

**As Reported by the House County and Township Government
Committee**

**125th General Assembly
Regular Session
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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**

A B I L L

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

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

Section 1. That sections 1.59, 9.08, 9.314, 101.691, 125.072, 17
149.38, 149.432, 307.12, 341.42, 505.10, 718.07, 721.15, 753.32, 18

955.013, 1306.16, 2307.64, 3517.10, 3517.106, 3517.11, 5145.31, 19
and 5703.49 be amended and section 117.111, 304.01, 304.02, 20
304.03, and 304.04 of the Revised Code be enacted to read as 21
follows: 22

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

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

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

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

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

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

(F) "Rule" includes regulation. 32

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

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

(I) "Will" includes codicil. 39

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

(K) "Internet" means the international computer network of 43
both federal and nonfederal interoperable packet switched data 44
networks, including the graphical subnetwork known as the world 45
wide web. 46

Sec. 9.08. (A) As used in this section:	47
(1) "Computer," "computer network," "computer system," "computer services," "telecommunications service," and "information service" have the same meanings as in section 2913.01 of the Revised Code.	48 49 50 51
(2) "Contractor" means either of the following:	52
(a) A person who enters into a contract under section 9.06 of the Revised Code.	53 54
(b) A person who enters into a contract under section 9.07 of the Revised Code to operate and manage a correctional facility in this state for out-of-state prisoners.	55 56 57
(3) "Private correctional facility" means a correctional facility that is operated by a contractor under a contract pursuant to section 9.06 or 9.07 of the Revised Code.	58 59 60
(4) "Internet" has the same meaning as in section 341.42 of the Revised Code.	61 62
(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:	63 64 65 66 67 68 69
(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.	70 71 72
(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	73 74 75

Revised Code.	76
(C)(1) No prisoner in a private correctional facility shall	77
access the internet through the use of a computer, computer	78
network, computer system, computer services, telecommunications	79
service, or information service unless both of the following	80
apply:	81
(a) The prisoner is participating in an approved educational	82
program with direct supervision that requires the use of the	83
internet for training or research purposes.	84
(b) The provision of and access to the internet is in	85
accordance with rules promulgated by the department of	86
rehabilitation and correction pursuant to section 5120.62 of the	87
Revised Code.	88
(2) Whoever violates division (C)(1) of this section is	89
guilty of improper internet access, a misdemeanor of the first	90
degree.	91
Sec. 9.314. (A) As used in this section:	92
(1) "Contracting authority" has the same meaning as in	93
section 307.92 of the Revised Code.	94
(2) "Internet" means the international computer network of	95
both federal and nonfederal interoperable packet switched data	96
networks, including the graphical subnetwork called the world wide	97
web.	98
(3) "Political subdivision" means a municipal corporation,	99
township, county, school district, or other body corporate and	100
politic responsible for governmental activities only in geographic	101
areas smaller than that of the state and also includes a	102
contracting authority.	103
(4) <u>(3)</u> "Reverse auction" means a purchasing process in which	104
offerors submit proposals in competing to sell services or	105

supplies in an open environment via the internet. 106

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

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

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

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

(D) As provided in the request for proposals and in the rules 129
a political subdivision adopts, and to ensure full understanding 130
of and responsiveness to solicitation requirements, the political 131
subdivision may conduct discussions with responsible offerors who 132
submit proposals determined to be reasonably susceptible of being 133
selected for award. The political subdivision shall accord 134
offerors fair and equal treatment with respect to any opportunity 135
for discussion regarding any clarification, correction, or 136

revision of their proposals. 137

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

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

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

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

Sec. 117.111. (A) If a county office uses electronic records 163
and electronic signatures under Chapter 1306. of the Revised Code, 164
the auditor of state, in conducting an audit of that office under 165
division (A) or (B) of section 117.11 of the Revised Code, shall 166

inquire into the method, accuracy, and effectiveness of any 167
security procedure adopted by that office under section 304.02 of 168
the Revised Code. 169

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

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

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

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

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

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

Sec. 149.38. (A) There is hereby created in each county a 190
county records commission, composed of the president of the board 191
of county commissioners as ~~chairman~~ chairperson, the prosecuting 192
attorney, the auditor, the recorder, and the clerk of the court of 193
common pleas. The commission shall appoint a secretary, who may or 194
may not be a member of the commission and who shall serve at the 195

pleasure of the commission. The commission may employ an archivist 196
to serve under its direction. The commission shall meet at least 197
once every six months, and upon call of the ~~chairman~~ chairperson. 198

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

(C) When the county records commission has approved county 208
records ~~have been approved~~ for disposal, a copy of ~~such records~~ a 209
list of those records shall be sent to the auditor of state. If ~~he~~ 210
the auditor of state disapproves the action by the ~~county~~ 211
commission in whole or in part, ~~he~~ the auditor of state shall so 212
inform the commission within a period of sixty days, and ~~these~~ 213
those records shall not be destroyed. Before public records are to 214
be disposed of, the commission shall inform the Ohio historical 215
society ~~shall be informed~~ and ~~given~~ give the society the 216
opportunity for a period of sixty days to select for its custody 217
such records as it considers to be of continuing historical value. 218
When the Ohio historical society is so informed that public 219
records are to be disposed of, the county records commission also 220
shall notify the county historical society, and any public or 221
quasi-public institutions, agencies, or corporations in the county 222
that have provided the commission with their name and address for 223
these notification purposes, that the Ohio historical society has 224
been so informed and may select records of continuing historical 225
value, including records that may be distributed to any of the 226
notified entities under section 149.31 of the Revised Code. 227

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

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

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

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

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

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

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

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

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

(2) "Library record" means a record in any form that is 255
maintained by a library and that contains any of the following 256

types of information:	257
(a) Information that the library requires an individual to provide in order to be eligible to use library services or borrow materials;	258 259 260
(b) Information that identifies an individual as having requested or obtained specific materials or materials on a particular subject;	261 262 263
(c) Information that is provided by an individual to assist a library staff member to answer a specific question or provide information on a particular subject.	264 265 266
"Library record" does not include information that does not identify any individual and that is retained for the purpose of studying or evaluating the use of a library and its materials and services.	267 268 269 270
(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.	271 272 273 274
(4) "Internet" has the same meaning as in section 3517.106 of the Revised Code.	275 276
(B) A library shall not release any library record or disclose any patron information except in the following situations:	277 278 279
(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.	280 281 282 283 284 285
(2) Library records or patron information shall be released	286

in the following situations:	287
(a) In accordance with a subpoena, search warrant, or other court order;	288 289
(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.	290 291 292
(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.	293 294 295
(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 fines and penalties.	296 297 298 299 300 301
(5) A library may release under division (B) of section 149.43 of the Revised Code records that document improper use of the internet at the library so long as any patron information is removed from those records. As used in division (B)(5) of this section, "patron information" does not include information about the age or gender of an individual.	302 303 304 305 306 307
<u>Sec. 304.01. As used in this chapter:</u>	308
<u>(A) "Agreement" means the bargain of the parties in fact, as found in their language or inferred from other circumstances and from rules, regulations, and procedures given the effect of agreements under laws otherwise applicable to a particular transaction.</u>	309 310 311 312 313
<u>(B) "County office" means any officer, department, board, commission, agency, court, or other instrumentality of a county.</u>	314 315
<u>(C) "Electronic" means relating to technology having</u>	316

electrical, digital, magnetic, wireless, optical, electromagnetic, 317
or similar capabilities. 318

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

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

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

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

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

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

Sec. 304.02. Prior to the use of electronic records and 337
electronic signatures by a county office under Chapter 1306. of 338
the Revised Code, and except as otherwise provided in section 339
955.013 of the Revised Code, a county office shall adopt, in 340
writing, a security procedure for the purpose of verifying that an 341
electronic signature, record, or performance is that of a specific 342
person or for detecting changes or errors in the information in an 343
electronic record. A security procedure includes, but is not 344
limited to, a procedure that requires the use of algorithms or 345
other codes, identifying words or numbers, encryption, or callback 346

or other acknowledgment procedures.

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

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

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

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

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

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dollars, the board may do either of the following: 376

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

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

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

(B) When the board of county commissioners finds, by 399
resolution, that the county has personal property, including motor 400
vehicles acquired for the use of county officers and departments, 401
and road machinery, equipment, tools, or supplies, which is not 402
needed for public use, or is obsolete or unfit for the use for 403
which it was acquired, and when the fair market value of the 404
property to be sold under this division is, in the opinion of the 405
board, two thousand five hundred dollars or less, the board may 406

sell the property by private sale, without advertisement or public notification. 407
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Notwithstanding anything to the contrary in division (A) or (C) of this section and regardless of the property's value, the board may sell or donate county personal property, including motor vehicles, to the federal government, the state, or any political subdivision of the state without advertisement or public notification. 409
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(C) Notwithstanding anything to the contrary in division (A), (B), or (E) of this section and regardless of the property's value, the board of county commissioners may sell personal property, including motor vehicles acquired for the use of county officers and departments, and road machinery, equipment, tools, or supplies, which is not needed for public use, or is obsolete or unfit for the use for which it was acquired, by internet auction. The board shall adopt, during each calendar year, a resolution expressing its intent to sell that property by internet auction. The resolution shall include a description of how the auctions will be conducted and shall specify the number of days for bidding on the property, which shall be no less than fifteen days, including Saturdays, Sundays, and legal holidays. The resolution shall indicate whether the county will conduct the auction or the board will contract with a representative to conduct the auction and shall establish the general terms and conditions of sale. If a representative is known when the resolution is adopted, the resolution shall provide contact information such as the representative's name, address, and telephone number. 415
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After adoption of the resolution, the board shall publish, in a newspaper of general circulation in the county, notice of its intent to sell unneeded, obsolete, or unfit county personal property by internet auction. The notice shall include a summary of the information provided in the resolution and shall be 434
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published at least twice. The second and any subsequent notice 439
shall be published not less than ten nor more than twenty days 440
after the previous notice. A similar notice also shall be posted 441
continually throughout the calendar year in a conspicuous place in 442
the offices of the county auditor and the board of county 443
commissioners, and, if the county maintains a website on the 444
internet, the notice shall be posted continually throughout the 445
calendar year at that website. 446

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

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

(E) If the board of county commissioners finds, by 467
resolution, that the county has vehicles, equipment, or machinery 468
which is not needed, or is unfit for public use, and the board 469
desires to sell the vehicles, equipment, or machinery to the 470

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

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

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

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

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

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

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

(3) ~~"Internet" means the international computer network of 500~~

~~both federal and nonfederal interoperable packet switched data 501
networks, including the graphical subnetwork called the world wide 502
web. 503~~

(4) "County correctional facility" means a county jail, 504
county workhouse, minimum security jail, joint city and county 505
workhouse, municipal-county correctional center, 506
multicounty-municipal correctional center, municipal-county jail 507
or workhouse, or multicounty-municipal jail or workhouse. 508

(B) No county correctional officer shall provide a prisoner 509
access to or permit a prisoner to have access to the internet 510
through the use of a computer, computer network, computer system, 511
computer services, telecommunications service, or information 512
service unless both of the following apply: 513

(1) The prisoner is participating in an approved educational 514
program with direct supervision that requires the use of the 515
internet for training or research purposes. 516

(2) The provision of and access to the internet is in 517
accordance with rules promulgated by the department of 518
rehabilitation and correction pursuant to section 5120.62 of the 519
Revised Code. 520

(C)(1) No prisoner in a county correctional facility under 521
the control of a county shall access the internet through the use 522
of a computer, computer network, computer system, computer 523
services, telecommunications service, or information service 524
unless both of the following apply: 525

(a) The prisoner is participating in an approved educational 526
program with direct supervision that requires the use of the 527
internet for training or research purposes. 528

(b) The provision of and access to the internet is in 529
accordance with rules promulgated by the department of 530
rehabilitation and correction pursuant to section 5120.62 of the 531

Revised Code. 532

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

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

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

(2) If the fair market value of property to be sold is, in 558
the opinion of the board, two thousand five hundred dollars or 559
less, the board may sell the property by private sale, without 560
advertisement or public notification. 561

(3) If the board finds, by resolution, that the township has 562

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

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

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

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

(7) If the board of township trustees determines that 592
township personal property is not needed for public use, or is 593
obsolete or unfit for the use for which it was acquired, and that 594

the property has no value, the board may discard or salvage that 595
property. 596

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

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

After adoption of the resolution, the board shall publish, in 623
a newspaper of general circulation in the township, notice of its 624
intent to sell unneeded, obsolete, or unfit township personal 625
property by internet auction. The notice shall include a summary 626

of the information provided in the resolution and shall be 627
published at least twice. The second and any subsequent notice 628
shall be published not less than ten nor more than twenty days 629
after the previous notice. A clerk also shall post a similar 630
notice throughout the calendar year in a conspicuous place in the 631
board's office, and, if the township maintains a website on the 632
internet, the notice shall be posted continually throughout the 633
calendar year at that website. 634

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

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

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

On and after January 1, 2002, each municipal corporation that 652
imposes a tax on income shall make electronic versions of any 653
rules or ordinances governing the tax available to the public 654
through the internet, including, but not limited to, ordinances or 655
rules governing the rate of tax; payment and withholding of taxes; 656
filing any prescribed returns, reports, or other documents; dates 657

for filing or paying taxes, including estimated taxes; penalties, 658
interest, assessment, and other collection remedies; rights of 659
taxpayers to appeal; and procedures for filing appeals. On and 660
after that date, any municipal corporation that requires taxpayers 661
to file income tax returns, reports, or other documents shall make 662
blanks of such returns, reports, or documents, and any 663
instructions pertaining thereto, available to the public 664
electronically through the internet. Electronic versions of rules, 665
ordinances, blanks, and instructions shall be made available 666
either by posting them on the electronic site established by the 667
tax commissioner under section 5703.49 of the Revised Code or by 668
posting them on an electronic site established by the municipal 669
corporation that is accessible through the internet. If a 670
municipal corporation establishes such an electronic site, the 671
municipal corporation shall incorporate an electronic link between 672
that site and the site established pursuant to section 5703.49 of 673
the Revised Code, and shall provide to the tax commissioner the 674
uniform resource locator of the site established pursuant to this 675
division. 676

Sec. 721.15. (A) Personal property not needed for municipal 677
purposes, the estimated value of which is less than one thousand 678
dollars, may be sold by the board or officer having supervision or 679
management of that property. If the estimated value of that 680
property is one thousand dollars or more, it shall be sold only 681
when authorized by an ordinance of the legislative authority of 682
the municipal corporation and approved by the board, officer, or 683
director having supervision or management of that property. When 684
so authorized, the board, officer, or director shall make a 685
written contract with the highest and best bidder after 686
advertisement for not less than two or more than four consecutive 687
weeks in a newspaper of general circulation within the municipal 688
corporation, or with a board of county commissioners upon such 689

lawful terms as are agreed upon, as provided by section 721.27 of 690
the Revised Code. 691

(B) When the legislative authority finds, by resolution, that 692
the municipal corporation has vehicles, equipment, or machinery 693
which is obsolete, or is not needed or is unfit for public use, 694
that the municipal corporation has need of other vehicles, 695
equipment, or machinery of the same type, and that it will be in 696
the best interest of the municipal corporation that the sale of 697
obsolete, unneeded, or unfit vehicles, equipment, or machinery be 698
made simultaneously with the purchase of the new vehicles, 699
equipment, or machinery of the same type, the legislative 700
authority may offer to sell, or authorize a board, officer, or 701
director of the municipal corporation having supervision or 702
management of the property to offer to sell, those vehicles, 703
equipment, or machinery and to have the selling price credited 704
against the purchase price of other vehicles, equipment, or 705
machinery and to consummate the sale and purchase by a single 706
contract with the lowest and best bidder to be determined by 707
subtracting from the selling price of the vehicles, equipment, or 708
machinery to be purchased by the municipal corporation the 709
purchase price offered for the municipally-owned vehicles, 710
equipment, or machinery. When the legislative authority or the 711
authorized board, officer, or director of a municipal corporation 712
advertises for bids for the sale of new vehicles, equipment, or 713
machinery to the municipal corporation, they may include in the 714
same advertisement a notice of willingness to accept bids for the 715
purchase of municipally-owned vehicles, equipment, or machinery 716
which is obsolete, or is not needed or is unfit for public use, 717
and to have the amount of those bids subtracted from the selling 718
price as a means of determining the lowest and best bidder. 719

(C) If the legislative authority of the municipal corporation 720
determines that municipal personal property is not needed for 721

public use, or is obsolete or unfit for the use for which it was 722
acquired, and that the property has no value, the legislative 723
authority may discard or salvage that property. 724

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

After adoption of the resolution, the legislative authority 745
shall publish, in a newspaper of general circulation in the 746
municipal corporation, notice of its intent to sell unneeded, 747
obsolete, or unfit municipal personal property by internet 748
auction. The notice shall include a summary of the information 749
provided in the resolution and shall be published at least twice. 750
The second and any subsequent notice shall be published not less 751
than ten nor more than twenty days after the previous notice. A 752
similar notice also shall be posted continually throughout the 753

calendar year in a conspicuous place in the offices of the village 754
clerk or city auditor, and the legislative authority, and, if the 755
municipal corporation maintains a website on the internet, the 756
notice shall be posted continually throughout the calendar year at 757
that website. 758

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

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

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

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

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

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

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

multicounty-municipal correctional center, municipal-county jail 784
or workhouse, or multicounty-municipal jail or workhouse. 785

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

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

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

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

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

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

(2) Whoever violates division (C)(1) of this section is 810
guilty of improper internet access, a misdemeanor of the first 811
degree. 812

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

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

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

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

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

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

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

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

(C) Divisions (A) and (B) of this section apply to every 838
transaction described in those divisions notwithstanding any other 839
provision of ~~sections 1306.01 to 1306.23 of the Revised Code~~ this 840
chapter. This section shall not be varied by agreement. 841

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

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

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

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

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

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

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

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

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

(5) "Electronic mail service provider" means any person that 867
is an intermediary in sending and receiving electronic mail and 868
that provides to users of electronic mail services the ability to 869
send or receive electronic mail. "Electronic mail service 870
provider" includes an internet service provider. 871

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

the Revised Code.	873
(7) "Originating address" means the string of characters used to specify the source of any electronic mail message.	874 875
(8) <u>(7)</u> "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 an electronic mail advertisement is the particular division of the partnership, corporation, or other business entity actually responsible for the transmission of the electronic mail advertisement.	876 877 878 879 880 881 882
(9) <u>(8)</u> "Pre-existing business relationship" means that there was a business transaction between the initiator and the recipient of a commercial electronic mail message during the five-year period preceding the receipt of that message. A pre-existing business relationship includes a transaction involving the free provision of information, goods, or services requested by the recipient. A pre-existing business relationship does not exist after a recipient requests to be removed from the distribution lists of an initiator pursuant to division (B) of this section and a reasonable amount of time has expired since that request.	883 884 885 886 887 888 889 890 891 892
(10) <u>(9)</u> "Receiving address" means the string of characters used to specify a recipient with each receiving address creating a unique and separate recipient.	893 894 895
(11) <u>(10)</u> "Recipient" means a person who receives an electronic mail advertisement at any one of the following receiving addresses:	896 897 898
(a) A receiving address furnished by an electronic mail service provider that bills for furnishing and maintaining that receiving address to a mailing address within this state;	899 900 901
(b) A receiving address ordinarily accessed from a computer located within this state;	902 903

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

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

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

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

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

(2) If the recipient of an electronic mail advertisement uses 925
the procedure contained in the notice described in division 926
(B)(1)(b) of this section to decline to receive any additional 927
electronic mail advertisements, the person that transmitted or 928
caused to be transmitted the original electronic mail 929
advertisement, within a reasonable period of time, shall cease 930
transmitting or causing to be transmitted to the receiving address 931
any additional electronic mail advertisements. 932

(3) A person does not violate division (B) of this section if 933
the person transmits or causes to be transmitted to the recipient 934

an electronic mail advertisement when any of the following apply:	935
(a) The person has a pre-existing business or personal relationship with the recipient.	936 937
(b) The recipient has consented or has agreed as a condition of service to receive the electronic mail advertisement.	938 939
(c) The recipient receives the electronic mail advertisement because another recipient forwarded the advertisement to that recipient via an internet web site or another recipient made a direct referral of that recipient to receive the advertisement.	940 941 942 943
(C) No person shall use a computer, a computer network, or the computer services of an electronic mail service provider to transmit an electronic mail advertisement in contravention of the authority granted by, or in violation of the policies related to electronic mail advertisements set by, the electronic mail service provider if the electronic mail service provider has provided the person notice of those policies. For the purposes of this division, notice of those policies shall be deemed sufficient if an electronic mail service provider maintains an easily accessible web page containing its policies regarding electronic mail advertisements and can demonstrate that notice was supplied via electronic means between the sending and receiving computers.	944 945 946 947 948 949 950 951 952 953 954 955
(D) No electronic mail service provider shall be liable for transmitting another person's electronic mail advertisement through its service in violation of this section, or shall be liable for any action it voluntarily takes in good faith to block the receipt or transmission through its service of any electronic mail advertisement that it believes is, or will be sent, in violation of this section.	956 957 958 959 960 961 962
(E) A recipient of an electronic mail advertisement transmitted in violation of division (B) of this section may bring a civil action against a person who transmitted that advertisement	963 964 965

or caused it to be transmitted. In that action, the recipient may 966
recover the following: 967

(1) One hundred dollars for each violation, not to exceed a 968
total of fifty thousand dollars; 969

(2) Reasonable attorney's fees, court costs, and other costs 970
of bringing the action. 971

(F) An electronic mail service provider whose authority or 972
policy has been contravened in violation of division (C) of this 973
section may bring a civil action against a person who transmitted 974
that advertisement or caused it to be transmitted. In that action, 975
the electronic mail service provider may recover the following: 976

(1)(a) Fifty dollars for each violation of division (C) of 977
this section, not to exceed fifty thousand dollars; 978

(b) If a violation of division (C) of this section is a 979
willful or knowing violation, the court may increase the amount 980
recoverable to an amount not to exceed five hundred thousand 981
dollars. 982

(c) If a violation of division (C) of this section is 983
accompanied by a violation of division (H) of this section, there 984
shall be no limit on the amount that may be recovered pursuant to 985
this section. 986

(2) Reasonable attorney's fees, court costs, and other costs 987
of bringing the action. 988

(G) In addition to any recovery that is allowed under 989
divisions (E) or (F) of this section, the recipient of an 990
electronic mail advertisement transmitted in violation of division 991
(B) of this section or the electronic mail service provider of an 992
advertisement transmitted in violation of division (C) of this 993
section may apply to the court of common pleas of the county in 994
which the recipient resides or the service provider is located for 995

an order enjoining the person who transmitted or caused to be 996
transmitted that electronic mail advertisement from transmitting 997
or causing to be transmitted to the recipient any additional 998
electronic mail advertisement. 999

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

Sec. 3517.10. (A) Except as otherwise provided in this 1011
division, every campaign committee, political action committee, 1012
legislative campaign fund, political party, and political 1013
contributing entity that made or received a contribution or made 1014
an expenditure in connection with the nomination or election of 1015
any candidate or in connection with any ballot issue or question 1016
at any election held or to be held in this state shall file, on a 1017
form prescribed under this section, by electronic means of 1018
transmission as provided in this section and section 3517.106 of 1019
the Revised Code, or, until March 1, 2004, on computer disk as 1020
provided in section 3517.106 of the Revised Code, a full, true, 1021
and itemized statement, made under penalty of election 1022
falsification, setting forth in detail the contributions and 1023
expenditures, no later than four p.m. of the following dates: 1024

(1) The twelfth day before the election to reflect 1025
contributions received and expenditures made from the close of 1026

business on the last day reflected in the last previously filed 1027
statement, if any, to the close of business on the twentieth day 1028
before the election; 1029

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

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

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

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

If an election to select candidates to appear on the general 1053
election ballot is held within sixty days before a general 1054
election, the campaign committee of a successful candidate in the 1055
earlier election may file the statement required by division 1056
(A)(1) of this section for the general election instead of the 1057

statement required by division (A)(2) of this section for the 1058
earlier election if the pregeneral election statement reflects the 1059
status of contributions and expenditures for the period twenty 1060
days before the earlier election to twenty days before the general 1061
election. 1062

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

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

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

The campaign committee of a statewide candidate shall file a 1085
monthly statement of contributions received during each of the 1086
months of July, August, and September in the year of the general 1087
election in which the candidate seeks office. The campaign 1088
committee of a statewide candidate shall file the monthly 1089

statement not later than three business days after the last day of 1090
the month covered by the statement. During the period beginning on 1091
the nineteenth day before the general election in which a 1092
statewide candidate seeks election to office and extending through 1093
the day of that general election, each time the campaign committee 1094
of the joint candidates for the offices of governor and lieutenant 1095
governor or of a candidate for the office of secretary of state, 1096
auditor of state, treasurer of state, or attorney general receives 1097
a contribution from a contributor that causes the aggregate amount 1098
of contributions received from that contributor during that period 1099
to equal or exceed two thousand five hundred dollars and each time 1100
the campaign committee of a candidate for the office of chief 1101
justice or justice of the supreme court receives a contribution 1102
from a contributor that causes the aggregate amount of 1103
contributions received from that contributor during that period to 1104
exceed five hundred dollars, the campaign committee shall file a 1105
two-business-day statement reflecting that contribution. During 1106
the period beginning on the nineteenth day before a primary 1107
election in which a candidate for statewide office seeks 1108
nomination to office and extending through the day of that primary 1109
election, each time either the campaign committee of a statewide 1110
candidate in that primary election that files a notice under 1111
division (C)(1) of section 3517.103 of the Revised Code or the 1112
campaign committee of a statewide candidate in that primary 1113
election to which, in accordance with division (D) of section 1114
3517.103 of the Revised Code, the contribution limitations 1115
prescribed in section 3517.102 of the Revised Code no longer apply 1116
receives a contribution from a contributor that causes the 1117
aggregate amount of contributions received from that contributor 1118
during that period to exceed two thousand five hundred dollars, 1119
the campaign committee shall file a two-business-day statement 1120
reflecting that contribution. Contributions reported on a 1121
two-business-day statement required to be filed by a campaign 1122

committee of a statewide candidate in a primary election shall 1123
also be included in the postprimary election statement required to 1124
be filed by that campaign committee under division (A)(2) of this 1125
section. A two-business-day statement required by this paragraph 1126
shall be filed not later than two business days after receipt of 1127
the contribution. The statements required by this paragraph shall 1128
be filed in addition to any other statements required by this 1129
section. 1130

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

If a campaign committee or political action committee has no 1143
balance on hand and no outstanding obligations and desires to 1144
terminate itself, it shall file a statement to that effect, on a 1145
form prescribed under this section and made under penalty of 1146
election falsification, with the official with whom it files a 1147
statement under division (A) of this section after filing a final 1148
statement of contributions and a final statement of expenditures, 1149
if contributions have been received or expenditures made since the 1150
period reflected in its last previously filed statement. 1151

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

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

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

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

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

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

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

(b)(i) The full name and address of each person, political 1170
party, campaign committee, legislative campaign fund, political 1171
action committee, or political contributing entity from whom 1172
contributions are received and the registration number assigned to 1173
the political action committee under division (D)(1) of this 1174
section. The requirement of filing the full address does not apply 1175
to any statement filed by a state or local committee of a 1176
political party, to a finance committee of such committee, or to a 1177
committee recognized by a state or local committee as its 1178
fund-raising auxiliary. Notwithstanding division (F)(1) of this 1179
section, the requirement of filing the full address shall be 1180
considered as being met if the address filed is the same address 1181
the contributor provided under division (E)(1) of this section. 1182

(ii) If a campaign committee of a statewide candidate or 1183
candidate for the office of member of the general assembly 1184

receives a contribution from an individual that exceeds one 1185
hundred dollars, the name of the individual's current employer, if 1186
any, or, if the individual is self-employed, the individual's 1187
occupation; 1188

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

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

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

(e) A separately itemized account of all contributions and 1201
expenditures regardless of the amount, except a receipt of a 1202
contribution from a person in the sum of twenty-five dollars or 1203
less at one social or fund-raising activity and a receipt of a 1204
contribution transmitted pursuant to section 3599.031 of the 1205
Revised Code from amounts deducted from the wages and salaries of 1206
employees if the contribution from the amount deducted from the 1207
wages and salary of any one employee is twenty-five dollars or 1208
less aggregated in a calendar year. An account of the total 1209
contributions from each social or fund-raising activity shall 1210
include a description of and the value of each in-kind 1211
contribution received at that activity from any person who made 1212
one or more such contributions whose aggregate value exceeded two 1213
hundred fifty dollars and shall be listed separately, together 1214
with the expenses incurred and paid in connection with that 1215
activity. A campaign committee, political action committee, 1216

legislative campaign fund, political party, or political 1217
contributing entity shall keep records of contributions from each 1218
person in the amount of twenty-five dollars or less at one social 1219
or fund-raising activity and contributions from amounts deducted 1220
under section 3599.031 of the Revised Code from the wages and 1221
salary of each employee in the amount of twenty-five dollars or 1222
less aggregated in a calendar year. No continuing association that 1223
is recognized by a state or local committee of a political party 1224
as an auxiliary of the party and that makes a contribution from 1225
funds derived solely from regular dues paid by members of the 1226
auxiliary shall be required to list the name or address of any 1227
members who paid those dues. 1228

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

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

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

(ii) "Person doing business" means a person or an officer of 1246
an entity who enters into one or more contracts with a state 1247
elected officer or anyone authorized to enter into contracts on 1248

behalf of that officer to receive payments for goods or services, 1249
if the payments total, in the aggregate, more than five thousand 1250
dollars during a calendar year. 1251

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

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

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

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

(d) The amount of each expenditure. 1261

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

(2) The person filing the statement, under penalty of 1273
election falsification, shall include with it a list of each 1274
anonymous contribution, the circumstances under which it was 1275
received, and the reason it cannot be attributed to a specific 1276
donor. 1277

(3) Each statement of a campaign committee of a candidate who 1278

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

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

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

(6)(a) The statements required to be filed under this section 1305
shall specify the balance in the hands of the campaign committee, 1306
political action committee, legislative campaign fund, political 1307
party, or political contributing entity and the disposition 1308
intended to be made of that balance. 1309

(b) The secretary of state shall prescribe the form for all 1310

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

(c) The secretary of state shall assess the need for training 1330
regarding the filing of campaign finance statements by electronic 1331
means of transmission and regarding associated technologies for 1332
candidates, campaign committees, political action committees, 1333
legislative campaign funds, political parties, political 1334
contributing entities, or individuals, partnerships, or other 1335
entities required or permitted to file statements by electronic 1336
means of transmission under this section or section 3517.105 or 1337
3517.106 of the Revised Code. If, in the opinion of the secretary 1338
of state, training in these areas is necessary, the secretary of 1339
state shall arrange for the provision of voluntary training 1340
programs for candidates, campaign committees, political action 1341
committees, legislative campaign funds, political parties, 1342
political contributing entities, and individuals, partnerships, 1343

and other entities. 1344

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

(D)(1) Prior to receiving a contribution or making an 1350
expenditure, every campaign committee, political action committee, 1351
legislative campaign fund, political party, or political 1352
contributing entity shall appoint a treasurer and shall file, on a 1353
form prescribed by the secretary of state, a designation of that 1354
appointment, including the full name and address of the treasurer 1355
and of the campaign committee, political action committee, 1356
legislative campaign fund, political party, or political 1357
contributing entity. That designation shall be filed with the 1358
official with whom the campaign committee, political action 1359
committee, legislative campaign fund, political party, or 1360
political contributing entity is required to file statements under 1361
section 3517.11 of the Revised Code. The name of a campaign 1362
committee shall include at least the last name of the campaign 1363
committee's candidate. The secretary of state shall assign a 1364
registration number to each political action committee that files 1365
a designation of the appointment of a treasurer under division 1366
(D)(1) of this section if the political action committee is 1367
required by division (A)(1) of section 3517.11 of the Revised Code 1368
to file the statements prescribed by this section with the 1369
secretary of state. 1370

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

(3)(a) Except as otherwise provided in section 3517.108 of 1374
the Revised Code, a campaign committee shall deposit all monetary 1375

contributions received by the committee into an account separate 1376
from a personal or business account of the candidate or campaign 1377
committee. 1378

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

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

(d) Each state political party shall have only one 1395
legislative campaign fund for each house of the general assembly. 1396
Each such fund shall be separate from any other funds or accounts 1397
of that state party. A legislative campaign fund is authorized to 1398
receive contributions and make expenditures for the primary 1399
purpose of furthering the election of candidates who are members 1400
of that political party to the house of the general assembly with 1401
which that legislative campaign fund is associated. Each 1402
legislative campaign fund shall be administered and controlled in 1403
a manner designated by the caucus. As used in division (D)(3)(d) 1404
of this section, "caucus" has the same meaning as in section 1405
3517.01 of the Revised Code and includes, as an ex officio member, 1406
the chairperson of the state political party with which the caucus 1407

is associated or that chairperson's designee. 1408

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

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

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

(7) The secretary of state, pursuant to division (I) of 1433
section 3517.106 of the Revised Code, shall make available online 1434
to the public through the internet the contribution and 1435
expenditure information in all statements, all addenda, 1436
amendments, or other corrections to statements, and all amended 1437
statements filed with the secretary of state by electronic or 1438
other means of transmission under this section, division (B)(2)(b) 1439

or (C)(2)(b) of section 3517.105, or section 3517.106 or 3517.11 1440
of the Revised Code. The secretary of state may remove the 1441
information from the internet after a reasonable period of time. 1442

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

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

(3) If a campaign committee shows that it has exercised its 1462
best efforts to obtain, maintain, and submit the information 1463
required under divisions (B)(4)(b)(ii) and (iii) of this section, 1464
that committee is considered to have met the requirements of those 1465
divisions. A campaign committee shall not be considered to have 1466
exercised its best efforts unless, in connection with written 1467
solicitations, it regularly includes a written request for the 1468
information required under division (B)(4)(b)(ii) of this section 1469
from the contributor or the information required under division 1470
(B)(4)(b)(iii) of this section from whoever transmits the 1471

contribution. 1472

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

(F) As used in this section: 1477

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

(2) "Statewide candidate" means the joint candidates for the 1493
offices of governor and lieutenant governor or a candidate for the 1494
office of secretary of state, auditor of state, treasurer of 1495
state, attorney general, member of the state board of education, 1496
chief justice of the supreme court, or justice of the supreme 1497
court. 1498

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

(G) An independent expenditure shall be reported whenever and 1501
in the same manner that an expenditure is required to be reported 1502

under this section and shall be reported pursuant to division 1503
(B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code. 1504

(H)(1) Except as otherwise provided in division (H)(2) of 1505
this section, if, during the combined preelection and postelection 1506
reporting periods for an election, a campaign committee has 1507
received contributions of five hundred dollars or less and has 1508
made expenditures in the total amount of five hundred dollars or 1509
less, it may file a statement to that effect, under penalty of 1510
election falsification, in lieu of the statement required by 1511
division (A)(2) of this section. The statement shall indicate the 1512
total amount of contributions received and the total amount of 1513
expenditures made during those combined reporting periods. 1514

(2) In the case of a successful candidate at a primary 1515
election, if either the total contributions received by or the 1516
total expenditures made by the candidate's campaign committee 1517
during the preprimary, postprimary, pregeneral, and postgeneral 1518
election periods combined equal more than five hundred dollars, 1519
the campaign committee may file the statement under division 1520
(H)(1) of this section only for the primary election. The first 1521
statement that the campaign committee files in regard to the 1522
general election shall reflect all contributions received and all 1523
expenditures made during the preprimary and postprimary election 1524
periods. 1525

(3) Divisions (H)(1) and (2) of this section do not apply if 1526
a campaign committee receives contributions or makes expenditures 1527
prior to the first day of January of the year of the election at 1528
which the candidate seeks nomination or election to office or if 1529
the campaign committee does not file a termination statement with 1530
its postprimary election statement in the case of an unsuccessful 1531
primary election candidate or with its postgeneral election 1532
statement in the case of other candidates. 1533

(I) In the case of a contribution made by a partnership or 1534

unincorporated business, all of the following apply: 1535

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

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

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

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

(K)(1) In addition to filing a designation of appointment of 1549
a treasurer under division (D)(1) of this section, the campaign 1550
committee of any candidate for an elected municipal office that 1551
pays an annual amount of compensation of five thousand dollars or 1552
less, the campaign committee of any candidate for member of a 1553
board of education except member of the state board of education, 1554
or the campaign committee of any candidate for township trustee or 1555
township clerk may sign, under penalty of election falsification, 1556
a certificate attesting that the committee will not accept 1557
contributions during an election period that exceed in the 1558
aggregate two thousand dollars from all contributors and one 1559
hundred dollars from any one individual, and that the campaign 1560
committee will not make expenditures during an election period 1561
that exceed in the aggregate two thousand dollars. 1562

The certificate shall be on a form prescribed by the 1563
secretary of state and shall be filed not later than ten days 1564
after the candidate files a declaration of candidacy and petition, 1565

a nominating petition, or a declaration of intent to be a write-in candidate. 1566
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(2) Except as otherwise provided in division (K)(3) of this section, a campaign committee that files a certificate under division (K)(1) of this section is not required to file the statements required by division (A) of this section ~~3517.10 of the Revised Code~~. 1568
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(3) If, after filing a certificate under division (K)(1) of this section, a campaign committee exceeds any of the limitations described in that division during an election period, the certificate is void and thereafter the campaign committee shall file the statements required by division (A) of this section ~~3517.10 of the Revised Code~~. If the campaign committee has not previously filed a statement, then on the first statement the campaign committee is required to file under division (A) of this section ~~3517.10 of the Revised Code~~ after the committee's certificate is void, the committee shall report all contributions received and expenditures made from the time the candidate filed the candidate's declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate. 1573
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(4) As used in division (K) of this section, "election period" means the period of time beginning on the day a person files a declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate through the day of the election at which the person seeks nomination to office if the person is not elected to office, or, if the candidate was nominated in a primary election, the day of the election at which the candidate seeks office. 1586
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(L) Notwithstanding division (B)(4) of this section, a political contributing entity that receives contributions from the dues, membership fees, or other assessments of its members or from its officers, shareholders, and employees may report the aggregate 1594
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amount of contributions received from those contributors and the 1598
number of individuals making those contributions, for each filing 1599
period identified under divisions (A)(1), (2), and (3) of this 1600
section. Division (B)(4) of this section applies to a political 1601
contributing entity with regard to contributions it receives from 1602
all other contributors. 1603

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

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

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

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

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

(1) The campaign committees of candidates for statewide 1621
office; 1622

(2) The political action committees and political 1623
contributing entities described in division (A)(1) of section 1624
3517.11 of the Revised Code; 1625

(3) Legislative campaign funds; 1626

(4) State political parties; 1627

(5) Individuals, partnerships, corporations, labor organizations, or other entities that make independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question;

(6) The campaign committees of candidates for the office of member of the general assembly.

(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.

(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.

(D) The secretary of state shall keep the information stored on computer under division (B) of this section for at least six years.

(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 1659
by section 3517.10 of the Revised Code by electronic means of 1660
transmission or, if the total amount of the contributions received 1661
or the total amount of the expenditures made by the campaign 1662
committee for the applicable reporting period as specified in 1663
division (A) of section 3517.10 of the Revised Code exceeds ten 1664
thousand dollars, shall file those statements by electronic means 1665
of transmission. 1666

Except as otherwise provided in this division, within five 1667
business days after a statement filed by a campaign committee of a 1668
candidate for statewide office is received by the secretary of 1669
state by electronic or other means of transmission, the secretary 1670
of state shall make available online to the public through the 1671
internet, as provided in division (I) of this section, the 1672
contribution and expenditure information in that statement. The 1673
secretary of state shall not make available online to the public 1674
through the internet any contribution or expenditure information 1675
contained in a statement for any candidate until the secretary of 1676
state is able to make available online to the public through the 1677
internet the contribution and expenditure information for all 1678
candidates for a particular office. As soon as the secretary of 1679
state has available all of that information, the secretary of 1680
state shall simultaneously make available online to the public 1681
through the internet the information for all candidates for a 1682
particular office. 1683

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

secretary of state under that division, an amended statement. 1691

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

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

Within five business days after a statement filed by a 1712
political action committee or a political contributing entity 1713
described in division (B)(2) of this section, a legislative 1714
campaign fund, or a state political party is received by the 1715
secretary of state by electronic or other means of transmission, 1716
the secretary of state shall make available online to the public 1717
through the internet, as provided in division (I) of this section, 1718
the contribution and expenditure information in that statement. 1719

If a statement filed by electronic means of transmission is 1720
found to be incomplete or inaccurate after the examination of the 1721
statement for completeness and accuracy pursuant to division 1722

(B)(3)(a) of section 3517.11 of the Revised Code, the political 1723
action committee, political contributing entity, legislative 1724
campaign fund, or state political party shall file by electronic 1725
means of transmission any addendum to the statement that provides 1726
the information necessary to complete or correct the statement or, 1727
if required by the secretary of state under that division, an 1728
amended statement. 1729

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

(3) Subject to the secretary of state having implemented, 1740
tested, and verified the successful operation of any system the 1741
secretary of state prescribes pursuant to division (H)(1) of this 1742
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 1743
the Revised Code for the filing of campaign finance statements by 1744
electronic means of transmission, a political action committee and 1745
a political contributing entity described in division (B)(2) of 1746
this section, a legislative campaign fund, and a state political 1747
party shall file the statements prescribed by section 3517.10 of 1748
the Revised Code by electronic means of transmission if the total 1749
amount of the contributions received or the total amount of the 1750
expenditures made by the political action committee, political 1751
contributing entity, legislative campaign fund, or political party 1752
for the applicable reporting period as specified in division (A) 1753
of section 3517.10 of the Revised Code exceeds ten thousand 1754

dollars. 1755

Within five business days after a statement filed by a 1756
political action committee or a political contributing entity 1757
described in division (B)(2) of this section, a legislative 1758
campaign fund, or a state political party is received by the 1759
secretary of state by electronic or other means of transmission, 1760
the secretary of state shall make available online to the public 1761
through the internet, as provided in division (I) of this section, 1762
the contribution and expenditure information in that statement. 1763

If a statement filed by electronic means of transmission is 1764
found to be incomplete or inaccurate after the examination of the 1765
statement for completeness and accuracy pursuant to division 1766
(B)(3)(a) of section 3517.11 of the Revised Code, the political 1767
action committee, political contributing entity, legislative 1768
campaign fund, or state political party shall file by electronic 1769
means of transmission any addendum to the statement that provides 1770
the information necessary to complete or correct the statement or, 1771
if required by the secretary of state under that division, an 1772
amended statement. 1773

Within five business days after the secretary of state 1774
receives from a political action committee or a political 1775
contributing entity described in division (B)(2) of this section, 1776
a legislative campaign fund, or a state political party an 1777
addendum to the statement or an amended statement by electronic or 1778
other means of transmission under this division or division 1779
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 1780
state shall make the contribution and expenditure information in 1781
the addendum or amended statement available online to the public 1782
through the internet as provided in division (I) of this section. 1783

(F)(1) Subject to division (F)(4) of this section and subject 1784
to the secretary of state having implemented, tested, and verified 1785
the successful operation of any system the secretary of state 1786

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

Except as otherwise provided in this division, within five 1797
business days after a statement filed by a campaign committee of a 1798
candidate for the office of member of the general assembly is 1799
received by the secretary of state by electronic or other means of 1800
transmission, the secretary of state shall make available online 1801
to the public through the internet, as provided in division (I) of 1802
this section, the contribution and expenditure information in that 1803
statement. The secretary of state shall not make available online 1804
to the public through the internet any contribution or expenditure 1805
information contained in a statement for any candidate until the 1806
secretary of state is able to make available online to the public 1807
through the internet the contribution and expenditure information 1808
for all candidates for a particular office. As soon as the 1809
secretary of state has available all of that information, the 1810
secretary of state shall simultaneously make available online to 1811
the public through the internet the information for all candidates 1812
for a particular office. 1813

If a statement filed by electronic means of transmission or 1814
on computer disk is found to be incomplete or inaccurate after the 1815
examination of the statement for completeness and accuracy 1816
pursuant to division (B)(3)(a) of section 3517.11 of the Revised 1817
Code, the campaign committee shall file by electronic means of 1818

transmission to the office of the secretary of state, or, until 1819
March 1, 2004, on computer disk with the appropriate board of 1820
elections if the original statement was filed on computer disk, 1821
any addendum to the statement that provides the information 1822
necessary to complete or correct the statement or, if required by 1823
the secretary of state under that division, an amended statement. 1824

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

(2) Until March 1, 2004, if a campaign committee of a 1834
candidate for the office of member of the general assembly files a 1835
statement of contributions and expenditures, an addendum to the 1836
statement, or an amended statement by electronic means of 1837
transmission or on computer disk pursuant to division (F)(1) of 1838
this section, the campaign committee shall file as prescribed by 1839
section 3517.10 of the Revised Code with the appropriate board of 1840
elections specified in division (A)(2) of section 3517.11 of the 1841
Revised Code a printed version of the statement, addendum, or 1842
amended statement filed by electronic means of transmission or on 1843
computer disk, in the format that the secretary of state shall 1844
prescribe. If a statement, addendum, or amended statement is not 1845
filed by electronic means of transmission or on computer disk but 1846
is filed by printed version only, the campaign committee shall 1847
file two copies of the printed version of the statement, addendum, 1848
or amended statement with the appropriate board of elections. The 1849
board of elections shall send one of those copies by overnight 1850

delivery service to the secretary of state before the close of 1851
business on the day the board of elections receives the statement, 1852
addendum, or amended statement. 1853

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

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

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

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

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

(b) No campaign committee of a candidate for the office of 1880
member of the general assembly shall be required to pay the fee 1881

prescribed by division (F)(3)(a) of this section in connection 1882
with the filing of an addendum to a statement of contributions and 1883
expenditures or in connection with the filing of an amended 1884
statement. 1885

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

(4) Subject to the secretary of state having implemented, 1894
tested, and verified the successful operation of any system the 1895
secretary of state prescribes pursuant to division (H)(1) of this 1896
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 1897
the Revised Code for the filing of campaign finance statements by 1898
electronic means of transmission, on and after March 1, 2004, a 1899
campaign committee of a candidate for the office of member of the 1900
general assembly shall file the statements prescribed by section 1901
3517.10 of the Revised Code by electronic means of transmission to 1902
the secretary of state if the total amount of the contributions 1903
received by the campaign committee for the applicable reporting 1904
period as specified in division (A) of section 3517.10 of the 1905
Revised Code exceeds ten thousand dollars. 1906

Except as otherwise provided in this division, within five 1907
business days after a statement filed by a campaign committee of a 1908
candidate for the office of member of the general assembly is 1909
received by the secretary of state by electronic or other means of 1910
transmission, the secretary of state shall make available online 1911
to the public through the internet, as provided in division (I) of 1912
this section, the contribution and expenditure information in that 1913

statement. The secretary of state shall not make available online 1914
to the public through the internet any contribution or expenditure 1915
information contained in a statement for any candidate until the 1916
secretary of state is able to make available online to the public 1917
through the internet the contribution and expenditure information 1918
for all candidates for a particular office. As soon as the 1919
secretary of state has available all of that information, the 1920
secretary of state shall simultaneously make available online to 1921
the public through the internet the information for all candidates 1922
for a particular office. 1923

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

Within five business days after the secretary of state 1933
receives from a campaign committee of a candidate for the office 1934
of member of the general assembly an addendum to the statement or 1935
an amended statement by electronic or other means of transmission 1936
under this division or division (B)(3)(a) of section 3517.11 of 1937
the Revised Code, the secretary of state shall make the 1938
contribution and expenditure information in the addendum or 1939
amended statement available online to the public through the 1940
internet as provided in division (I) of this section. 1941

(G)(1) Subject to division (G)(2) of this section and subject 1942
to the secretary of state having implemented, tested, and verified 1943
the successful operation of any system the secretary of state 1944
prescribes pursuant to division (H)(1) of this section and 1945

divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, any individual, partnership, or other entity that makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission.

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

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

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

this section. 1978

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

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

If a statement filed by electronic means of transmission is 1998
found to be incomplete or inaccurate after the examination of the 1999
statement for completeness and accuracy pursuant to division 2000
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 2001
partnership, or other entity shall file by electronic means of 2002
transmission any addendum to the statement that provides the 2003
information necessary to complete or correct the statement or, if 2004
required by the secretary of state under that division, an amended 2005
statement. 2006

Within five business days after the secretary of state 2007
receives from an individual, partnership, or other entity 2008
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 2009

of the Revised Code an addendum to the statement or an amended 2010
statement by electronic or other means of transmission under this 2011
division or division (B)(3)(a) of section 3517.11 of the Revised 2012
Code, the secretary of state shall make the expenditure 2013
information in the addendum or amended statement available online 2014
to the public through the internet as provided in division (I) of 2015
this section. 2016

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

(a) It is unique to the signer. 2029

(b) It objectively identifies the signer. 2030

(c) It involves the use of a signature device or other means 2031
or method that is under the sole control of the signer and that 2032
cannot be readily duplicated or compromised. 2033

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

(2) An electronic signature prescribed by the secretary of 2038
state under division (H)(1) of this section shall be attached to 2039
or associated with the statement of contributions and 2040

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

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

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

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

(b) A library that is created, maintained, and regulated 2063
under Chapter 3375. of the Revised Code. 2064

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

If that location is part of the graphical subnetwork called 2070
the world wide web and if the secretary of state has notified a 2071

library of that world wide web location as required by this 2072
division, the library shall include a link to that world wide web 2073
location on each internet-connected computer it maintains that is 2074
accessible to the public. 2075

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

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

(K) It is an affirmative defense to a complaint or charge 2091
brought against any campaign committee, political action 2092
committee, legislative campaign fund, political party, political 2093
contributing entity, or individual, partnership, or other entity 2094
for the failure to file by electronic means of transmission a 2095
campaign finance statement as required by this section or section 2096
3517.10 or 3517.105 of the Revised Code that all of the following 2097
apply to the campaign committee, political action committee, 2098
legislative campaign fund, political party, political contributing 2099
entity, or individual, partnership, or other entity that failed to 2100
file the required statement: 2101

(1) The campaign committee, political action committee, 2102
legislative campaign fund, political party, political contributing 2103

entity, or individual, partnership, or other entity attempted to 2104
file by electronic means of transmission the required statement 2105
prior to the deadline set forth in the applicable section. 2106

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

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

Sec. 3517.11. (A)(1) Campaign committees of candidates for 2120
statewide offices or the state board of education, political 2121
action committees or political contributing entities that make 2122
contributions to campaign committees of candidates that are 2123
required to file the statements prescribed by section 3517.10 of 2124
the Revised Code with the secretary of state, political action 2125
committees or political contributing entities that make 2126
contributions to campaign committees of candidates for member of 2127
the general assembly, political action committees or political 2128
contributing entities that make contributions to state and 2129
national political parties and to legislative campaign funds, 2130
political action committees or political contributing entities 2131
that receive contributions or make expenditures in connection with 2132
a statewide ballot issue, political action committees or political 2133
contributing entities that make contributions to other political 2134

action committees or political contributing entities, political 2135
parties, and campaign committees, except as set forth in division 2136
(A)(3) of this section, legislative campaign funds, and state and 2137
national political parties shall file the statements prescribed by 2138
section 3517.10 of the Revised Code with the secretary of state. 2139

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

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

(3) Political action committees or political contributing 2156
entities that only contribute to a county political party, 2157
contribute to campaign committees of candidates whose nomination 2158
or election is to be submitted only to electors within a county, 2159
subdivision, or district, excluding candidates for member of the 2160
general assembly, and receive contributions or make expenditures 2161
in connection with ballot questions or issues to be submitted only 2162
to electors within a county, subdivision, or district shall file 2163
the statements prescribed by section 3517.10 of the Revised Code 2164
with the board of elections in that county or in the county 2165

contained in whole or part within the subdivision or district 2166
having a population greater than that of any other county 2167
contained in whole or part within that subdivision or district, as 2168
the case may be. 2169

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

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

(2) On or before the tenth day before the dates on which 2180
statements are required to be filed by section 3517.10 of the 2181
Revised Code, every candidate subject to the provisions of this 2182
section and sections 3517.10 and 3517.106 of the Revised Code 2183
shall be notified of the requirements and applicable penalties of 2184
those sections. The secretary of state, by certified mail, return 2185
receipt requested, shall notify all candidates required to file 2186
those statements with the secretary of state's office. The board 2187
of elections of every county shall notify by first class mail any 2188
candidate who has personally appeared at the office of the board 2189
on or before the tenth day before the statements are required to 2190
be filed and signed a form, to be provided by the secretary of 2191
state, attesting that the candidate has been notified of the 2192
candidate's obligations under the campaign finance law. The board 2193
shall forward the completed form to the secretary of state. The 2194
board shall use certified mail, return receipt requested, to 2195
notify all other candidates required to file those statements with 2196
it. 2197

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

Within twenty-one days after receipt of the notice, in the 2220
case of a pre-election statement, a postelection statement, a 2221
monthly statement, or an annual statement prescribed by section 2222
3517.10, an annual statement prescribed by section 3517.101, or a 2223
statement prescribed by division (B)(2)(b) or (C)(2)(b) of section 2224
3517.105 or section 3517.107 of the Revised Code, the recipient 2225
shall file an addendum, amendment, or other correction to the 2226
statement providing the information necessary to complete or 2227
correct the statement. The secretary of state may require that, in 2228
lieu of filing an addendum, amendment, or other correction to a 2229

statement that is filed by electronic means of transmission to the 2230
office of the secretary of state or on computer disk with the 2231
appropriate board of elections pursuant to section 3517.106 of the 2232
Revised Code, the recipient of the notice described in this 2233
division file by electronic means of transmission, or, until March 2234
1, 2004, on computer disk with the appropriate board of elections 2235
if the original statement was filed on computer disk, an amended 2236
statement that incorporates the information necessary to complete 2237
or correct the statement. The secretary of state shall determine 2238
by rule when an addendum, amendment, or other correction to a 2239
two-business-day statement prescribed by section 3517.10 of the 2240
Revised Code or an amended two-business-day statement shall be 2241
filed. An addendum, amendment, or other correction to a statement 2242
that is filed by electronic means of transmission or on computer 2243
disk pursuant to section 3517.106 of the Revised Code shall be 2244
filed in the same manner as the statement. The provisions of 2245
sections 3517.10 and 3517.106 of the Revised Code pertaining to 2246
the filing of statements of contributions and expenditures and 2247
statements of independent expenditures by electronic means of 2248
transmission or on computer disk apply to the filing of addenda, 2249
amendments, or other corrections to those statements by electronic 2250
means of transmission or, until March 1, 2004, on computer disk 2251
and the filing of amended statements by electronic means of 2252
transmission or, until March 1, 2004, on computer disk. 2253

(b) Within five business days after the secretary of state 2254
receives, by electronic or other means of transmission, an 2255
addendum, amendment, or other correction to a statement or an 2256
amended statement under division (B)(3)(a) of this section, the 2257
secretary of state, pursuant to divisions (E), (F), (G), and (I) 2258
of section 3517.106 of the Revised Code, shall make the 2259
contribution and expenditure information in that addendum, 2260
amendment, correction, or amended statement available online to 2261
the public through the internet. ~~As used in this division,~~ 2262

~~"internet" has the same meaning as in section 3517.106 of the~~ 2263
~~Revised Code.~~ 2264

(4)(a) The secretary of state or the board of elections shall 2265
examine all statements for compliance with sections 3517.08 to 2266
3517.17 of the Revised Code. 2267

(b) The secretary of state may contract with an individual or 2268
entity not associated with the secretary of state and experienced 2269
in interpreting the campaign finance law of this state to conduct 2270
examinations of statements filed by any statewide candidate, as 2271
defined in section 3517.103 of the Revised Code. 2272

(c) The examination shall be conducted by a person or entity 2273
qualified to conduct it. The results of the examination shall be 2274
available to the public, and, when the examination is conducted by 2275
an individual or entity not associated with the secretary of 2276
state, the results of the examination shall be reported to the 2277
secretary of state. 2278

(C)(1) In the event of a failure to file or a late filing of 2279
a statement required to be filed under sections 3517.081 to 2280
3517.17 of the Revised Code or if a filed statement or any 2281
addendum to the statement, if an addendum is required to be filed, 2282
is incomplete or inaccurate or appears to disclose a failure to 2283
comply with or a violation of law, the official whose duty it is 2284
to examine the statement shall promptly file a complaint with the 2285
Ohio elections commission under section 3517.153 of the Revised 2286
Code if the law is one over which the commission has jurisdiction 2287
to hear complaints, or the official shall promptly report the 2288
failure or violation to the board of elections and the board shall 2289
promptly report it to the prosecuting attorney in accordance with 2290
division (J) of section 3501.11 of the Revised Code. If the 2291
official files a complaint with the commission, the commission 2292
shall proceed in accordance with sections 3517.154 to 3517.157 of 2293
the Revised Code. 2294

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(B)~~ On or before December 31, 2001, the tax commissioner shall establish an electronic site accessible through the internet. The tax commissioner shall provide access on the site

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

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

Section 2. That existing sections 1.59, 9.08, 9.314, 101.691, 2375
125.072, 149.38, 149.432, 307.12, 341.42, 505.10, 718.07, 721.15, 2376
753.32, 955.013, 1306.16, 2307.64, 3517.10, 3517.106, 3517.11, 2377
5145.31, and 5703.49 of the Revised Code are hereby repealed. 2378