

As Introduced

125th General Assembly
Regular Session
2003-2004

S. B. No. 152

Senators Nein, Randy Gardner, Austria, Dann, Mallory, Fingerhut

A BILL

To amend sections 3517.102, 3517.103, 3517.108, 1
3517.1010, and 3517.992 of the Revised Code to 2
apply campaign finance contribution limits and 3
certain other provisions of the Campaign Finance 4
Law to candidates for county elective office. 5

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

Section 1. That sections 3517.102, 3517.103, 3517.108, 6
3517.1010, and 3517.992 of the Revised Code be amended to read as 7
follows: 8

Sec. 3517.102. (A) Except as otherwise provided in section 9
3517.103 of the Revised Code, as used in this section and sections 10
3517.103 and 3517.104 of the Revised Code: 11

(1) "Candidate" has the same meaning as in section 3517.01 of 12
the Revised Code but includes only candidates for county elective 13
office or for the offices of governor, lieutenant governor, 14
secretary of state, auditor of state, treasurer of state, attorney 15
general, member of the state board of education, member of the 16
general assembly, chief justice of the supreme court, and justice 17
of the supreme court. 18

(2) "Statewide candidate" or "any one statewide candidate" 19
means the joint candidates for the offices of governor and 20

lieutenant governor or a candidate for the office of secretary of 21
state, auditor of state, treasurer of state, attorney general, 22
member of the state board of education, chief justice of the 23
supreme court, or justice of the supreme court. 24

(3) "Senate candidate" means a candidate for the office of 25
state senator. 26

(4) "House candidate" means a candidate for the office of 27
state representative. 28

(5)(a) "Primary election period" for a candidate begins on 29
the beginning date of the candidate's pre-filing period specified 30
in division (A)(9) of section 3517.109 of the Revised Code and 31
ends on the day of the primary election. 32

(b) In regard to any candidate, the "general election period" 33
begins on the day after the primary election immediately preceding 34
the general election at which the candidate seeks an office 35
specified in division (A)(1) of this section and ends on the 36
thirty-first day of December following that general election. 37

(6) "State candidate fund" means the state candidate fund 38
established by a state or county political party under division 39
(D)(3)(c) of section 3517.10 of the Revised Code. 40

(7) "Postgeneral election statement" means the statement 41
filed under division (A)(2) of section 3517.10 of the Revised Code 42
by the campaign committee of a candidate after the general 43
election in which the candidate ran for office or filed by 44
legislative campaign fund after the general election in an 45
even-numbered year. 46

(8) "Contribution" means any contribution that is required to 47
be reported in the statement of contributions under section 48
3517.10 of the Revised Code. 49

(9) Except as otherwise provided in division (F) of section 50

3517.103 and division (B)(3)(b) of section 3517.1010 of the Revised Code, "designated state campaign committee" means:

(a) In the case of contributions to or from a state political party, a campaign committee of a statewide candidate, statewide officeholder, senate candidate, house candidate, or member of the general assembly.

(b) In the case of contributions to or from a county political party, a campaign committee of a statewide candidate, statewide officeholder, senate candidate or house candidate whose candidacy is to be submitted to some or all of the electors in that county, or member of the general assembly whose district contains all or part of that county.

(c) In the case of contributions to or from a legislative campaign fund, a campaign committee of any of the following:

(i) A senate or house candidate who, if elected, will be a member of the same party that established the legislative campaign fund and the same house with which the legislative campaign fund is associated;

(ii) A state senator or state representative who is a member of the same party that established the legislative campaign fund and the same house with which the legislative campaign fund is associated.

(10) "County elective office" means any of the offices of county auditor, county treasurer, clerk of the court of common pleas, sheriff, county recorder, county engineer, county commissioner, prosecuting attorney, and coroner.

(B)(1) No individual shall make a contribution or contributions aggregating more than:

(a) Two thousand five hundred dollars to the campaign committee of any one statewide candidate in a primary election

period or in a general election period;	81
(b) Two thousand five hundred dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;	82 83 84
(c) Two thousand five hundred dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;	85 86 87
(d) Five thousand dollars to any one county political party for the party's <u>party's</u> state candidate fund or to any one legislative campaign fund in a calendar year;	88 89 90
(e) Fifteen thousand dollars to any one state political party for the party's state candidate fund in a calendar year;	91 92
(f) Five thousand dollars to any one political action committee in a calendar year;	93 94
(g) Five thousand dollars to any one political contributing entity in a calendar year;	95 96
<u>(h) Two thousand five hundred dollars to the campaign committee of any one candidate for county elective office in a primary election period or in a general election period.</u>	97 98 99
(2) Subject to division (D)(1) of this section, no political action committee shall make a contribution or contributions aggregating more than:	100 101 102
(a) Two thousand five hundred dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;	103 104 105
(b) Two thousand five hundred dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;	106 107 108
(c) Two thousand five hundred dollars to the campaign committee of any one house candidate in a primary election period	109 110

or in a general election period;	111
(d) Five thousand dollars to any one county political party	112
for the party's state candidate fund or to any one legislative	113
campaign fund in a calendar year;	114
(e) Fifteen thousand dollars to any one state political party	115
for the party's state candidate fund in a calendar year;	116
(f) Two thousand five hundred dollars to another political	117
action committee or to a political contributing entity in a	118
calendar year. This division does not apply to a political action	119
committee that makes a contribution to a political action	120
committee or to a political contributing entity affiliated with	121
it. For purposes of this division, a political action committee is	122
affiliated with another political action committee or with a	123
political contributing entity if they are both established,	124
financed, maintained, or controlled by, or if they are, the same	125
corporation, organization, labor organization, continuing	126
association, or other person, including any parent, subsidiary,	127
division, or department of that corporation, organization, labor	128
organization, continuing association, or other person.	129
<u>(g) Two thousand five hundred dollars to the campaign</u>	130
<u>committee of any one candidate for county elective office in a</u>	131
<u>primary election period or in a general election period.</u>	132
(3) No campaign committee shall make a contribution or	133
contributions aggregating more than:	134
(a) Two thousand five hundred dollars to the campaign	135
committee of any one statewide candidate in a primary election	136
period or in a general election period;	137
(b) Two thousand five hundred dollars to the campaign	138
committee of any one senate candidate in a primary election period	139
or in a general election period;	140

(c) Two thousand five hundred dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;	141 142 143
(d) Two thousand five hundred dollars to any one political action committee in a calendar year;	144 145
(e) Two thousand five hundred dollars to any one political contributing entity in a calendar year;	146 147
<u>(f) Two thousand five hundred dollars to the campaign committee of any one candidate for county elective office in a primary election period or in a general election period.</u>	148 149 150
(4)(a) Subject to division (D)(3) of this section, no political party shall make a contribution or contributions aggregating more than two thousand five hundred dollars to any one political action committee or to any one political contributing entity in a calendar year.	151 152 153 154 155
<u>(b) Subject to division (D)(3) of this section, no political party shall make a contribution or contributions aggregating more than two thousand five hundred dollars to the campaign committee of any one candidate for county elective office in a primary election period or in a general election period.</u>	156 157 158 159 160
(5) No campaign committee, other than a designated state campaign committee, shall make a contribution or contributions aggregating in a calendar year more than:	161 162 163
(a) Fifteen thousand dollars to any one state political party for the party's state candidate fund;	164 165
(b) Five thousand dollars to any one legislative campaign fund;	166 167
(c) Five thousand dollars to any one county political party for the party's state candidate fund.	168 169
(6)(a) No state candidate fund of a county political party	170

shall make a contribution or contributions, except a contribution 171
or contributions to a designated state campaign committee, in a 172
primary election period or a general election period, aggregating 173
more than: 174

(i) Two thousand five hundred dollars to the campaign 175
committee of any one senate candidate; 176

(ii) Two thousand five hundred dollars to the campaign 177
committee of any one house candidate. 178

(b)(i) No state candidate fund of a state or county political 179
party shall make a transfer or a contribution or transfers or 180
contributions of cash or cash equivalents to a designated state 181
campaign committee in a primary election period or in a general 182
election period aggregating more than: 183

(I) Five hundred thousand dollars to the campaign committee 184
of any one statewide candidate; 185

(II) One hundred thousand dollars to the campaign committee 186
of any one senate candidate; 187

(III) Fifty thousand dollars to the campaign committee of any 188
one house candidate. 189

(ii) No legislative campaign fund shall make a transfer or a 190
contribution or transfers or contributions of cash or cash 191
equivalents to a designated state campaign committee aggregating 192
more than: 193

(I) Fifty thousand dollars in a primary election period or 194
one hundred thousand dollars in a general election period to the 195
campaign committee or any one senate candidate; 196

(II) Twenty-five thousand dollars in a primary election 197
period or fifty thousand dollars in a general election period to 198
the campaign committee of any one house candidate. 199

(iii) As used in divisions (B)(6)(b) and (C)(6)(a) and (b) of 200

this section, "transfer or contribution of cash or cash
equivalents" does not include any in-kind contributions.

(c) A county political party that has no state candidate fund
and that is located in a county having a population of less than
one hundred fifty thousand may make one or more contributions from
other accounts to any one designated state campaign committee that
do not exceed, in the aggregate, two thousand five hundred dollars
in any primary election period or general election period. As used
in this division, "other accounts" does not include either an
account that contains the public moneys received from the Ohio
political party fund under section 3517.17 of the Revised Code or
the county political party's operating account.

(d) No legislative campaign fund shall make a contribution,
other than to a designated state campaign committee or to the
state candidate fund of a political party.

(7) Subject to division (D)(1) of this section, no political
contributing entity shall make a contribution or contributions
aggregating more than:

(a) Two thousand five hundred dollars to the campaign
committee of any one statewide candidate in a primary election
period or in a general election period;

(b) Two thousand five hundred dollars to the campaign
committee of any one senate candidate in a primary election period
or in a general election period;

(c) Two thousand five hundred dollars to the campaign
committee of any one house candidate in a primary election period
or in a general election period;

(d) Five thousand dollars to any one county political party
for the party's state candidate fund or to any one legislative
campaign fund in a calendar year;

(e) Fifteen thousand dollars to any one state political party 231
for the party's state candidate fund in a calendar year; 232

(f) Two thousand five hundred dollars to another political 233
contributing entity or to a political action committee in a 234
calendar year. This division does not apply to a political 235
contributing entity that makes a contribution to a political 236
contributing entity or to a political action committee affiliated 237
with it. For purposes of this division, a political contributing 238
entity is affiliated with another political contributing entity or 239
with a political action committee if they are both established, 240
financed, maintained, or controlled by, or if they are, the same 241
corporation, organization, labor organization, continuing 242
association, or other person, including any parent, subsidiary, 243
division, or department of that corporation, organization, labor 244
organization, continuing association, or other person. 245

(g) Two thousand five hundred dollars to the campaign 246
committee of any one candidate for county elective office in a 247
primary election period or in a general election period. 248

(C)(1) Subject to division (D)(1) of this section, no 249
campaign committee of a statewide candidate shall accept a 250
contribution or contributions aggregating more than two thousand 251
five hundred dollars from any one individual, from any one 252
political action committee, from any one political contributing 253
entity, or from any one other campaign committee in a primary 254
election period or in a general election period. 255

(2) Subject to division (D)(1) of this section and except for 256
a designated state campaign committee, no campaign committee of a 257
senate candidate shall accept a contribution or contributions 258
aggregating more than two thousand five hundred dollars from any 259
one individual, from any one political action committee, from any 260
one political contributing entity, from any one state candidate 261

fund of a county political party, or from any one other campaign 262
committee in a primary election period or in a general election 263
period. 264

(3) Subject to division (D)(1) of this section and except for 265
a designated state campaign committee, no campaign committee of a 266
house candidate shall accept a contribution or contributions 267
aggregating more than two thousand five hundred dollars from any 268
one individual, from any one political action committee, from any 269
one political contributing entity, from any one state candidate 270
fund of a county political party, or from any one other campaign 271
committee in a primary election period or in a general election 272
period. 273

(4)(a) Subject to division (D)(1) of this section, no county 274
political party shall accept a contribution or contributions for 275
the party's state candidate fund aggregating more than five 276
thousand dollars from any one individual, from any one political 277
action committee, from any one political contributing entity, or 278
from any one campaign committee, other than a designated state 279
campaign committee, in a calendar year. 280

(b) Subject to division (D)(1) of this section, no state 281
political party shall accept a contribution or contributions for 282
the party's state candidate fund aggregating more than fifteen 283
thousand dollars from any one individual, from any one political 284
action committee, from any one political contributing entity, or 285
from any one campaign committee, other than a designated state 286
campaign committee, in a calendar year. 287

(5) Subject to division (D)(1) of this section, no 288
legislative campaign fund shall accept a contribution or 289
contributions aggregating more than five thousand dollars from any 290
one individual, from any one political action committee, from any 291
one political contributing entity, or from any one campaign 292
committee, other than a designated state campaign committee, in a 293

calendar year.	294
(6)(a) No designated state campaign committee shall accept a	295
transfer or contribution of cash or cash equivalents from a state	296
candidate fund of a state or county political party aggregating in	297
a primary election period or a general election period more than:	298
(i) Five hundred thousand dollars, in the case of a campaign	299
committee of a statewide candidate;	300
(ii) One hundred thousand dollars, in the case of a campaign	301
committee of a senate candidate;	302
(iii) Fifty thousand dollars, in the case of a campaign	303
committee of a house candidate.	304
(b) No designated state campaign committee shall accept a	305
transfer or contribution of cash or cash equivalents from a	306
legislative candidate <u>campaign</u> fund aggregating more than:	307
(i) Fifty thousand dollars in a primary election period or	308
one hundred thousand dollars in a general election period, in the	309
case of a campaign committee of a senate candidate;	310
(ii) Twenty-five thousand dollars in a primary election	311
period or fifty thousand dollars in a general election period, in	312
the case of a campaign committee of a house candidate.	313
(7)(a) Subject to division (D)(3) of this section, no	314
political action committee and no political contributing entity	315
shall accept a contribution or contributions aggregating more than	316
five thousand dollars from any one individual, or more than two	317
thousand five hundred dollars from any one campaign committee or	318
from any one political party.	319
(b) Subject to division (D)(1) of this section, no political	320
action committee shall accept a contribution or contributions	321
aggregating more than two thousand five hundred dollars from	322
another political action committee or from a political	323

contributing entity in a calendar year. Subject to division (D)(1) 324
of this section, no political contributing entity shall accept a 325
contribution or contributions aggregating more than two thousand 326
five hundred dollars from another political contributing entity or 327
from a political action committee in a calendar year. This 328
division does not apply to a political action committee or 329
political contributing entity that accepts a contribution from a 330
political action committee or political contributing entity 331
affiliated with it. For purposes of this division, a political 332
action committee is affiliated with another political action 333
committee or political contributing entity if they are 334
established, financed, maintained, or controlled by the same 335
corporation, organization, labor organization, continuing 336
association, or other person, including any parent, subsidiary, 337
division, or department of that corporation, organization, labor 338
organization, continuing association, or other person. 339

(8) Subject to divisions (D)(1) and (3) of this section, no 340
campaign committee of a candidate for county elective office shall 341
accept a contribution or contributions aggregating more than two 342
thousand five hundred dollars from any one individual, from any 343
one political action committee, from any one political party, from 344
any one political contributing entity, or from any one other 345
campaign committee in a primary election period or in a general 346
election period. 347

(D)(1)(a) For purposes of the limitations prescribed in 348
division (B)(2) of this section and the limitations prescribed in 349
divisions (C)(1), (2), (3), (4), (5), ~~and~~ (7)(b), and (8) of this 350
section, whichever is applicable, all contributions made by and 351
all contributions accepted from political action committees that 352
are established, financed, maintained, or controlled by the same 353
corporation, organization, labor organization, continuing 354
association, or other person, including any parent, subsidiary, 355

division, or department of that corporation, organization, labor 356
organization, continuing association, or other person, are 357
considered to have been made by or accepted from a single 358
political action committee. 359

(b) For purposes of the limitations prescribed in division 360
(B)(7) of this section and the limitations prescribed in divisions 361
(C)(1), (2), (3), (4), (5), ~~and~~ (7)(b), and (8) of this section, 362
whichever is applicable, all contributions made by and all 363
contributions accepted from political contributing entities that 364
are established, financed, maintained, or controlled by, or that 365
are, the same corporation, organization, labor organization, 366
continuing association, or other person, including any parent, 367
subsidiary, division, or department of that corporation, 368
organization, labor organization, continuing association, or other 369
person, are considered to have been made by or accepted from a 370
single political contributing entity. 371

(2) As used in divisions (B)(1)(f), (B)(3)(d), (B)(4)(a), and 372
(C)(7) of this section, "political action committee" does not 373
include a political action committee that is organized to support 374
or oppose a ballot issue or question and that makes no 375
contributions to or expenditures on behalf of a political party, 376
campaign committee, legislative campaign fund, political action 377
committee, or political contributing entity. As used in divisions 378
(B)(1)(g), (B)(3)(e), (B)(4)(a), and (C)(7) of this section, 379
"political contributing entity" does not include a political 380
contributing entity that is organized to support or oppose a 381
ballot issue or question and that makes no contributions to or 382
expenditures on behalf of a political party, campaign committee, 383
legislative campaign fund, political action committee, or 384
political contributing entity. 385

(3) For purposes of the limitations prescribed in divisions 386
(B)(4) and (C)(7)(a) and (8) of this section, all contributions 387

made by and all contributions accepted from a national political 388
party, a state political party, and a county political party are 389
considered to have been made by or accepted from a single 390
political party and shall be combined with each other to determine 391
whether the limitations have been exceeded. 392

(E)(1) If a legislative campaign fund has kept a total amount 393
of contributions exceeding one hundred fifty thousand dollars at 394
the close of business on the seventh day before the postgeneral 395
election statement is required to be filed under section 3517.10 396
of the Revised Code, the legislative campaign fund shall comply 397
with division (E)(2) of this section. 398

(2)(a) Any legislative campaign fund that has kept a total 399
amount of contributions in excess of the amount specified in 400
division (E)(1) of this section at the close of business on the 401
seventh day before the postgeneral election statement is required 402
to be filed under section 3517.10 of the Revised Code shall 403
dispose of the excess amount in the manner prescribed in division 404
(E)(2)(c)(i), (ii), or (iii) of this section not later than ninety 405
days after the day the postgeneral election statement is required 406
to be filed under section 3517.10 of the Revised Code. Any 407
legislative campaign fund that is required to dispose of an excess 408
amount of contributions under this division shall file a statement 409
on the ninetieth day after the postgeneral election statement is 410
required to be filed under section 3517.10 of the Revised Code 411
indicating the total amount of contributions the fund has at the 412
close of business on the seventh day before the postgeneral 413
election statement is required to be filed under section 3517.10 414
of the Revised Code and that the excess contributions were 415
disposed of pursuant to this division and divisions (E)(2)(b) and 416
(c) of this section. The statement shall be on a form prescribed 417
by the secretary of state and shall contain any additional 418
information the secretary of state considers necessary. 419

(b) There is hereby created in the state treasury the Ohio elections commission fund. All moneys credited to the fund shall be used solely for the purpose of paying expenses related to the operation of the Ohio elections commission.

(c) Any legislative campaign fund that is required to dispose of an excess amount of contributions under division (E)(2) of this section shall dispose of that excess amount by doing any of the following:

(i) Giving the amount to the treasurer of state for deposit into the state treasury to the credit of the Ohio elections commission fund;

(ii) Giving the amount to individuals who made contributions to that legislative campaign fund as a refund of all or part of their contributions;

(iii) Giving the amount to a corporation that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c) of the Internal Revenue Code.

(F)(1) No legislative campaign fund shall fail to file a statement required by division (E) of this section.

(2) No legislative campaign fund shall fail to dispose of excess contributions as required by division (E) of this section.

(G) Nothing in this section shall affect, be used in determining, or supersede a limitation on campaign contributions as provided for in the Federal Election Campaign Act.

Sec. 3517.103. (A)(1) For purposes of this section:

~~(1)~~(a) "Statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, attorney general, or member of the state board of

education. 449

~~(2)(b)~~ "Personal funds" means contributions to the campaign 450
committee of a candidate by the candidate or by the candidate's 451
spouse, parents, children, sons-in-law, daughters-in-law, 452
brothers, sisters, grandparents, mother-in-law, father-in-law, 453
brothers-in-law, sisters-in-law, or grandparents by marriage. 454

~~(3)(c)~~ When a debt or other obligation incurred by a 455
committee or by a candidate on behalf of the candidate's committee 456
described in division (C)(1) or (2) of this section is to be paid 457
from personal funds, those funds are considered to be expended 458
when the debt or obligation is incurred, regardless of when it is 459
paid. 460

~~(4)(2)~~ For purposes of ~~Chapter 3517. of the Revised Code~~ this 461
chapter, a candidate is an "opponent" when the candidate has 462
indicated on the candidate's most recently filed designation of 463
treasurer that the candidate seeks the same office at the same 464
primary or general election as another candidate whose campaign 465
committee has filed a personal funds notice required by division 466
(C)(1) or (2) of this section. 467

(B)(1) Except as otherwise provided in division (B)(2) of 468
this section, no statewide candidate ~~or~~, candidate for the office 469
of member of the general assembly, or candidate for county 470
elective office shall make an expenditure of personal funds to 471
influence the results of an election for that candidate's 472
nomination or election to office unless the personal funds are 473
first deposited into the campaign fund of that candidate's 474
campaign committee. 475

(2) A statewide candidate ~~or~~, candidate for office of member 476
of the general assembly, or candidate for county elective office 477
may make an expenditure of personal funds without first depositing 478
those funds into the campaign committee's funds as long as the 479

aggregate total of those expenditures does not exceed five hundred 480
dollars at any time during an election period. After the 481
candidate's campaign committee reimburses the candidate for any 482
direct expenditure of personal funds, the amount that was 483
reimbursed is no longer included in the aggregate total of 484
expenditures of personal funds subject to the five-hundred-dollar 485
limit. 486

(C)(1) If the campaign committee of any statewide candidate 487
has received or expended or expects to expend more than one 488
hundred thousand dollars of personal funds during a primary 489
election period or one hundred fifty thousand dollars of personal 490
funds during a general election period, the campaign committee 491
shall file a personal funds notice in the manner provided in 492
division (C)(3) of this section indicating that the committee has 493
received or expended or expects to expend more than that amount. 494
For the purpose of this division, a joint team of candidates for 495
governor and lieutenant governor shall be considered a single 496
candidate and their personal funds shall be combined. 497

(2) If the campaign committee of any senate candidate ~~or~~ 498
house candidate, or candidate for county elective office has 499
received or expended or expects to expend more than twenty-five 500
thousand dollars of personal funds during a primary election 501
period or twenty-five thousand dollars of personal funds during a 502
general election period, the campaign committee shall file a 503
personal funds notice in the manner provided in division (C)(3) of 504
this section indicating that the committee has received or 505
expended or expects to expend more than that amount. 506

(3) The personal funds notice required in divisions (C)(1) 507
and (2) of this section and the declaration of no limits required 508
under division (D)(2) of this section shall be on a form 509
prescribed by the secretary of state. The personal funds notice 510
required in divisions (C)(1) and (2) of this section shall be 511

filed not later than the earlier of the following times: 512

(a) One hundred twenty days before a primary election, in the 513
case of personal funds received, expended, or expected to be 514
expended during a primary election period, or not later than one 515
hundred twenty days before a general election, in the case of 516
personal funds received, expended, or expected to be expended 517
during a general election period; 518

(b) Two business days after the candidate's campaign 519
committee receives or makes an expenditure of personal funds or 520
the candidate makes an expenditure of personal funds on behalf of 521
the candidate's campaign committee during that election period 522
that exceed, in the aggregate, the amount specified in division 523
(C)(1) or (2) of this section. 524

The personal funds notice required under divisions (C)(1) and 525
(2) of this section and the declaration of no limits required 526
under division (D)(2) of this section shall be filed wherever the 527
campaign committee files statements of contributions and 528
expenditures under section 3517.11 of the Revised Code. The board 529
of elections shall send to the secretary of state a copy of any 530
personal funds notice or declaration of no limits filed by the 531
campaign committee of a senate candidate ~~or~~, house candidate, or 532
candidate for county elective office under division (C)~~(3)~~(2) or 533
(D)(2) of this section. 534

(D)(1) Whenever a campaign committee files a notice under 535
division (C)(1) or (2) of this section, and the campaign committee 536
of an opponent files a declaration of no limits pursuant to 537
division (D)(2) of this section within thirty days of the filing 538
of the personal funds notice under division (C)(1) or (2) of this 539
section, the contribution limitations prescribed in section 540
3517.102 of the Revised Code no longer apply to the campaign 541
committee of the candidate's opponent. 542

(2) No campaign committee of a candidate described in 543
division (D)(1) of this section shall accept any contribution or 544
contributions from a contributor that exceed the limitations 545
prescribed in section 3517.102 of the Revised Code until the 546
committee files a declaration that the committee will accept 547
contributions that exceed those limitations. This declaration 548
shall be filed not later than thirty days after a candidate's 549
opponent has filed a personal funds notice pursuant to division 550
(C)(1) or (2) of this section ~~3517.103 of the Revised Code~~, shall 551
be referred to as the "declaration of no limits," and shall list 552
all of the following: 553

(a) The amount of cash on hand in the candidate's campaign 554
fund at the end of the day immediately preceding the day on which 555
the candidate's campaign committee files the declaration of no 556
limits; 557

(b) The value and description of all campaign assets worth 558
five hundred dollars or more available to the candidate at the end 559
of the day immediately preceding the day on which the candidate's 560
campaign committee files the declaration of no limits. 561

(3) A candidate who was not an opponent of a candidate who 562
filed the personal funds notice required under division (C)~~(3)~~(1) 563
or (2) of this section on the date the personal funds notice was 564
filed may file the declaration of no limits pursuant to division 565
(D)(2) of this section within thirty days after becoming an 566
opponent of the candidate who filed the personal funds notice. 567

(4) If the candidate whose campaign committee filed a 568
personal funds notice under division (C)(1) or (2) of this section 569
fails to file a declaration of candidacy or nominating petition 570
for the office listed on the designation of treasurer filed under 571
division (D) of section 3517.10 of the Revised Code or files a 572
declaration of candidacy or nominating petition for that office 573

and dies or withdraws, both of the following apply to the campaign 574
committee of that candidate's opponent if the opponent has filed a 575
declaration of no limits pursuant to division (D) of this section: 576

(a) No contribution from a contributor may thereafter be 577
accepted that, when added to the aggregate total of all 578
contributions received by that committee from that contributor 579
during the primary election period or general election period, 580
whichever is applicable, would cause that committee to exceed the 581
contribution limitations prescribed in section 3517.102 of the 582
Revised Code for the applicable election period. 583

(b) ~~The statement~~ If the campaign committee is required to 584
file a declaration of primary-day finances or ~~the~~ a declaration of 585
~~year-end statement required to be filed~~ finances under division 586
(E) of section 3517.1010 of the Revised Code, the applicable 587
declaration shall be filed not later than fourteen days after the 588
date the candidate's opponent fails to file a declaration of 589
candidacy or nominating petition by the appropriate filing 590
deadline, or dies or withdraws. For purposes of calculating 591
permitted funds under division (A)~~(7)~~(4) of section 3517.1010 of 592
the Revised Code, the primary or general election period, 593
whichever is applicable, shall be considered to have ended on the 594
filing deadline, in the case of an opponent who fails to file a 595
declaration of candidacy or nominating petition, or on the date of 596
the opponent's death or withdrawal. In such an event, the filing 597
of a ~~statement~~ declaration of primary-day finances or year-end 598
finances and the disposing of any excess funds as required under 599
division (B) of section 3517.1010 of the Revised Code satisfies 600
the candidate's obligation to file such a ~~statement~~ declaration 601
for that election period. 602

(E)(1) No campaign committee shall fail to file a personal 603
funds notice as required under division (C)(1) or (2) of this 604
section. 605

(2) No campaign committee shall accept any contribution in excess of the contribution limitations prescribed in section 3517.102 of the Revised Code:

(a) Unless a declaration of no limits has been filed under division (D)(2) of this section;

(b) In violation of division (D)(4) of this section once the candidate who filed a personal funds notice under division (C)~~(3)~~(1) or (2) of this section fails to file a declaration of candidacy or nominating petition or that candidate dies or withdraws.

(3) No campaign committee that violates division (E)(1) of this section shall expend any personal funds in excess of the amount specified in division (C)(1) or (2) of this section, whichever is appropriate to the committee.

(4) The candidate of any campaign committee that violates division (E) of this section shall forfeit the candidate's nomination, if the candidate was nominated, or the office to which the candidate was elected, if the candidate was elected to office.

(F)(1) Whenever a campaign committee files a notice under division (C)(1) or (2) of this section or whenever the contribution limitations prescribed in section 3517.102 of the Revised Code do not apply to a campaign committee under division (D)(1) of this section, that committee is not a designated state campaign committee for the purpose of the limitations prescribed in section 3517.102 of the Revised Code with regard to contributions made by that campaign committee to a legislative campaign fund or to a state candidate fund of a state or county political party.

(2) Division (F)(1) of this section no longer applies to a campaign committee after both of the following occur:

(a) The primary or general election period during which the contribution limitations prescribed in section 3517.102 of the Revised Code did not apply after being removed pursuant to division (D) of this section has expired;

(b) When the campaign committee has disposed of all excess funds and excess aggregate contributions as required under section 3517.1010 of the Revised Code.

Sec. 3517.108. (A) As used in divisions (A) and (B) of this section:

(1) "Candidate" has the same meaning as in section 3517.01 of the Revised Code but includes only candidates for county elective office or for the offices of governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, member of the general assembly, chief justice of the supreme court, and justice of the supreme court.

(2) A "general election period" begins on the day after the primary election immediately preceding the general election at which a candidate seeks an office specified in division (A)(1) of this section and ends on the thirty-first day of December following that general election.

(3) A "primary election period" begins on the first day of January of the year following the year in which the general election was held for the office that the candidate seeks, including any mid-term election, and ends on the day of the primary election.

(4) "County elective office" means any of the offices of county auditor, county treasurer, clerk of the court of common pleas, sheriff, county recorder, county engineer, county commissioner, prosecuting attorney, and coroner.

(B) Whenever the campaign committee of a candidate has unpaid debt at the end of a primary election period or at the end of a general election period, the committee may accept additional contributions during the immediately following election period up to the applicable limitation prescribed under section 3517.102 of the Revised Code from any individual, political action committee, political contributing entity, or other campaign committee who, during the primary or general election period for which debt remains unpaid, has contributed less than the contribution limitations prescribed under section 3517.102 of the Revised Code applicable to that individual, political action committee, political contributing entity, or other campaign committee. Any additional contribution that a campaign committee accepts under this division shall count toward the applicable limitations prescribed under section 3517.102 of the Revised Code for that primary or general election period at the end of which the debt remains unpaid, and shall not count toward the applicable limitations for any other primary or general election period if all of the following conditions apply:

(1) The campaign committee reports, on the statement required to be filed under division (A)(2) of section 3517.10 of the Revised Code, all debt remaining unpaid at the end of the election period. The committee shall also file a separate statement, on a form prescribed by the secretary of state, at the same time that the committee is required to file a statement of contributions and expenditures under section 3517.10 of the Revised Code. The separate statement shall include the name and address of each contributor who makes an additional contribution under division (B) of this section, how the contribution was applied to pay the unpaid debt as required by division (B)(3) of this section, and the balance of the unpaid debt after each contribution was applied to it.

(2) The additional contributions are accepted only during the 698
primary or general election period, whichever is applicable, 699
immediately following the election period covered in the statement 700
filed under division (B)(1) of this section. 701

(3) All additional contributions made under division (B) of 702
this section are used by the campaign committee that receives them 703
only to pay the debt of the committee reported under division 704
(B)(1) of this section. 705

(4) The campaign committee maintains a separate account for 706
all additional contributions made under division (B) of this 707
section, and uses moneys in that account only to pay the unpaid 708
debt reported under division (B)(1) of this section and to 709
administer the account. 710

(5) The campaign committee stops accepting additional 711
contributions after funds sufficient to repay the unpaid debt 712
reported under division (B)(1) of this section have been raised 713
and promptly disposes of any contributions received that exceed 714
the amount of the unpaid debt by returning the excess 715
contributions to the contributors or by giving the excess 716
contributions to an organization that is exempt from federal 717
income taxation under subsection 501(a) and described in 718
subsection 501(c)(3), (4), (8), (10), or (19) of the Internal 719
Revenue Code. 720

Sec. 3517.1010. (A) As used in this section: 721

(1) "Aggregate contribution," "allowable aggregate 722
contribution," "excess aggregate contribution," and "pre-filing 723
period" have the same meanings as in section 3517.109 of the 724
Revised Code. 725

(2) "Filing deadline" means the last date on which a 726
candidacy petition may be filed for an office. 727

(3) "Campaign asset" means prepaid, purchased, or donated 728
assets, goods, or services available to the candidate's campaign 729
committee on the date specified in the filing required under 730
division (F) of this section that will be consumed, depleted, or 731
used in the course of the candidate's election campaign, 732
including, but not limited to, postage, rent for any campaign 733
office, radio, television, and newspaper advertising, and 734
consulting and personal services. 735

(4) "Permitted funds" means one of the following: 736

(a) In the case of a disposal of excess funds under division 737
(B)(1) of this section, the sum of the primary carry-in amount and 738
the product of both of the following: 739

(i) The sum of the campaign committee's net cash on hand and 740
the campaign committee's total reported campaign assets on the day 741
of the primary election less the primary carry-in amount; 742

(ii) The ratio of the sum of the allowable aggregate 743
contributions of each contributor to the sum of all contributions 744
received, during the period extending from the first day on which, 745
in accordance with division (D) of section 3517.103 of the Revised 746
Code, the contribution limitations prescribed in section 3517.102 747
of the Revised Code no longer apply to the campaign committee 748
through the end of the primary election period. 749

For the purposes of division (A)(4)(a) of this section, the 750
allowable aggregate contribution of each contributor is calculated 751
as if the limitations on contributions prescribed in section 752
3517.102 of the Revised Code were in effect. 753

As used in division (A)(4)(a) of this section, "primary 754
carry-in amount" is the sum of the campaign committee's cash on 755
hand and reported campaign assets as reported on the campaign 756
committee's declaration of no limits filed pursuant to division 757
(D) of section 3517.103 of the Revised Code. 758

(b) In the case of a disposal of excess funds under division 759
(B)(5) of this section, the product of both of the following: 760

(i) The sum of the cash on hand and reported campaign assets 761
at the end of the thirty-first day of December immediately 762
following the general election; 763

(ii) The ratio of the sum of the allowable aggregate 764
contributions of each contributor and the general carry-in amount 765
to the sum of all contributions received during the general 766
election period and the general carry-in amount. 767

For the purposes of division (A)(4)(b) of this section, when 768
a candidate has filed a declaration of no limits under division 769
(D)(2) of section 3517.103 of the Revised Code, the allowable 770
aggregate contribution calculated for each contributor is 771
calculated as if the limitations on contributions prescribed in 772
section 3517.102 of the Revised Code were in effect. 773

As used in division (A)(4)(b) of this section, "general 774
carry-in amount" is the sum of the campaign committee's reported 775
campaign assets and net cash on hand as of the day of the primary 776
election, after the committee has disposed of excess funds under 777
division (B)(1) of this section, if required. "General election 778
period" has the same meaning as in section 3517.102 of the Revised 779
Code. 780

(5) "Excess funds" means the amount by which the sum of the 781
campaign committee's cash on hand on the date specified in the 782
filing required to be made under division (F) of this section and 783
total reported campaign assets exceeds permitted funds. 784

(6) "Net cash on hand" means the cash on hand on the day of 785
the primary election less the sum of all debts and obligations 786
reported under division (F) of this section. 787

(7) "County elective office" means any of the offices of 788

county auditor, county treasurer, clerk of the court of common 789
pleas, sheriff, county recorder, county engineer, county 790
commissioner, prosecuting attorney, and coroner. 791

(B)(1) Except as otherwise provided in division (G) of this 792
section, the campaign committee of any candidate who has filed a 793
declaration of no limits in accordance with division (D) of 794
section 3517.103 of the Revised Code, and to which the 795
contribution limitations prescribed in section 3517.102 of the 796
Revised Code no longer apply during a primary election period, 797
shall dispose of any excess funds not later than fourteen days 798
after the day on which the primary election was held. 799

(2) The campaign committee of any candidate that has filed a 800
personal funds notice under division (C)(1) or (2) of section 801
3517.103 of the Revised Code shall, at the end of the primary 802
election period, do one of the following: 803

(a) Return that portion of the personal funds remaining in 804
the candidate's campaign committee fund at the end of the primary 805
election period that are excess funds not later than fourteen days 806
after the day on which the primary election was held; 807

(b) Retain the personal funds remaining in the candidate's 808
campaign committee fund at the end of the primary election period 809
and file a statement with the secretary of state declaring that 810
the campaign committee will retain those remaining personal funds 811
in the committee's campaign fund and indicating the amount of 812
remaining personal funds that would be characterized as excess 813
funds. 814

(3) If a campaign committee elects to retain personal funds 815
pursuant to division (B)(2)(b) of this section, both of the 816
following apply: 817

(a) The amount characterized as excess funds is considered to 818
be an expenditure of personal funds for the purpose of determining 819

whether the amount of personal funds the campaign committee has 820
received under division (C)(1) or (2) of section 3517.103 of the 821
Revised Code during an election period exceeds the amounts 822
specified in those divisions. 823

(b) The campaign committee is not a designated state campaign 824
committee for the purpose of making contributions to a legislative 825
campaign fund or to the state candidate fund of a state or county 826
political party. 827

(4) Except as otherwise provided in division (G) of this 828
section, the campaign committee of any candidate that has expended 829
personal funds in excess of the amount specified in division 830
(C)(1) or (2) of section 3517.103 of the Revised Code shall 831
dispose of any excess funds not later than fourteen days after the 832
day on which the primary election is held or the thirty-first day 833
of December after the day on which the general election was held, 834
whichever is applicable, or choose to retain personal funds under 835
division (B)(2) of this section. The calculation of excess funds 836
under this division shall be made in the same manner that a 837
campaign committee is required to dispose of excess funds under 838
division (B)(1) or (5) of this section, whichever election period 839
is applicable. For the purposes of this division, the allowable 840
aggregate contribution of each contributor, including one or more 841
contributions from the candidate and from the candidate's spouse, 842
parents, children, sons-in-law, daughters-in-law, brothers, 843
sisters, grandparents, mothers-in-law, fathers-in-law, 844
brothers-in-law, sisters-in-law, or grandparents by marriage, is 845
calculated for that contributor as if the contribution limitations 846
prescribed by section 3517.102 of the Revised Code were in effect. 847

(5) Except as otherwise provided in division (G) of this 848
section, the campaign committee of any candidate to which, in 849
accordance with division (D) of section 3517.103 of the Revised 850
Code, the contribution limitations prescribed in section 3517.102 851

of the Revised Code no longer apply during a general election 852
period shall dispose of any excess funds not later than the 853
thirty-first day of December after the day on which the general 854
election was held. 855

(6) Notwithstanding divisions (B)(1) and (2) of section 856
3517.109 of the Revised Code, the amount of excess aggregate 857
contributions required to be disposed of under those divisions by 858
a candidate whose contribution limitations have been reimposed 859
pursuant to division (D)(4) of section 3517.103 of the Revised 860
Code is limited to no more than the sum of the following: 861

(a) The difference between the sum of the cash on hand and 862
reported campaign assets on the date of the declaration of 863
candidacy filing deadline, date of death, or date of withdrawal, 864
whichever is applicable, less the sum of the cash on hand and 865
reported campaign assets reported on the campaign committee's 866
declaration of no limits under division (D)(2) of section 3517.103 867
of the Revised Code; 868

(b) The sum of the aggregate excess contributions of all 869
contributors made from the beginning of the primary election 870
period to the day immediately preceding the day on which 871
contribution limitations prescribed in section 3517.102 of the 872
Revised Code became inapplicable pursuant to division (D)(1) of 873
section 3517.103 of the Revised Code. 874

(C) Any campaign committee that is required to dispose of 875
excess funds or excess aggregate contributions under division (B) 876
of this section shall dispose of the excess amount or amounts in 877
accordance with division (C) of section 3517.109 of the Revised 878
Code. 879

(D)(1) Any candidate who knowingly fails to dispose of excess 880
funds or excess aggregate contributions as required by divisions 881
(B) and (C) of this section, except a candidate whose campaign 882

committee has been given a letter of substantial compliance as 883
provided for in division (D)(2) of this section, shall not appear 884
on the ballot, even if the candidate has been certified to appear 885
on the ballot. 886

(2) The secretary of state shall, after initially examining 887
and reviewing any declaration provided for in division (F) of this 888
section and making a determination that a campaign committee has 889
substantially complied with the disposal requirements of division 890
(B) of this section, promptly issue to the candidate's campaign 891
committee a letter certifying that committee's substantial 892
compliance. 893

(3) The campaign committee of a candidate for statewide 894
office as defined in division (A) of section 3517.109 of the 895
Revised Code has not substantially complied with the disposal 896
requirements of division (B) of this section if, upon initial 897
review of a declaration filed pursuant to division (F) of this 898
section, it is discovered that the candidate's campaign committee 899
has failed to dispose of excess funds or excess aggregate 900
contributions totaling in the aggregate more than ten thousand 901
dollars. 902

(4) The campaign committee of a candidate for member of the 903
general assembly has not substantially complied with the disposal 904
requirements of division (B) of this section if, upon initial 905
review of a declaration filed pursuant to division (F) of this 906
section, it is discovered that the candidate's campaign committee 907
has failed to dispose of excess funds or excess aggregate 908
contributions totaling in the aggregate more than twenty-five 909
hundred dollars. 910

(5) Any campaign committee that has received a letter 911
indicating substantial compliance as provided for in division 912
(D)(2) of this section shall, within thirty days after receiving 913
such a letter, fully comply with the disposal requirements of 914

division (B) of this section. 915

(E) When the campaign committee of a candidate files a 916
personal funds notice in accordance with division (C) ~~of section~~ 917
3517.103 of the Revised Code or a declaration of no limits in 918
accordance with division (D) ~~of that section 3517.103 of the~~ 919
~~Revised Code~~, the campaign committee of each such candidate shall 920
file in the case of a primary election period a declaration of 921
primary-day finances not later than fourteen days after the day on 922
which the primary election was held, or shall file in the case of 923
a general election period a declaration of year-end finances not 924
later than the last business day of January of the next calendar 925
year immediately following the day on which the general election 926
was held. 927

(F) The declaration of primary-day finances and declaration 928
of year-end finances shall be filed on a form prescribed by the 929
secretary of state and shall list all of the following: 930

(1) The amount of net cash on hand in the candidate's 931
campaign committee fund at the end of the day on which the primary 932
election was held or cash on hand on the thirty-first day of 933
December immediately following the day on which the general 934
election was held, whichever is appropriate; 935

(2) In the case of a declaration of primary-day finances, any 936
debt or other obligation incurred by the committee during the 937
primary election period and related to the primary election of the 938
campaign committee's candidate; 939

(3) The value and description of all campaign assets worth 940
five hundred dollars or more available to the candidate at the end 941
of the day on which the primary election was held or on the 942
thirty-first day of December immediately following the day on 943
which the general election was held; 944

(4) The total of all aggregate contributions received by the 945

candidate's campaign committee during the primary or general 946
election period; 947

(5) The total of all allowable aggregate contributions 948
received by the candidate's campaign committee during the primary 949
or general election period, whichever is applicable. The allowable 950
aggregate contribution of each contributor shall be calculated as 951
if the contribution limitations prescribed by section 3517.102 of 952
the Revised Code were in effect. 953

(6) A description of all excess funds and excess aggregate 954
contributions disposed of by the candidate's campaign committee in 955
accordance with division (B) of this section for that election. 956

(G) The campaign committee of a candidate is not required to 957
dispose of excess funds or excess aggregate contributions under 958
division (B) of this section if both of the following apply: 959

(1) The campaign committee has not accepted any aggregate 960
contribution greater than the amount applicable under those 961
divisions, excluding the amount of any contribution accepted 962
before the day of the primary election held in 1996. 963

(2) The campaign committee files on a form, prescribed by the 964
secretary of state, with the official or board with which the 965
candidate is required to file statements under section 3517.11 of 966
the Revised Code, stating that the committee has not accepted 967
aggregate contributions as described in division (G)(1) of this 968
section. 969

(H) This section does not apply to the campaign committee of 970
a candidate for county elective office. 971

Sec. 3517.992. This section establishes penalties only with 972
respect to acts or failures to act that occur on and after August 973
24, 1995. 974

(A)(1) A candidate whose campaign committee violates division 975

(A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, 976
or a treasurer of a campaign committee who violates any of those 977
divisions, shall be fined not more than one hundred dollars for 978
each day of violation. 979

(2) Whoever violates division (E) of section 3517.13 of the 980
Revised Code shall be fined not more than one hundred dollars for 981
each day of violation. 982

(B) A political party that violates division (F)(1) of 983
section 3517.101 of the Revised Code shall be fined not more than 984
one hundred dollars for each day of violation. 985

(C) Whoever violates division (F)(2) of section 3517.101 or 986
division (G) of section 3517.13 of the Revised Code shall be fined 987
not more than ten thousand dollars or, if the offender is a person 988
who was nominated or elected to public office, shall forfeit the 989
nomination or the office to which the offender was elected, or 990
both. 991

(D) Whoever violates division (F) of section 3517.13 of the 992
Revised Code shall be fined not more than three times the amount 993
contributed. 994

(E) Whoever violates division (H) of section 3517.13 of the 995
Revised Code shall be fined not more than one hundred dollars. 996

(F) Whoever violates division (O), (P), or (Q) of section 997
3517.13 of the Revised Code is guilty of a misdemeanor of the 998
first degree. 999

(G) A state or county committee of a political party that 1000
violates division (B)(1) of section 3517.18 of the Revised Code 1001
shall be fined not more than twice the amount of the improper 1002
expenditure. 1003

(H) A state or county political party that violates division 1004
(G) of section 3517.101 of the Revised Code shall be fined not 1005

more than twice the amount of the improper expenditure or use. 1006

(I)(1) Any individual who violates division (B)(1) of section 1007
3517.102 of the Revised Code and knows that the contribution the 1008
individual makes violates that division shall be fined an amount 1009
equal to three times the amount contributed in excess of the 1010
amount permitted by that division. 1011

(2) Any political action committee that violates division 1012
(B)(2) of section 3517.102 of the Revised Code shall be fined an 1013
amount equal to three times the amount contributed in excess of 1014
the amount permitted by that division. 1015

(3) Any campaign committee that violates division (B)(3) or 1016
(5) of section 3517.102 of the Revised Code shall be fined an 1017
amount equal to three times the amount contributed in excess of 1018
the amount permitted by that division. 1019

(4)(a) Any legislative campaign fund that violates division 1020
(B)(6) of section 3517.102 of the Revised Code shall be fined an 1021
amount equal to three times the amount transferred or contributed 1022
in excess of the amount permitted by that division, as applicable. 1023

(b) Any state political party, county political party, or 1024
state candidate fund of a state political party or county 1025
political party that violates division (B)(6) of section 3517.102 1026
of the Revised Code shall be fined an amount equal to three times 1027
the amount transferred or contributed in excess of the amount 1028
permitted by that division, as applicable. 1029

(c) Any political contributing entity that violates division 1030
(B)(7) of section 3517.102 of the Revised Code shall be fined an 1031
amount equal to three times the amount contributed in excess of 1032
the amount permitted by that division. 1033

(5) Any political party that violates division (B)(4) of 1034
section 3517.102 of the Revised Code shall be fined an amount 1035
equal to three times the amount contributed in excess of the 1036

amount permitted by that division. 1037

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) 1038
of this section, no violation of division (B) of section 3517.102 1039
of the Revised Code occurs, and the board of elections or the 1040
secretary of state shall not refer parties to the Ohio elections 1041
commission, if the amount transferred or contributed in excess of 1042
the amount permitted by that division meets either of the 1043
following conditions: 1044

(a) It is completely refunded within five business days after 1045
it is accepted. 1046

(b) It is completely refunded on or before the tenth business 1047
day after notification to the recipient of the excess transfer or 1048
contribution by the board of elections or the secretary of state 1049
that a transfer or contribution in excess of the permitted amount 1050
has been received. 1051

(J)(1) Any campaign committee that violates division (C)(1), 1052
(2), (3), ~~or (6)~~, or (8) of section 3517.102 of the Revised Code 1053
shall be fined an amount equal to three times the amount accepted 1054
in excess of the amount permitted by that division. 1055

(2) Any state or county political party that violates 1056
division (C)(4) of section 3517.102 of the Revised Code shall be 1057
fined an amount from its state candidate fund equal to three times 1058
the amount accepted in excess of the amount permitted by that 1059
division. 1060

(3) Any legislative campaign fund that violates division 1061
(C)(5) of section 3517.102 of the Revised Code shall be fined an 1062
amount equal to three times the amount accepted in excess of the 1063
amount permitted by that division. 1064

(4) Any political action committee or political contributing 1065
entity that violates division (C)(7) of section 3517.102 of the 1066
Revised Code shall be fined an amount equal to three times the 1067

amount accepted in excess of the amount permitted by that 1068
division. 1069

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 1070
this section, no violation of division (C) of section 3517.102 of 1071
the Revised Code occurs, and the board of elections or the 1072
secretary of state shall not refer parties to the Ohio elections 1073
commission, if the amount transferred or contributed in excess of 1074
the amount permitted to be accepted by that division meets either 1075
of the following conditions: 1076

(a) It is completely refunded within five business days after 1077
its acceptance. 1078

(b) It is completely refunded on or before the tenth business 1079
day after notification to the recipient of the excess transfer or 1080
contribution by the board of elections or the secretary of state 1081
that a transfer or contribution in excess of the permitted amount 1082
has been received. 1083

(K)(1) Any legislative campaign fund that violates division 1084
(F)(1) of section 3517.102 of the Revised Code shall be fined 1085
twenty-five dollars for each day of violation. 1086

(2) Any legislative campaign fund that violates division 1087
(F)(2) of section 3517.102 of the Revised Code shall give to the 1088
treasurer of state for deposit into the state treasury to the 1089
credit of the Ohio elections commission fund all excess 1090
contributions not disposed of as required by division (E) of 1091
section 3517.102 of the Revised Code. 1092

(L) Whoever violates section 3517.105 of the Revised Code 1093
shall be fined one thousand dollars. 1094

(M)(1) Whoever solicits a contribution in violation of 1095
section 3517.092 or violates division (B) of section 3517.09 of 1096
the Revised Code is guilty of a misdemeanor of the first degree. 1097

(2) Whoever knowingly accepts a contribution in violation of division (B) or (C) of section 3517.092 of the Revised Code shall be fined an amount equal to three times the amount accepted in violation of either of those divisions and shall return to the contributor any amount so accepted. Whoever unknowingly accepts a contribution in violation of division (B) or (C) of section 3517.092 of the Revised Code shall return to the contributor any amount so accepted.

(N) Whoever violates division (S) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount of funds transferred or three times the value of the assets transferred in violation of that division.

(O) Any campaign committee that accepts a contribution or contributions in violation of section 3517.108 of the Revised Code, uses a contribution in violation of that section, or fails to dispose of excess contributions in violation of that section shall be fined an amount equal to three times the amount accepted, used, or kept in violation of that section.

(P) Any political party, state candidate fund, legislative ~~candidate~~ campaign fund, or campaign committee that violates division (T) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount contributed or accepted in violation of that section.

(Q) A treasurer of a committee or another person who violates division (U) of section 3517.13 of the Revised Code shall be fined not more than two hundred fifty dollars.

(R) Whoever violates division (I) or (J) of section 3517.13 of the Revised Code shall be fined not more than one thousand dollars. Whenever a person is found guilty of violating division (I) or (J) of section 3517.13 of the Revised Code, the contract awarded in violation of either of those divisions shall be

rescinded if its terms have not yet been performed. 1129

(S) A candidate whose campaign committee violates or a 1130
treasurer of a campaign committee who violates section 3517.081, 1131
and a candidate whose campaign committee violates, or a treasurer 1132
of a campaign committee, or another person who violates, division 1133
(C) of section 3517.10 of the Revised Code, shall be fined not 1134
more than five hundred dollars. 1135

(T) A candidate whose campaign committee violates or a 1136
treasurer of a committee who violates division (B), or a candidate 1137
whose campaign committee violates, a treasurer of a committee, or 1138
another person who violates division (C), of section 3517.09 of 1139
the Revised Code shall be fined not more than one thousand 1140
dollars. 1141

(U) Whoever violates section 3517.20 of the Revised Code 1142
shall be fined not more than five hundred dollars. 1143

(V) Whoever violates section 3517.21 or 3517.22 of the 1144
Revised Code shall be imprisoned for not more than six months or 1145
fined not more than five thousand dollars, or both. 1146

(W) A campaign committee that is required to file a 1147
declaration of no limits under division (D)(2) of section 3517.103 1148
of the Revised Code that, before filing that declaration, accepts 1149
a contribution or contributions that exceed the limitations 1150
prescribed in section 3517.102 of the Revised Code, shall return 1151
that contribution or those contributions to the contributor. 1152

(X) Any campaign committee that fails to file the declaration 1153
of filing-day finances required by division (F) of section 1154
3517.109 or the declaration of primary-day finances or declaration 1155
of year-end finances required by division (E) of section 3517.1010 1156
of the Revised Code shall be fined twenty-five dollars for each 1157
day of violation. 1158

(Y) Any campaign committee that fails to dispose of excess 1159

funds or excess aggregate contributions under division (B) of 1160
section 3517.109 of the Revised Code in the manner required by 1161
division (C) of that section or under division (B) of section 1162
3517.1010 of the Revised Code in the manner required by division 1163
(C) of that section shall give to the treasurer of state for 1164
deposit into the Ohio elections commission fund created under 1165
division (E)(2)(b) of section 3517.102 of the Revised Code all 1166
funds not disposed of pursuant to those divisions. 1167

(Z) Any individual, campaign committee, political action 1168
committee, political contributing entity, legislative campaign 1169
fund, political party, or other entity that violates any provision 1170
of sections 3517.09 to 3517.12 of the Revised Code for which no 1171
penalty is provided for under any other division of this section 1172
shall be fined not more than one thousand dollars. 1173

(AA)(1) Whoever knowingly violates division (W)(1) of section 1174
3517.13 of the Revised Code shall be fined an amount equal to 1175
three times the amount contributed, expended, or promised in 1176
violation of that division or ten thousand dollars, whichever 1177
amount is greater. 1178

(2) Whoever knowingly violates division (W)(2) of section 1179
3517.13 of the Revised Code shall be fined an amount equal to 1180
three times the amount solicited or accepted in violation of that 1181
division or ten thousand dollars, whichever amount is greater. 1182

Section 2. That existing sections 3517.102, 3517.103, 1183
3517.108, 3517.1010, and 3517.992 of the Revised Code are hereby 1184
repealed. 1185

Section 3. Sections 1 and 2 of this act shall take effect 1186
December 4, 2004. 1187