide web.~~ 2719

~~(B)~~ On or before December 31, 2001, the tax commissioner 2720  
shall establish an electronic site accessible through the 2721  
internet. The tax commissioner shall provide access on the site 2722  
for each municipal corporation that has not established its own 2723  
electronic site to post documents or information required under 2724  
section 718.07 of the Revised Code. The tax commissioner shall 2725



provide electronic links for each municipal corporation that 2726  
establishes a site under that section and for which a uniform 2727  
resource locator has been provided to the tax commissioner. The 2728  
tax commissioner is not responsible for the accuracy of the posted 2729  
information, and is not liable for any inaccurate or outdated 2730  
information provided by a municipal corporation. The tax 2731  
commissioner may adopt rules governing the format and means of 2732  
submitting such documents or information and other matters 2733  
necessary to implement this section. The tax commissioner may 2734  
charge municipal corporations a fee to defray the cost of 2735  
establishing and maintaining the electronic site established under 2736  
this section. 2737

~~(C)~~(B) The tax commissioner shall deposit any fees received 2738  
under this section to the credit of the municipal internet site 2739  
fund, which is hereby created in the state treasury. The 2740  
commissioner shall use the fund for costs of establishing and 2741  
maintaining the electronic site established under this section. 2742

**Section 2.** That existing sections 1.59, 9.08, 9.314, 9.48, 2743  
101.691, 113.40, 125.04, 125.072, 149.38, 149.432, 307.12, 341.42, 2744  
505.10, 718.07, 721.15, 753.32, 955.013, 1306.16, 2307.64, 2745  
3517.10, 3517.106, 3517.11, 5145.31, and 5703.49 of the Revised 2746  
Code are hereby repealed. 2747

**Section 3.** (A) There is hereby created the Ohio 2748  
Privacy/Public Record Access Study Committee consisting of 2749  
twenty-three members. The President of the Senate shall appoint 2750  
three members, the Speaker of the House of Representatives shall 2751  
appoint three members, the Governor shall appoint sixteen members, 2752  
and the Chief Justice of the Supreme Court shall appoint one 2753  
member. Of the three members appointed by the President of the 2754  
Senate, two shall represent the Senate majority caucus, and one 2755  
shall represent the Senate minority caucus. Of the three members 2756

appointed by the Speaker of the House of Representatives, two 2757  
shall represent the House majority caucus, and one shall represent 2758  
the House minority caucus. Of the sixteen members appointed by the 2759  
Governor, one shall represent the newspaper industry, one shall be 2760  
in broadcasting, one shall be an attorney in private practice who 2761  
specializes in public records law, one shall be a local elected 2762  
official with responsibility for public records, one shall 2763  
represent law enforcement agencies, one shall be an attorney from 2764  
the Attorney General's office who specializes in public records 2765  
law, one shall represent the insurance industry in Ohio, one shall 2766  
represent the media, one shall represent an information services 2767  
company, one shall represent realtors, one shall represent the 2768  
credit industry, one shall represent the legal records industry, 2769  
one shall represent the financial services industry, one shall be 2770  
a consumers' advocate, one shall represent the Ohio Historical 2771  
Society or be the Records Information Management System 2772  
Administrator from the Department of Administrative Services, and 2773  
one shall represent the public. The Chief Justice of the Supreme 2774  
Court shall appoint a judge or other representative of the 2775  
judicial branch. 2776

(B) The Committee shall study all of the following: 2777

(1) The concerns associated with the dissemination of 2778  
personal information contained in public records, including, but 2779  
not limited to, identity theft, misuse, harassment, and fraud; 2780

(2) The legitimate uses of personal information contained in 2781  
public records by businesses, governments, the legal community, 2782  
and others, including, but not limited to, its use in combating 2783  
identity theft and fraud; 2784

(3) The costs to state and local governments associated with 2785  
placing restrictions on access to personal information contained 2786  
in public records; 2787

(4) The impact, including costs, on legitimate businesses,	2788
law enforcement, the legal community, government agencies, and	2789
others of access restrictions placed on personal information	2790
contained in public records;	2791
(5) The impact of protecting the disclosure of personal	2792
information contained in public records through the sealing of	2793
documents by court rule;	2794
(6) Electronic, internet, and bulk access to personal	2795
information contained in public records;	2796
(7) Current and potential future misuse, fraud, harassment,	2797
and identify theft prevention and detection efforts, including	2798
programs to educate the public on ways to avoid becoming victims,	2799
as well as procedures to streamline recovery;	2800
(8) Existing criminal and civil penalties for misuse of	2801
personal information contained in public records and an	2802
examination of whether those penalties should be increased as a	2803
deterrent.	2804
(C) The Committee shall develop a unified approach to	2805
preventing theft, fraud, and the misuse of personal information	2806
contained in public records while maintaining access and use of	2807
public records for lawful purposes. The Committee shall consult	2808
with the Supreme Court Advisory Committee on Technology and the	2809
Courts on issues relating to access to and use of court records	2810
and shall make use of work product and recommendations developed	2811
by the Advisory Committee with regard to access to and use of	2812
court records.	2813
(D) The Committee shall submit a report of its findings to	2814
the President of the Senate, the Speaker of the House of	2815
Representatives, the Minority Leader of the Senate, the Minority	2816
Leader of the House of Representatives, the Governor, and the	2817
Chief Justice of the Supreme Court not later than twelve months	2818

after the appointment of all of the members of the Committee. The 2819  
report shall be approved by a majority of the members of the 2820  
Committee and shall include a detailed statement of the 2821  
Committee's findings, conclusions, and recommendations. 2822

(E) Any vacancy in the membership of the Committee shall be 2823  
filled in the same manner in which the original appointment was 2824  
made. 2825

(F) The President of the Senate and the Speaker of the House 2826  
of Representative shall designate co-chairpersons of the Committee 2827  
when the President of the Senate and the Speaker of the House of 2828  
Representatives appoint the members to the Committee. 2829

(G) All meetings of the Committee are public meetings and 2830  
shall be open to the public at all times. A member of the 2831  
Committee must be present in person at a meeting that is open to 2832  
the public in order to be considered present or to vote at the 2833  
meeting and for the purposes of determining whether a quorum is 2834  
present. The committee shall promptly prepare, file, and maintain 2835  
the minutes of the committee meetings, and the committee minutes 2836  
shall be public records under section 149.43 of the Revised Code. 2837  
The committee shall give reasonable notice of committee meetings 2838  
so that any person may determine the time and place of all 2839  
scheduled meetings. The committee shall not hold a meeting unless 2840  
it gives at least twenty-four hours' advance notice to the news 2841  
media organizations that have requested notification of the 2842  
Committee's meetings. 2843

**Section 4.** That Section 3.18 of Am. Sub. H.B. 95 of the 125th 2844  
General Assembly, as amended by Sub. H.B. 127 of the 125th General 2845  
Assembly, be amended to read as follows: 2846

**Sec. 3.18.** The amendments of section 5739.033 of the Revised 2847  
Code in Sections 3.16 and 3.17 of Am. Sub. H.B. 95 of the 125th 2848

General Assembly provide for or are essential to the 2849  
implementation of a tax levy. Therefore, under Ohio Constitution, 2850  
Article II, Section 1d, those ~~Sections~~ amendments are not subject 2851  
to the referendum and go into effect ~~January 1, 2005~~ July 1, 2005. 2852

**Section 5.** That existing Section 3.18 of Am. Sub. H.B. 95 of 2853  
the 125th General Assembly, as amended by Sub. H.B. 127 of the 2854  
125th General Assembly, is hereby repealed. 2855

**Section 6.** That Section 4 of Am. Sub. H.B. 168 of the 125th 2856  
General Assembly be amended to read as follows: 2857

**Sec. 4.** Notwithstanding Section 3 of Am. Sub. S.B. 143 of the 2858  
124th General Assembly, as subsequently amended by Section 8 of 2859  
Sub. S.B. 47 of the 125th General Assembly and Section 134.14 of 2860  
Am. Sub. H.B. 95 of the 125th General Assembly, the enactment of 2861  
section 5741.05 of the Revised Code by Am. Sub. S.B. 143 of the 2862  
124th General Assembly shall take effect ~~January~~ July 1, 2005. The 2863  
General Assembly intends by enacting this section to clarify that 2864  
the operation of section 5741.05 of the Revised Code was to be 2865  
coordinated with the revised effective dates to amended section 2866  
5739.033 of the Revised Code that were made by Sub. S.B. 47 of the 2867  
125th General Assembly and Sub. H.B. 127 of the 125th General 2868  
Assembly. 2869

**Section 7.** That existing Section 4 of Am. Sub. H.B. 168 of 2870  
the 125th General Assembly is hereby repealed. 2871

**Section 8.** (A) For sales made on or after January 1, 2005, 2872  
but before July 1, 2005, a vendor licensed under section 5739.17 2873  
of the Revised Code may source sales in accordance with the 2874  
version of section 5739.033 of the Revised Code that, under this 2875  
act, takes effect July 1, 2005, as long as the vendor complies 2876

with that section. 2877

(B) If a vendor sources sales under division (A) of this 2878  
section, the vendor shall continue from that point forward to 2879  
source all of its sales in compliance with the version of section 2880  
5739.033 of the Revised Code that, under this act, takes effect 2881  
July 1, 2005. 2882

**Section 9.** Sections 4 to 9 of this act, and the items of 2883  
which they are composed, provide for or are essential to 2884  
implementation of a tax levy. Therefore, under Ohio Constitution, 2885  
Article II, Section 1d, Sections 4 to 9 of this act, and the items 2886  
of which they are composed, are not subject to the referendum and 2887  
go into immediate effect when this act becomes law. 2888