

As Introduced

**125th General Assembly
Special Session
2003-2004**

S. B. No. 1

Senator Randy Gardner (by Request)

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A B I L L

To amend sections 102.03, 2921.01, 2921.43, 3501.38, 1
3503.14, 3513.07, 3513.10, 3513.261, 3517.01, 2
3517.08, 3517.082, 3517.09, 3517.092, 3517.10, 3
3517.102, 3517.103, 3517.104, 3517.105, 3517.106, 4
3517.108, 3517.109, 3517.11, 3517.13, 3517.151, 5
3517.152, 3517.154, 3517.155, 3517.16, 3517.17, 6
3517.20, 3517.23, 3517.992, and 3599.031, to enact 7
new section 3599.03 and sections 3501.381, 8
3517.1011, 3517.1012, and 3599.111, and to repeal 9
section 3599.03 of the Revised Code to revise the 10
Campaign Finance Law. 11

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

Section 1. That sections 102.03, 2921.01, 2921.43, 3501.38, 12
3503.14, 3513.07, 3513.10, 3513.261, 3517.01, 3517.08, 3517.082, 13
3517.09, 3517.092, 3517.10, 3517.102, 3517.103, 3517.104, 14
3517.105, 3517.106, 3517.108, 3517.109, 3517.11, 3517.13, 15
3517.151, 3517.152, 3517.154, 3517.155, 3517.16, 3517.17, 3517.20, 16
3517.23, 3517.992, and 3599.031 be amended and new section 3599.03 17
and sections 3501.381, 3517.1011, 3517.1012, and 3599.111 of the 18
Revised Code be enacted to read as follows: 19

Sec. 102.03. (A)(1) No present or former public official or 20

employee shall, during public employment or service or for twelve 21
months thereafter, represent a client or act in a representative 22
capacity for any person on any matter in which the public official 23
or employee personally participated as a public official or 24
employee through decision, approval, disapproval, recommendation, 25
the rendering of advice, investigation, or other substantial 26
exercise of administrative discretion. 27

(2) For twenty-four months after the conclusion of service, 28
no former commissioner or attorney examiner of the public 29
utilities commission shall represent a public utility, as defined 30
in section 4905.02 of the Revised Code, or act in a representative 31
capacity on behalf of such a utility before any state board, 32
commission, or agency. 33

(3) For twenty-four months after the conclusion of employment 34
or service, no former public official or employee who personally 35
participated as a public official or employee through decision, 36
approval, disapproval, recommendation, the rendering of advice, 37
the development or adoption of solid waste management plans, 38
investigation, inspection, or other substantial exercise of 39
administrative discretion under Chapter 343. or 3734. of the 40
Revised Code shall represent a person who is the owner or operator 41
of a facility, as defined in section 3734.01 of the Revised Code, 42
or who is an applicant for a permit or license for a facility 43
under that chapter, on any matter in which the public official or 44
employee personally participated as a public official or employee. 45

(4) For a period of one year after the conclusion of 46
employment or service as a member or employee of the general 47
assembly, no former member or employee of the general assembly 48
shall represent, or act in a representative capacity for, any 49
person on any matter before the general assembly, any committee of 50
the general assembly, or the controlling board. Division (A)(4) of 51
this section does not apply to or affect a person who separates 52

from service with the general assembly on or before December 31, 53
1995. As used in division (A)(4) of this section "person" does not 54
include any state agency or political subdivision of the state. 55

(5) As used in divisions (A)(1), (2), and (3) of this 56
section, "matter" includes any case, proceeding, application, 57
determination, issue, or question, but does not include the 58
proposal, consideration, or enactment of statutes, rules, 59
ordinances, resolutions, or charter or constitutional amendments. 60
As used in division (A)(4) of this section, "matter" includes the 61
proposal, consideration, or enactment of statutes, resolutions, or 62
constitutional amendments. As used in division (A) of this 63
section, "represent" includes any formal or informal appearance 64
before, or any written or oral communication with, any public 65
agency on behalf of any person. 66

(6) Nothing contained in division (A) of this section shall 67
prohibit, during such period, a former public official or employee 68
from being retained or employed to represent, assist, or act in a 69
representative capacity for the public agency by which the public 70
official or employee was employed or on which the public official 71
or employee served. 72

(7) Division (A) of this section shall not be construed to 73
prohibit the performance of ministerial functions, including, but 74
not limited to, the filing or amendment of tax returns, 75
applications for permits and licenses, incorporation papers, and 76
other similar documents. 77

(B) No present or former public official or employee shall 78
disclose or use, without appropriate authorization, any 79
information acquired by the public official or employee in the 80
course of the public official's or employee's official duties that 81
is confidential because of statutory provisions, or that has been 82
clearly designated to the public official or employee as 83

confidential when that confidential designation is warranted 84
because of the status of the proceedings or the circumstances 85
under which the information was received and preserving its 86
confidentiality is necessary to the proper conduct of government 87
business. 88

(C) No public official or employee shall participate within 89
the scope of duties as a public official or employee, except 90
through ministerial functions as defined in division (A) of this 91
section, in any license or rate-making proceeding that directly 92
affects the license or rates of any person, partnership, trust, 93
business trust, corporation, or association in which the public 94
official or employee or immediate family owns or controls more 95
than five per cent. No public official or employee shall 96
participate within the scope of duties as a public official or 97
employee, except through ministerial functions as defined in 98
division (A) of this section, in any license or rate-making 99
proceeding that directly affects the license or rates of any 100
person to whom the public official or employee or immediate 101
family, or a partnership, trust, business trust, corporation, or 102
association of which the public official or employee or the public 103
official's or employee's immediate family owns or controls more 104
than five per cent, has sold goods or services totaling more than 105
one thousand dollars during the preceding year, unless the public 106
official or employee has filed a written statement acknowledging 107
that sale with the clerk or secretary of the public agency and the 108
statement is entered in any public record of the agency's 109
proceedings. This division shall not be construed to require the 110
disclosure of clients of attorneys or persons licensed under 111
section 4732.12 or 4732.15 of the Revised Code, or patients of 112
persons certified under section 4731.14 of the Revised Code. 113

(D) No public official or employee shall use or authorize the 114
use of the authority or influence of office or employment to 115

secure anything of value or the promise or offer of anything of 116
value that is of such a character as to manifest a substantial and 117
improper influence upon the public official or employee with 118
respect to that person's duties. 119

(E) No public official or employee shall solicit or accept 120
anything of value that is of such a character as to manifest a 121
substantial and improper influence upon the public official or 122
employee with respect to that person's duties. 123

(F) No person shall promise or give to a public official or 124
employee anything of value that is of such a character as to 125
manifest a substantial and improper influence upon the public 126
official or employee with respect to that person's duties. 127

(G) In the absence of bribery or another offense under the 128
Revised Code or a purpose to defraud, contributions made to a 129
campaign committee, political party, legislative campaign fund, or 130
~~political action committee, or political contributing entity~~ on 131
behalf of an elected public officer or other public official or 132
employee who seeks elective office shall be considered to accrue 133
ordinarily to the public official or employee for the purposes of 134
divisions (D), (E), and (F) of this section. 135

As used in this division, "contributions," "campaign 136
committee," "political party," "legislative campaign fund," and 137
~~"political action committee," and "political contributing entity"~~ 138
have the same meanings as in section 3517.01 of the Revised Code. 139

(H)(1) No public official or employee, except for the 140
president or other chief administrative officer or a member of 141
a board of trustees of a state institution of higher education as 142
defined in section 3345.011 of the Revised Code, who is required 143
to file a financial disclosure statement under section 102.02 of 144
the Revised Code shall solicit or accept, and no person shall give 145
to that public official or employee, an honorarium. Except as 146

provided in division (H)(2) of this section, this division and 147
divisions (D), (E), and (F) of this section do not prohibit a 148
public official or employee who is required to file a financial 149
disclosure statement under section 102.02 of the Revised Code from 150
accepting and do not prohibit a person from giving to that public 151
official or employee the payment of actual travel expenses, 152
including any expenses incurred in connection with the travel for 153
lodging, and meals, food, and beverages provided to the public 154
official or employee at a meeting at which the public official or 155
employee participates in a panel, seminar, or speaking engagement 156
or provided to the public official or employee at a meeting or 157
convention of a national organization to which any state agency, 158
including, but not limited to, any state legislative agency or 159
state institution of higher education as defined in section 160
3345.011 of the Revised Code, pays membership dues. Except as 161
provided in division (H)(2) of this section, this division and 162
divisions (D), (E), and (F) of this section do not prohibit a 163
public official or employee who is not required to file a 164
financial disclosure statement under section 102.02 of the Revised 165
Code from accepting and do not prohibit a person from promising or 166
giving to that public official or employee an honorarium or the 167
payment of travel, meal, and lodging expenses if the honorarium, 168
expenses, or both were paid in recognition of demonstrable 169
business, professional, or esthetic interests of the public 170
official or employee that exist apart from public office or 171
employment, including, but not limited to, such a demonstrable 172
interest in public speaking and were not paid by any person or 173
other entity, or by any representative or association of those 174
persons or entities, that is regulated by, doing business with, or 175
seeking to do business with the department, division, institution, 176
board, commission, authority, bureau, or other instrumentality of 177
the governmental entity with which the public official or employee 178
serves. 179

(2) No person who is a member of the board of a state retirement system, a state retirement system investment officer, or an employee of a state retirement system whose position involves substantial and material exercise of discretion in the investment of retirement system funds shall solicit or accept, and no person shall give to that board member, officer, or employee, payment of actual travel expenses, including expenses incurred with the travel for lodging, meals, food, and beverages.

(I) A public official or employee may accept travel, meals, and lodging or expenses or reimbursement of expenses for travel, meals, and lodging in connection with conferences, seminars, and similar events related to official duties if the travel, meals, and lodging, expenses, or reimbursement is not of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties. The house of representatives and senate, in their code of ethics, and the Ohio ethics commission, under section 111.15 of the Revised Code, may adopt rules setting standards and conditions for the furnishing and acceptance of such travel, meals, and lodging, expenses, or reimbursement.

A person who acts in compliance with this division and any applicable rules adopted under it, or any applicable, similar rules adopted by the supreme court governing judicial officers and employees, does not violate division (D), (E), or (F) of this section. This division does not preclude any person from seeking an advisory opinion from the appropriate ethics commission under section 102.08 of the Revised Code.

(J) For purposes of divisions (D), (E), and (F) of this section, the membership of a public official or employee in an organization shall not be considered, in and of itself, to be of such a character as to manifest a substantial and improper influence on the public official or employee with respect to that

person's duties. As used in this division, "organization" means a
church or a religious, benevolent, fraternal, or professional
organization that is tax exempt under subsection 501(a) and
described in subsection 501(c)(3), (4), (8), (10), or (19) of the
"Internal Revenue Code of 1986." This division does not apply to a
public official or employee who is an employee of an organization,
serves as a trustee, director, or officer of an organization, or
otherwise holds a fiduciary relationship with an organization.
This division does not allow a public official or employee who is
a member of an organization to participate, formally or
informally, in deliberations, discussions, or voting on a matter
or to use his official position with regard to the interests of
the organization on the matter if the public official or employee
has assumed a particular responsibility in the organization with
respect to the matter or if the matter would affect that person's
personal, pecuniary interests.

(K) It is not a violation of this section for a prosecuting
attorney to appoint assistants and employees in accordance with
division (B) of section 309.06 and section 2921.421 of the Revised
Code, for a chief legal officer of a municipal corporation or an
official designated as prosecutor in a municipal corporation to
appoint assistants and employees in accordance with sections
733.621 and 2921.421 of the Revised Code, for a township law
director appointed under section 504.15 of the Revised Code to
appoint assistants and employees in accordance with sections
504.151 and 2921.421 of the Revised Code, or for a coroner to
appoint assistants and employees in accordance with division (B)
of section 313.05 of the Revised Code.

As used in this division, "chief legal officer" has the same
meaning as in section 733.621 of the Revised Code.

Sec. 2921.01. As used in sections 2921.01 to 2921.45 of the

Revised Code:	243
(A) "Public official" means any elected or appointed officer, or employee, or agent of the state or any political subdivision, whether in a temporary or permanent capacity, and includes, but is not limited to, legislators, judges, and law enforcement officers.	244 245 246 247
(B) "Public servant" means any of the following:	248
(1) Any public official;	249
(2) Any person performing ad hoc a governmental function, including, but not limited to, a juror, member of a temporary commission, master, arbitrator, advisor, or consultant;	250 251 252
(3) A person who is a candidate for public office, whether or not the person is elected or appointed to the office for which the person is a candidate. A person is a candidate for purposes of this division if the person has been nominated according to law for election or appointment to public office, or if the person has filed a petition or petitions as required by law to have the person's name placed on the ballot in a primary, general, or special election, or if the person campaigns as a write-in candidate in any primary, general, or special election.	253 254 255 256 257 258 259 260 261
(C) "Party official" means any person who holds an elective or appointive post in a political party in the United States or this state, by virtue of which the person directs, conducts, or participates in directing or conducting party affairs at any level of responsibility.	262 263 264 265 266
(D) "Official proceeding" means any proceeding before a legislative, judicial, administrative, or other governmental agency or official authorized to take evidence under oath, and includes any proceeding before a referee, hearing examiner, commissioner, notary, or other person taking testimony or a deposition in connection with an official proceeding.	267 268 269 270 271 272

(E) "Detention" means arrest; confinement in any vehicle 273
subsequent to an arrest; confinement in any public or private 274
facility for custody of persons charged with or convicted of crime 275
in this state or another state or under the laws of the United 276
States or alleged or found to be a delinquent child or unruly 277
child in this state or another state or under the laws of the 278
United States; hospitalization, institutionalization, or 279
confinement in any public or private facility that is ordered 280
pursuant to or under the authority of section 2945.37, 2945.371, 281
2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised 282
Code; confinement in any vehicle for transportation to or from any 283
facility of any of those natures; detention for extradition or 284
deportation; except as provided in this division, supervision by 285
any employee of any facility of any of those natures that is 286
incidental to hospitalization, institutionalization, or 287
confinement in the facility but that occurs outside the facility; 288
supervision by an employee of the department of rehabilitation and 289
correction of a person on any type of release from a state 290
correctional institution; or confinement in any vehicle, airplane, 291
or place while being returned from outside of this state into this 292
state by a private person or entity pursuant to a contract entered 293
into under division (E) of section 311.29 of the Revised Code or 294
division (B) of section 5149.03 of the Revised Code. For a person 295
confined in a county jail who participates in a county jail 296
industry program pursuant to section 5147.30 of the Revised Code, 297
"detention" includes time spent at an assigned work site and going 298
to and from the work site. 299

(F) "Detention facility" means any public or private place 300
used for the confinement of a person charged with or convicted of 301
any crime in this state or another state or under the laws of the 302
United States or alleged or found to be a delinquent child or 303
unruly child in this state or another state or under the laws of 304

the United States. 305

(G) "Valuable thing or valuable benefit" includes, but is not 306
limited to, a contribution. This inclusion does not indicate or 307
imply that a contribution was not included in those terms before 308
September 17, 1986. 309

(H) "Campaign committee," "contribution," "political action 310
committee," "legislative campaign fund," and "political party" 311
~~and "political contributing entity"~~ have the same meanings as in 312
section 3517.01 of the Revised Code. 313

(I) "Provider agreement" and "medical assistance program" 314
have the same meanings as in section 2913.40 of the Revised Code. 315

Sec. 2921.43. (A) No public servant shall knowingly solicit 316
or accept, and no person shall knowingly promise or give to a 317
public servant, either of the following: 318

(1) Any compensation, other than as allowed by divisions (G), 319
(H), and (I) of section 102.03 of the Revised Code or other 320
provisions of law, to perform the public servant's official 321
duties, to perform any other act or service in the public 322
servant's public capacity, for the general performance of the 323
duties of the public servant's public office or public employment, 324
or as a supplement to the public servant's public compensation; 325

(2) Additional or greater fees or costs than are allowed by 326
law to perform the public servant's official duties. 327

(B) No public servant for the public servant's own personal 328
or business use, and no person for the person's own personal or 329
business use or for the personal or business use of a public 330
servant or party official, shall solicit or accept anything of 331
value in consideration of either of the following: 332

(1) Appointing or securing, maintaining, or renewing the 333
appointment of any person to any public office, employment, or 334

agency;	335
(2) Preferring, or maintaining the status of, any public	336
employee with respect to compensation, duties, placement,	337
location, promotion, or other material aspects of employment.	338
(C) No person for the benefit of a political party, campaign	339
committee, legislative campaign fund, <u>or</u> political action	340
committee, or political contributing entity shall coerce any	341
contribution in consideration of either of the following:	342
(1) Appointing or securing, maintaining, or renewing the	343
appointment of any person to any public office, employment, or	344
agency;	345
(2) Preferring, or maintaining the status of, any public	346
employee with respect to compensation, duties, placement,	347
location, promotion, or other material aspects of employment.	348
(D) Whoever violates this section is guilty of soliciting	349
improper compensation, a misdemeanor of the first degree.	350
(E) A public servant who is convicted of a violation of this	351
section is disqualified from holding any public office,	352
employment, or position of trust in this state for a period of	353
seven years from the date of conviction.	354
(F) Divisions (A), (B), and (C) of this section do not	355
prohibit a person from making voluntary contributions to a	356
political party, campaign committee, legislative campaign fund, <u>or</u>	357
political action committee, or political contributing entity or	358
prohibit a political party, campaign committee, legislative	359
campaign fund, <u>or</u> political action committee, or political	360
contributing entity from accepting voluntary contributions.	361
Sec. 3501.38. All declarations of candidacy, nominating	362
petitions, or other petitions presented to or filed with the	363
secretary of state or a board of elections or with any other	364

public office for the purpose of becoming a candidate for any 365
nomination or office or for the holding of an election on any 366
issue shall, in addition to meeting the other specific 367
requirements prescribed in the sections of the Revised Code 368
relating to them, be governed by the following rules: 369

(A) Only electors qualified to vote on the candidacy or issue 370
which is the subject of the petition shall sign a petition. Each 371
signer shall be a registered elector pursuant to section 3503.11 372
of the Revised Code. The facts of qualification shall be 373
determined as of the date when the petition is filed. 374

(B) Signatures shall be affixed in ink. Each signer may also 375
print the signer's name, so as to clearly identify the signer's 376
signature. 377

(C) Each signer shall place on the petition after the 378
signer's name the date of signing and the location of the signer's 379
voting residence, including the street and number if in a 380
municipal corporation or the rural route number, post office 381
address, or township if outside a municipal corporation. The 382
voting address given on the petition shall be the address 383
appearing in the registration records at the board of elections. 384

(D) No person shall write any name other than the person's 385
own on any petition. No person may authorize another to sign for 386
the person. ~~Where~~ If a petition contains the signature of an 387
elector two or more times, only the first signature shall be 388
counted. 389

(E)(1) On each petition paper, the circulator shall indicate 390
the number of signatures contained on it, and shall sign a 391
statement made under penalty of election falsification that the 392
circulator witnessed the affixing of every signature, that all 393
signers were to the best of the circulator's knowledge and belief 394
qualified to sign, and that every signature is to the best of the 395

circulator's knowledge and belief the signature of the person 396
whose signature it purports to be. On the circulator's statement 397
for a declaration of candidacy, nominating petition, or 398
declaration of intent to be a write-in candidate for a person 399
seeking to become a statewide candidate or for a statewide 400
initiative or a statewide referendum petition, the circulator 401
shall identify the name of the person employing the circulator to 402
circulate the petition, if any. 403

(2) As used in division (E) of this section, "statewide 404
candidate" means the joint candidates for the offices of governor 405
and lieutenant governor or a candidate for the office of secretary 406
of state, auditor of state, treasurer of state, or attorney 407
general. 408

(F) If a circulator knowingly permits an unqualified person 409
to sign a petition paper or permits a person to write a name other 410
than the person's own on a petition paper, that petition paper is 411
invalid; otherwise, the signature of a person not qualified to 412
sign shall be rejected but shall not invalidate the other valid 413
signatures on the paper. 414

(G) The circulator of a petition may, before filing it in a 415
public office, strike from it any signature the circulator does 416
not wish to present as a part of the petition. 417

(H) Any signer of a petition may remove the signer's 418
signature from that petition at any time before the petition is 419
filed in a public office by striking the signer's name from the 420
petition; no signature may be removed after the petition is filed 421
in any public office. 422

(I)(1) No alterations, corrections, or additions may be made 423
to a petition after it is filed in a public office. 424

(2) No petition may be withdrawn after it is filed in a 425
public office. Nothing in this division prohibits a person from 426

withdrawing as a candidate as otherwise provided by law.

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(J) All declarations of candidacy, nominating petitions, or other petitions under this section shall be accompanied by the following statement in boldface capital letters: WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

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(K) All separate petition papers shall be filed at the same time, as one instrument.

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(L) If a board of elections distributes for use a petition form for a declaration of candidacy, nominating petition, declaration of intent to be a write-in candidate, or any type of question or issue petition that does not satisfy the requirements of law as of the date of that distribution, the board shall not invalidate the petition on the basis that the petition form does not satisfy the requirements of law, if the petition otherwise is valid. Division (L) of this section applies only if the candidate received the petition from the board within ninety days of when the petition is required to be filed.

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Sec. 3501.381. (A)(1) Any person who will receive compensation for supervising, managing, or otherwise organizing any effort to obtain signatures for a declaration of candidacy, nominating petition, or declaration of intent to be a write-in candidate for a person seeking to become a statewide candidate or for a statewide initiative petition or a statewide referendum petition shall file a statement to that effect with the office of the secretary of state before any signatures are obtained for the petition or before the person is engaged to supervise, manage, or otherwise organize the effort to obtain signatures for the petition, whichever is later.

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(2) Any person who will compensate a person for supervising, managing, or otherwise organizing any effort to obtain signatures

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for a declaration of candidacy, nominating petition, or 457
declaration of intent to be a write-in candidate for a person 458
seeking to become a statewide candidate or for a statewide 459
initiative or a statewide referendum petition shall file a 460
statement to that effect with the office of the secretary of state 461
before any signatures are obtained for the petition or before the 462
person engages a person to supervise, manage, or otherwise 463
organize the effort to obtain signatures for the petition, 464
whichever is later. 465

(B) The secretary of state shall prescribe the form and 466
content of the statements required under division (A) of this 467
section. 468

(C) Whoever violates division (A) of this section is guilty 469
of a misdemeanor of the first degree, and the petition for which a 470
person was compensated for supervising, managing, or otherwise 471
organizing the effort to obtain signatures shall be deemed 472
invalid. 473

(D) As used in this section, "statewide candidate" means the 474
joint candidates for the offices of governor and lieutenant 475
governor or a candidate for the office of secretary of state, 476
auditor of state, treasurer of state, or attorney general. 477

Sec. 3503.14. (A) The secretary of state shall prescribe the 478
form and content of the registration and change of residence and 479
change of name form used in this state. The form shall set forth 480
the eligibility requirements needed to qualify as an elector and 481
meet the requirements of the National Voter Registration Act of 482
1993. The form shall include a space on which the person 483
registering an applicant shall sign the person's name and a space 484
on which the person registering an applicant shall name the 485
employer who is employing that person to register the applicant. 486
No election official or employee of a designated agency who is 487

registering an applicant shall be required to sign the election 488
official's or employee's name or to name the employer who is 489
employing the election official or employee to register an 490
applicant on a form prepared under this section. 491

(B) Any applicant who is unable to sign his the applicant's 492
own name shall make an "X," if possible, which shall be certified 493
by the signing of the name of the applicant by the person filling 494
out the registration form, who shall add his the person's own 495
signature. If an applicant is unable to make an "X," he the 496
applicant shall indicate in some manner that he the applicant 497
desires to register to vote or to change his the applicant's name 498
or residence. The person registering such an the applicant shall 499
sign the form and attest that the applicant indicated that he the 500
applicant desired to register to vote or to change his the 501
applicant's name or residence. 502

(C) No registration and change of residence and change of 503
name form shall be rejected solely on the basis that a person 504
registering an applicant failed to sign the person's name or 505
failed to name the employer who is employing that person to 506
register the applicant as required under division (A) of this 507
section. 508

(D) As used in this section, "registering an applicant" 509
includes any effort, for compensation, to provide voter 510
registration forms or to assist persons in completing those forms 511
or returning them to the board of elections, the office of the 512
secretary of state, or another appropriate public office. 513

Sec. 3513.07. The form of declaration of candidacy and 514
petition of a person desiring to be a candidate for a party 515
nomination or a candidate for election to an office or position to 516
be voted for at a primary election shall be substantially as 517
follows: 518

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION 519

I, (Name of Candidate), the 520
undersigned, hereby declare under penalty of election 521
falsification that my voting residence is in 522
precinct of the (Township) or (Ward 523
and City or Village) in the county of, Ohio; that 524
my voting residence is (Street and Number, if any, 525
or Rural Route and Number) of the 526
(City or Village) of, Ohio; and that I am a 527
qualified elector in the precinct in which my voting residence is 528
located. I am a member of the Party. I hereby declare 529
that I desire to be (a candidate for 530
nomination as a candidate of the Party for election to the office 531
of) (a candidate for election to the office or 532
position of) for the in the state, 533
district, (Full term or unexpired term ending) 534
county, city, or village of, at the primary 535
election to be held on the day of,, 536
and I hereby request that my name be printed upon the official 537
primary election ballot of the said Party as a 538
candidate for (such nomination) or (such election) as 539
provided by law. 540

I further declare that, if elected to said office or 541
position, I will qualify therefor, and that I will support and 542
abide by the principles enunciated by the Party. 543

Dated this day of, 544
..... 545
(Signature of candidate) 546

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 547
OF THE FIFTH DEGREE. 548

PETITION OF CANDIDATE 549

We, the undersigned, qualified electors of the state of Ohio, 550
whose voting residence is in the county, city, village, ward, 551
township, or school district, and precinct set opposite our names, 552
and members of the Party, 553
hereby certify that (Name of 554
candidate) whose declaration of candidacy is filed herewith, is a 555
member of the Party, and is, in our opinion, well 556
qualified to perform the duties of the office or position to which 557
that candidate desires to be elected. 558

Street City, 559

and Village or 560

Signature Number Township Ward Precinct County Date 561

(Must use address on file with the board of elections) 562

..... 563

..... 564

..... 565

..... (Name of circulator 566

of petition), declares under penalty of election falsification 567

that the circulator of the petition is a qualified elector of the 568

state of Ohio and resides at the address appearing below the 569

signature of that circulator; that the circulator is a member of 570

the Party; that the circulator is the circulator of 571

the foregoing petition paper containing (Number) 572

signatures; that the circulator witnessed the affixing of every 573

signature; that all signers were to the best of the circulator's 574

knowledge and belief qualified to sign; and that every signature 575

is to the best of the circulator's knowledge and belief the 576

signature of the person whose signature it purports to be. 577

..... 578

(Signature of circulator) 579

..... 580

(Address of circulator) 581
..... 582
(If petition is for a statewide 583
candidate, the name of person 584
employing circulator to 585
circulate petition, if any) 586

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 587
OF THE FIFTH DEGREE." 588

The secretary of state shall prescribe a form of declaration 589
of candidacy and petition, and the form shall be substantially 590
similar to the declaration of candidacy and petition set forth in 591
this section, that will be suitable for joint candidates for the 592
offices of governor and lieutenant governor. 593

The petition provided for in this section shall be circulated 594
only by a member of the same political party as the candidate. 595

Sec. 3513.10. (A) At the time of filing a declaration of 596
candidacy for nomination for any office, or a declaration of 597
intent to be a write-in candidate, each candidate, except joint 598
candidates for governor and lieutenant governor, shall pay a fee 599
as follows: 600

- For statewide office \$100 601
- For court of appeals judge \$ 50 602
- For court of common pleas judge \$ 50 603
- For county court judge \$ 50 604
- For municipal court judge \$ 50 605
- For district office, including member 606
of the United States house of 607
representatives and member of the 608
general assembly \$ 50 609
- For county office \$ 50 610
- For city office \$ 20 611

For village office	\$ 10	612
For township office	\$ 10	613
For member of state board of education	\$ 20	614
For member of local, city, or exempted village board of education or educational service center governing board	\$ 10	615 616 617 618

At the time of filing a declaration of candidacy or a
declaration of intent to be a write-in candidate for the offices
of governor and lieutenant governor, the joint candidates shall
jointly pay to the secretary of state a fee of one hundred
dollars.

(B)(1) At the same time the fee required under division (A)
of this section is paid, each candidate shall pay an additional
fee as follows:

For the joint candidates for governor and lieutenant governor	\$ 50	627 628
For statewide office	\$ 50	629
For district office, including member of the United States house of representatives and member of the general assembly	\$ 35	630 631 632 633
For member of state board of education	\$ 35	634
For court of appeals judge	\$ 30	635
For court of common pleas judge	\$ 30	636
For county court judge	\$ 30	637
For municipal court judge	\$ 30	638
For county office	\$ 30	639
For city office	\$ 25	640
For village office	\$ 20	641
For township office	\$ 20	642
For member of local, city, county,		643

or exempted village board of education 644
or educational service center 645
governing board \$ 20 646

(2) Whoever seeks to propose a ballot question or issue to be 647
submitted to the electors shall pay the following fee at the time 648
the petition proposing the question or issue is filed: 649

(a) If the question or issue is to be submitted to the 650
electors throughout the entire state, twenty-five dollars; 651

(b) If the question or issue is to be submitted to the 652
electors of a county or of a district that consists of all or part 653
of two or more counties but less than the entire state, fifteen 654
dollars; 655

(c) If the question or issue is to be submitted to the 656
electors of a city, twelve dollars and fifty cents; 657

(d) If the question or issue is to be submitted to the 658
electors of a village, a township, a local, city, county, or 659
exempted village school district, a precinct, or another district 660
consisting of less than an entire county, ten dollars. 661

(C) No fee shall be required of candidates filing for the 662
office of delegate or alternate to the national convention of 663
political parties, member of the state central committee of a 664
political party, or member of the county central committee of a 665
political party. 666

(D) All fees required under division (A) of this section 667
immediately shall be paid by the officer receiving them into the 668
state treasury to the credit of the general revenue fund, in the 669
case of fees received by the secretary of state, and into the 670
county treasury to the credit of the county general fund, in the 671
case of fees received by a board of elections. 672

(E) The officer who receives a fee required under division 673

(B) of this section immediately shall pay the fee to the credit of
the Ohio elections commission fund, ~~which is hereby created in the~~
~~state treasury. 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 by division (I) of section~~
3517.152 of the Revised Code.

(F)(1) In no case shall a fee paid under this section be
returned to a candidate.

(2) Whenever a section of law refers to a filing fee to be
paid by a candidate or by a committee proposing a ballot question
or issue to be submitted to the electors, that fee includes the
fees required under divisions (A) and (B) of this section.

(G) As used in divisions (A) and (B) of this section,
"statewide office" means the office of secretary of state, auditor
of state, treasurer of state, attorney general, justice and chief
justice of the supreme court, and member of the United States
senate.

Sec. 3513.261. A nominating petition may consist of one or
more separate petition papers, each of which shall be
substantially in the form prescribed in this section. If the
petition consists of more than one separate petition paper, the
statement of candidacy of the candidate or joint candidates named
need be signed by the candidate or joint candidates on only one of
such separate petition papers, but the statement of candidacy so
signed shall be copied on each other separate petition paper
before the signatures of electors are placed on it. Each
nominating petition containing signatures of electors of more than
one county shall consist of separate petition papers each of which
shall contain signatures of electors of only one county; provided
that petitions containing signatures of electors of more than one
county shall not thereby be declared invalid. In case petitions

containing signatures of electors of more than one county are 705
filed, the board of elections shall determine the county from 706
which the majority of the signatures came, and only signatures 707
from this county shall be counted. Signatures from any other 708
county shall be invalid. 709

All signatures on nominating petitions shall be written in 710
ink or indelible pencil. 711

At the time of filing a nominating petition, the candidate 712
designated in the nominating petition, and joint candidates for 713
governor and lieutenant governor, shall pay to the election 714
officials with whom it is filed the fees specified for the office 715
under divisions (A) and (B) of section 3513.10 of the Revised 716
Code. The fees shall be disposed of by those election officials in 717
the manner that is provided in section 3513.10 of the Revised Code 718
for the disposition of other fees, and in no case shall a fee 719
required under that section be returned to a candidate. 720

Candidates or joint candidates whose names are written on the 721
ballot, and who are elected, shall pay the same fees under section 722
3513.10 of the Revised Code that candidates who file nominating 723
petitions pay. Payment of these fees shall be a condition 724
precedent to the granting of their certificates of election. 725

Each nominating petition shall contain a statement of 726
candidacy that shall be signed by the candidate or joint 727
candidates named in it. Such statement of candidacy shall contain 728
a declaration made under penalty of election falsification that 729
the candidate desires to be a candidate for the office named in 730
it, and that the candidate is an elector qualified to vote for the 731
office the candidate seeks. 732

The form of the nominating petition and statement of 733
candidacy shall be substantially as follows: 734

"STATEMENT OF CANDIDACY 735

I, (Name of candidate), 736
the undersigned, hereby declare under penalty of election 737
falsification that my voting residence is in 738
..... Precinct of the (Township) or 739
(Ward and City, or Village) in the county of Ohio; 740
that my post-office address is 741
(Street and Number, if any, or Rural Route and Number) of the 742
..... (City, Village, or post office) of 743
....., Ohio; and that I am a qualified elector in 744
the precinct in which my voting residence is located. I hereby 745
declare that I desire to be a candidate for election to the office 746
of in the (State, 747
District, County, City, Village, Township, or School District) for 748
the (Full term or unexpired 749
term ending) at the General Election to be held 750
on the day of, 751

I further declare that I am an elector qualified to vote for 752
the office I seek. Dated this day of, 753
..... 754
(Signature of candidate) 755

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 756
OF THE FIFTH DEGREE. 757

I,, hereby constitute the 758
persons named below a committee to represent me: 759

Name	Residence	
.....	760
.....	761
.....	762
.....	763
.....	764
.....	765

We, the undersigned, qualified electors of the state of Ohio, 767
whose voting residence is in the County, City, Village, Ward, 768
Township or Precinct set opposite our names, hereby nominate 769
..... as a candidate for election to the office of 770
..... in the 771
(State, District, County, City, Village, Township, or School 772
District) for the (Full term or unexpired term 773
ending) to be voted for at the general 774
election next hereafter to be held, and certify that this person 775
is, in our opinion, well qualified to perform the duties of the 776
office or position to which the person desires to be elected. 777

— 778

Street 779
Address 780
or R.F.D. 781
(Must use 782
address on City, 783
file with Village 784
the board of or Date of 785
Signature elections) Township Ward Precinct County Signing 786

— 787
..... 788
..... 789
..... 790
....., declares under penalty of election 791
falsification that such person is a qualified elector of the state 792
of Ohio and resides at the address appearing below such person's 793
signature hereto; that such person is the circulator of the 794
foregoing petition paper containing signatures; 795
that such person witnessed the affixing of every signature; that 796
all signers were to the best of such person's knowledge and belief 797

qualified to sign; and that every signature is to the best of such	798
person's knowledge and belief the signature of the person whose	799
signature it purports to be.	800
.....	801
(Signature of circulator)	802
.....	803
(Address)	804
.....	805
<u>(If petition is for a statewide</u>	806
<u>candidate, the name of person</u>	807
<u>employing circulator to</u>	808
<u>circulate petition, if any)</u>	809
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY	810
OF THE FIFTH DEGREE."	811
The secretary of state shall prescribe a form of nominating	812
petition for a group of candidates for the office of member of a	813
board of education, township office, and offices of municipal	814
corporations of under two thousand population.	815
The secretary of state shall prescribe a form of statement of	816
candidacy and nominating petition, which shall be substantially	817
similar to the form of statement of candidacy and nominating	818
petition set forth in this section, that will be suitable for	819
joint candidates for the offices of governor and lieutenant	820
governor.	821
If such petition nominates a candidate whose election is to	822
be determined by the electors of a county or a district or	823
subdivision within the county, it shall be filed with the board of	824
such county. If the petition nominates a candidate whose election	825
is to be determined by the voters of a subdivision located in more	826
than one county, it shall be filed with the board of the county in	827
which the major portion of the population of such subdivision is	828

located. 829

If the petition nominates a candidate whose election is to be 830
determined by the electors of a district comprised of more than 831
one county but less than all of the counties of the state, it 832
shall be filed with the board of elections of the most populous 833
county in such district. If the petition nominates a candidate 834
whose election is to be determined by the electors of the state at 835
large, it shall be filed with the secretary of state. 836

The secretary of state or a board of elections shall not 837
accept for filing a nominating petition of a person seeking to 838
become a candidate if that person, for the same election, has 839
already filed a declaration of candidacy, a declaration of intent 840
to be a write-in candidate, or a nominating petition, or has 841
become a candidate through party nomination at a primary election 842
or by the filling of a vacancy under section 3513.30 or 3513.31 of 843
the Revised Code for any state or county office, if the nominating 844
petition is for a state or county office, or for any municipal or 845
township office, for member of a city, local, or exempted village 846
board of education, or for member of a governing board of an 847
educational service center, if the nominating petition is for a 848
municipal or township office, or for member of a city, local, or 849
exempted village board of education, or for member of a governing 850
board of an educational service center. 851

Sec. 3517.01. (A) A political party within the meaning of 852
Title XXXV of the Revised Code is any group of voters that, at the 853
most recent regular state election, polled for its candidate for 854
governor in the state or nominees for presidential electors at 855
least five per cent of the entire vote cast for that office or 856
that filed with the secretary of state, subsequent to any election 857
in which it received less than five per cent of that vote, a 858
petition signed by qualified electors equal in number to at least 859

one per cent of the total vote for governor or nominees for 860
presidential electors at the most recent election, declaring their 861
intention of organizing a political party, the name of which shall 862
be stated in the declaration, and of participating in the 863
succeeding primary election, held in even-numbered years, that 864
occurs more than one hundred twenty days after the date of filing. 865
No such group of electors shall assume a name or designation that 866
is similar, in the opinion of the secretary of state, to that of 867
an existing political party as to confuse or mislead the voters at 868
an election. If any political party fails to cast five per cent of 869
the total vote cast at an election for the office of governor or 870
president, it shall cease to be a political party. 871

(B) Notwithstanding the definitions found in section 3501.01 872
of the Revised Code, as used in this section, and sections 3517.08 873
to 3517.14, ~~and section 3517.99,~~ and 3517.992 of the Revised Code: 874

(1) "Campaign committee" means a candidate or a combination 875
of two or more persons authorized by a candidate under section 876
3517.081 of the Revised Code to receive contributions and make 877
expenditures. 878

(2) "Campaign treasurer" means an individual appointed by a 879
candidate under section 3517.081 of the Revised Code. 880

(3) "Candidate" has the same meaning as in division (H) of 881
section 3501.01 of the Revised Code and also includes any person 882
who, at any time before or after an election, receives 883
contributions or makes expenditures or other use of contributions, 884
has given consent for another to receive contributions or make 885
expenditures or other use of contributions, or appoints a campaign 886
treasurer, for the purpose of bringing about the person's 887
nomination or election to public office. When two persons jointly 888
seek the offices of governor and lieutenant governor, "candidate" 889
means the pair of candidates jointly. "Candidate" does not include 890
candidates for election to the offices of member of a county or 891

state central committee, presidential elector, and delegate to a 892
national convention or conference of a political party. 893

(4) "Continuing association" means an association, other than 894
a campaign committee, political party, legislative campaign fund, 895
~~political contributing entity,~~ or labor organization, that is 896
intended to be a permanent organization that has a primary purpose 897
other than supporting or opposing specific candidates, political 898
parties, or ballot issues, and that functions on a regular basis 899
throughout the year. "Continuing association" includes 900
organizations that are determined to be not organized for profit 901
under subsection 501 and that are described in subsection 902
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 903

(5) "Contribution" means a loan, gift, deposit, forgiveness 904
of indebtedness, donation, advance, payment, or transfer of funds 905
or ~~transfer of~~ anything of value, including a transfer of funds 906
from an inter vivos or testamentary trust or decedent's estate, 907
and the payment by any person other than the person to whom the 908
services are rendered for the personal services of another person, 909
which contribution is made, received, or used for the purpose of 910
influencing the results of an election. "Contribution" Any loan, 911
gift, deposit, forgiveness of indebtedness, donation, advance, 912
payment, or transfer of funds or of anything of value, including a 913
transfer of funds from an inter vivos or testamentary trust or 914
decedent's estate, and the payment by any campaign committee, 915
political action committee, legislative campaign fund, political 916
party, or person other than the person to whom the services are 917
rendered for the personal services of another person, that is 918
made, received, or used by a state or county political party, 919
other than moneys a state or county political party receives from 920
the Ohio political party fund pursuant to section 3517.17 of the 921
Revised Code and the moneys a state or county political party may 922
receive under sections 3517.101 and 3517.1012 of the Revised Code, 923

shall be considered to be a "contribution" for the purpose of 924
section 3517.10 of the Revised Code and shall be included on a 925
statement of contributions filed under that section. 926

"Contribution" does not include any of the following: 927

(a) Services provided without compensation by individuals 928
volunteering a portion or all of their time on behalf of a person; 929

(b) Ordinary home hospitality; 930

(c) The personal expenses of a volunteer paid for by that 931
volunteer campaign worker; 932

(d) Any gift given to a state or county political party 933
pursuant to section 3517.101 of the Revised Code. As used in 934
division (B)(5)(d) of this section, "political party" means only a 935
major political party; 936

(e) Any contribution as defined in section 3517.1011 of the 937
Revised Code that is made, received, or used to pay the direct 938
costs of producing or airing an electioneering communication as 939
defined in that section; 940

(f) Any gift given to a state or county political party for 941
the party's restricted fund under division (A)(2) of section 942
3517.1012 of the Revised Code. 943

(6) "Expenditure" means the disbursement or use of a 944
contribution for the purpose of influencing the results of an 945
election or of making a charitable donation under division (G) of 946
section 3517.08 of the Revised Code. Any disbursement or use of a 947
contribution by a state or county political party is an 948
expenditure and shall be considered either to be made for the 949
purpose of influencing the results of an election or to be made as 950
a charitable donation under division (G) of section 3517.08 of the 951
Revised Code and shall be reported on a statement of expenditures 952
filed under section 3517.10 of the Revised Code. During the thirty 953

days preceding a primary or general election, any disbursement to 954
pay the direct costs of producing or airing a broadcast, cable, or 955
satellite communication that refers to a clearly identified 956
candidate shall be considered to be made for the purpose of 957
influencing the results of that election. 958

As used in this division, "broadcast, cable, or satellite 959
communication" and "refers to a clearly identified candidate" have 960
the same meanings as in section 3517.1011 of the Revised Code. 961

(7) "Personal expenses" includes, but is not limited to, 962
ordinary expenses for accommodations, clothing, food, personal 963
motor vehicle or airplane, and home telephone. 964

(8) "Political action committee" means a combination of two 965
or more persons, the primary or ~~incidental~~ major purpose of which 966
is to support or oppose any candidate, political party, or issue, 967
or to influence the result of any election through express 968
advocacy, and that is not a political party, a campaign committee, 969
~~a political contributing entity~~, or a legislative campaign fund. 970
"Political action committee" does not include a continuing 971
association that makes disbursements for the direct costs of 972
producing or airing electioneering communications as defined in 973
section 3517.1011 of the Revised Code and that does not engage in 974
express advocacy. 975

(9) "Public office" means any state, county, municipal, 976
township, ~~and~~ or district office, except an office of a political 977
party, that is filled by an election and the offices of United 978
States senator and ~~congressman~~ representative. 979

(10) "Anything of value" has the same meaning as in section 980
1.03 of the Revised Code. 981

(11) "Beneficiary of a campaign fund" means a candidate, a 982
public official or employee for whose benefit a campaign fund 983
exists, and any other person who has ever been a candidate or 984

public official or employee and for whose benefit a campaign fund
exists. 985
986

(12) "Campaign fund" means money or other property, including
contributions. 987
988

(13) "Public official or employee" has the same meaning as in
section 102.01 of the Revised Code. 989
990

(14) "Caucus" means all of the members of the house of
representatives or all of the members of the senate of the general
assembly who are members of the same political party. 991
992
993

(15) "Legislative campaign fund" means a fund that is
established as an auxiliary of a state political party and
associated with one of the houses of the general assembly. 994
995
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(16) "In-kind contribution" means anything of value other
than money that is used to influence the results of an election or
is transferred to or used in support of or in opposition to a
candidate, campaign committee, legislative campaign fund,
political party, or political action committee, ~~or political~~
~~contributing entity~~ and that is made with the consent of, in
coordination, cooperation, or consultation with, or at the request
or suggestion of the benefited candidate, committee, fund, or
party, ~~or entity~~. The financing of the dissemination,
distribution, or republication, in whole or part, of any broadcast
or of any written, graphic, or other form of campaign materials
prepared by the candidate, the candidate's campaign committee, or
their authorized agents is an in-kind contribution to the
candidate and an expenditure by the candidate. 997
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(17) "Independent expenditure" means an expenditure by a
person advocating the election or defeat of an identified
candidate or candidates, that is not made with the consent of, in
coordination, cooperation, or consultation with, or at the request
or suggestion of any candidate or candidates or of the campaign
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committee or agent of the candidate or candidates. As used in 1016
division (B)(17) of this section: 1017

(a) "Person" means an individual, partnership, unincorporated 1018
business organization or association, political action committee, 1019
~~political contributing entity~~, separate segregated fund, 1020
association, or ~~any~~ other organization or group of persons, but 1021
not a labor organization or a corporation ~~unless the labor~~ 1022
~~organization or corporation is a political contributing entity.~~ 1023

(b) "Advocating" means any communication containing a message 1024
advocating election or defeat. 1025

(c) "Identified candidate" means that the name of the 1026
candidate appears, a photograph or drawing of the candidate 1027
appears, or the identity of the candidate is otherwise apparent by 1028
unambiguous reference. 1029

(d) "Made in coordination, cooperation, or consultation with, 1030
or at the request or suggestion of, any candidate or the campaign 1031
committee or agent of the candidate" means made pursuant to any 1032
arrangement, coordination, or direction by the candidate, the 1033
candidate's campaign committee, or the candidate's agent prior to 1034
the publication, distribution, display, or broadcast of the 1035
communication. An expenditure is presumed to be so made when it is 1036
any of the following: 1037

(i) Based on information about the candidate's plans, 1038
projects, or needs provided to the person making the expenditure 1039
by the candidate, or by the candidate's campaign committee or 1040
agent, with a view toward having an expenditure made; 1041

(ii) Made by or through any person who is, or has been, 1042
authorized to raise or expend funds, who is, or has been, an 1043
officer of the candidate's campaign committee, or who is, or has 1044
been, receiving any form of compensation or reimbursement from the 1045
candidate or the candidate's campaign committee or agent; 1046

(iii) ~~Made~~ Except as otherwise provided in division (D) of section 3517.105 of the Revised Code, made by a political party in support of a candidate, unless the expenditure is made by a political party to conduct voter registration or voter education efforts.

(e) "Agent" means any person who has actual oral or written authority, either express or implied, to make or to authorize the making of expenditures on behalf of a candidate, or means any person who has been placed in a position with the candidate's campaign committee or organization such that it would reasonably appear that in the ordinary course of campaign-related activities the person may authorize expenditures.

(18) "Labor organization" means a labor union; an employee organization; a federation of labor unions, groups, locals, or other employee organizations; an auxiliary of a labor union, employee organization, or federation of labor unions, groups, locals, or other employee organizations; or any other bona fide organization in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, hours, and other terms and conditions of employment.

(19) "Separate segregated fund" means a separate segregated fund established pursuant to the Federal Election Campaign Act.

(20) "Federal Election Campaign Act" means the "Federal Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et seq., as amended.

~~(21) "Political contributing entity" means any entity, including a corporation or labor organization, that may lawfully make contributions and expenditures and that is not an individual or a political action committee, continuing association, campaign committee, political party, legislative campaign fund, designated~~

~~state campaign committee, or state candidate fund. For purposes of~~ 1078
~~division (B)(21) of this section, "lawfully" means not prohibited~~ 1079
~~by any section of the Revised Code, or authorized by a final~~ 1080
~~judgment of a court of competent jurisdiction. "Restricted fund"~~ 1081
means the fund a state or county political party must establish 1082
under division (A)(1) of section 3517.1012 of the Revised Code. 1083

(22) "Electioneering communication committee" means a 1084
committee established under division (C) of section 3517.1011 of 1085
the Revised Code. 1086

(23) "Express advocacy" means a communication that contains 1087
express words advocating the nomination, election, or defeat of a 1088
candidate or that contains express words advocating the adoption 1089
or defeat of a question or issue, as determined by a final 1090
judgment of a court of competent jurisdiction. 1091

Sec. 3517.08. (A) The personal expenses of a candidate paid 1092
for by the candidate, from the candidate's personal funds, shall 1093
not be considered as a contribution by or an expenditure by the 1094
candidate and shall not be reported under section 3517.10 of the 1095
Revised Code. 1096

(B)(1) An expenditure by a political action committee ~~or a~~ 1097
~~political contributing entity~~ shall not be considered a 1098
contribution by the political action committee ~~or the political~~ 1099
~~contributing entity~~ or an expenditure by or on behalf of the 1100
candidate if the purpose of the expenditure is to inform only its 1101
members by means of mailed publications of its activities or 1102
endorsements. 1103

(2) An expenditure by a political party shall not be 1104
considered a contribution by the political party or an expenditure 1105
by or on behalf of the candidate if the purpose of the expenditure 1106
is to inform predominantly the party's members by means of mailed 1107
publications or other direct communication of its activities or 1108

endorsements, or for voter contact such as sample ballots, absent voter's ballots application mailings, voter registration, or get-out-the-vote activities.

(C) An expenditure by a continuing association, ~~political contributing entity,~~ or political party shall not be considered a contribution to any campaign committee or an expenditure by or on behalf of any campaign committee if the purpose of the expenditure is for the staff and maintenance of the continuing association's, ~~political contributing entity's,~~ or political party's headquarters, or for a political poll, survey, index, or other type of measurement not on behalf of a specific candidate.

(D) The expenses of maintaining a constituent office paid for, from the candidate's personal funds, by a candidate who is a member of the general assembly at the time of the election shall not be considered a contribution by or an expenditure by or on behalf of the candidate, and shall not be reported, if the constituent office is not used for any candidate's campaign activities.

(E) The net contribution of each social or fund-raising activity shall be calculated by totaling all contributions to the activity minus the expenditures made for the activity.

(F) An expenditure that purchases goods or services shall be attributed to an election when the disbursement of funds is made, rather than at the time the goods or services are used. The secretary of state, under the procedures of Chapter 119. of the Revised Code, shall establish rules for the attribution of expenditures to a candidate when the candidate is a candidate for more than one office during a reporting period and for expenditures made in a year in which no election is held. The secretary of state shall further define by rule those expenditures that are or are not by or on behalf of a candidate.

(G) An expenditure for the purpose of a charitable donation 1140
may be made if it is made to an organization that is exempt from 1141
federal income taxation under subsection 501(a) and described in 1142
subsection 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10), or 1143
501(c)(19) of the Internal Revenue Code or is approved by advisory 1144
opinion of the Ohio elections commission as a legitimate 1145
charitable organization. Each expenditure under this division 1146
shall be separately itemized on statements made pursuant to 1147
section 3517.10 of the Revised Code. 1148

Sec. 3517.082. (A) Any corporation, any nonprofit 1149
corporation, or any labor organization may establish, administer, 1150
and solicit contributions from the persons listed in division (B) 1151
of this section, to either or both of the following: 1152

(1) A political action committee of the corporation or labor 1153
organization with respect to state and local elections; 1154

(2) A separate segregated fund pursuant to the Federal 1155
Election Campaign Act. 1156

(B)(1) A corporation and a nonprofit corporation may solicit 1157
contributions from its stockholders, officers, directors, trustees 1158
that are not corporations or labor organizations, and employees. 1159

(2) A nonprofit corporation also may solicit contributions 1160
from: 1161

(a) Its members that are not corporations or labor 1162
organizations; 1163

(b) Officers, directors, trustees that are not corporations 1164
or labor organizations, and employees of any members of the 1165
nonprofit corporation. 1166

(3) A labor organization may solicit contributions from its 1167
members, officers, and employees. 1168

(C) A corporation, nonprofit corporation, or labor organization shall report to a political action committee, or to a separate segregated fund with respect to state and local elections, the following costs expended by the corporation, nonprofit corporation, or labor organization that are associated with establishing, administering, and soliciting contributions to the political action committee or separate segregated fund pursuant to division (A) of this section:

(1) Mailing and printing expenses for direct solicitation of contributions pursuant to ~~division (D)~~ of this section;

(2) The portion of an employee's salary or wages attributable to time ~~he~~ the employee spends in activities related to establishing, administering, and soliciting contributions to a political action committee or separate segregated fund, if that time exceeds during a reporting period fifty per cent of the time for which the employee is compensated by the corporation, nonprofit corporation, or labor organization;

(3) The cost associated with the purchase, lease, operation, and use of equipment for activities related to establishing, administering, and soliciting contributions to a political action committee or separate segregated fund if during a reporting period more than fifty per cent of the use of the equipment is for those activities;

(4) Professional fees paid by the corporation, nonprofit corporation, or labor organization for establishing, administering, and soliciting contributions to a political action committee or separate segregated fund.

The political action committee shall itemize the amounts and purposes of those costs expended by the corporation, nonprofit corporation, or labor organization and file them as part of the statement required of political action committees under division

(A) of section 3517.10 of the Revised Code ~~on a form prescribed by~~ 1200
~~the secretary of state.~~ The separate segregated fund with respect 1201
to state and local elections shall file with the secretary of 1202
state a copy of the portion of each report and statement required 1203
under the Federal Election Campaign Act that applies to state and 1204
local elections at the same time that the entire original report 1205
is filed in accordance with that act. 1206

~~(D) Solicitations of contributions pursuant to division (B)~~ 1207
~~of this section from employees of a corporation or members and~~ 1208
~~employees of a labor organization other than executive and~~ 1209
~~administrative employees of a corporation or officers and~~ 1210
~~executive and administrative employees of a labor organization~~ 1211
~~shall be in writing and shall not be made more than four times~~ 1212
~~during each calendar year. Any person who solicits any employee of~~ 1213
~~a corporation or member or employee of a labor organization for a~~ 1214
~~contribution to a political action committee established or~~ 1215
~~administered by the corporation or labor organization under~~ 1216
~~division (A)(1) of this section shall inform the employee or~~ 1217
~~member at the time of the solicitation that he may refuse to make~~ 1218
~~a contribution without suffering any reprisal. (1) Contributions~~ 1219
shall not be obtained for a political action committee or a 1220
separate segregated fund under this section by use of coercion or 1221
physical force, by making a contribution a condition of employment 1222
or membership, or by using or threatening to use job 1223
discrimination or financial reprisals. Except as specified in this 1224
division, a corporation, nonprofit corporation, or labor 1225
organization shall not solicit or obtain contributions from an 1226
individual described in division (B) of this section on an 1227
automatic or passive basis, including, but not limited to, a 1228
payroll deduction or reverse checkoff method. A corporation, 1229
nonprofit corporation, or labor organization may solicit and 1230
obtain contributions for a political action committee or a 1231
separate segregated fund under this section from an individual 1232

described in division (B) of this section on an automatic basis, 1233
including, but not limited to, a payroll deduction plan, only if 1234
the individual who is contributing to the political action 1235
committee or separate segregated fund affirmatively consents to 1236
the contribution at least once in every calendar year. 1237

(2)(a) Any individual who knowingly violates division (D)(1) 1238
of this section is guilty of a felony punishable by a fine of not 1239
more than five thousand dollars, imprisonment for not more than 1240
three years, or both. 1241

(b) Anyone other than an individual who knowingly violates 1242
division (D)(1) of this section is guilty of a felony punishable 1243
by a fine of not more than ten thousand dollars. 1244

(3) If a corporation, nonprofit corporation, or labor 1245
organization that obtains contributions from individuals described 1246
in division (B) of this section pays to one or more of those 1247
individuals a bonus or other remuneration for the purpose of 1248
reimbursing those contributions, that corporation, nonprofit 1249
corporation, or labor organization shall be fined twice the total 1250
contributions obtained from all individuals for the political 1251
action committee or separate segregated fund, as applicable, 1252
during that calendar year. 1253

(E) In addition to the laws listed in division (A) of section 1254
4117.10 of the Revised Code that prevail over conflicting 1255
agreements between employee organizations and public employers, 1256
this section prevails over any conflicting provisions of 1257
agreements between labor organizations and public employers 1258
pursuant to Chapter 4117. of the Revised Code. 1259

Sec. 3517.09. (A) No person or committee shall solicit, ask, 1260
invite, or demand, directly or indirectly, orally or in writing, a 1261
contribution, subscription, or payment from a candidate for 1262
nomination or election or from the campaign committee of that 1263

candidate, and no person shall solicit, ask, invite, or demand 1264
that a candidate for nomination or election or the campaign 1265
committee of that candidate subscribe to the support of a club or 1266
organization, buy tickets to an entertainment, ball, supper, or 1267
other meeting, or pay for space in a book, program, or 1268
publication. This division does not apply to any of the following: 1269

(1) Regular advertisements in periodicals having an 1270
established circulation; 1271

(2) Regular payments to civic, political, fraternal, social, 1272
charitable, or religious organizations of which the candidate was 1273
a member or contributor six months before the candidate's 1274
candidacy; 1275

(3) Regular party assessments made by a party against its own 1276
candidates. 1277

(B) No person shall coerce, intimidate, or cause harm to 1278
another person by an act or failure to act, or shall threaten to 1279
coerce, intimidate, or cause harm to another person, because that 1280
other person makes or does not make a contribution to a candidate, 1281
campaign committee, political party, legislative campaign fund, 1282
political action committee, or ~~political contributing entity~~ 1283
electioneering communication committee. 1284

(C) ~~An employer or labor organization that, directly or~~ 1285
~~through another person, solicits an employee of the employer or a~~ 1286
~~member of the labor organization~~ (1) Contributions shall not be 1287
obtained by an employer or labor organization for a ~~contribution~~ 1288
~~to a~~ candidate, campaign committee, political action committee, 1289
legislative campaign fund, political party, or ~~political~~ 1290
~~contributing entity shall inform the employee or member at the~~ 1291
~~time of the solicitation that making a contribution is voluntary~~ 1292
~~and that a decision of the employee or member to make a~~ 1293
~~contribution or not to make a contribution will not benefit the~~ 1294

~~employee or member or place the employee or member at a~~ 1295
~~disadvantage with respect to employment by the employer or~~ 1296
~~membership in the labor organization electioneering communication~~ 1297
~~committee by use of coercion or physical force, by making a~~ 1298
~~contribution a condition of employment or membership, or by using~~ 1299
~~or threatening to use job discrimination or financial reprisals.~~ 1300
Except as specified in this division, an employer or labor 1301
organization, directly or through another person, shall not 1302
solicit or obtain contributions from an employee or member on an 1303
automatic or passive basis, including, but not limited to, a 1304
payroll deduction or reverse checkoff method. An employer or labor 1305
organization, directly or through another person, may solicit and 1306
obtain contributions for a candidate, campaign committee, 1307
political action committee, legislative campaign fund, political 1308
party, or electioneering communication committee from an employee 1309
or member on an automatic basis, including, but not limited to, a 1310
payroll deduction plan, only if the employee or member who is 1311
contributing to the candidate, campaign committee, political 1312
action committee, legislative campaign fund, political party, or 1313
electioneering communication committee affirmatively consents to 1314
the contribution at least once in every calendar year. 1315

(2)(a) Any individual who knowingly violates division (C)(1) 1316
of this section is guilty of a felony punishable by a fine of not 1317
more than five thousand dollars, imprisonment for not more than 1318
three years, or both. 1319

(b) Anyone other than an individual who knowingly violates 1320
division (C)(1) of this section is guilty of a felony punishable 1321
by a fine of not more than ten thousand dollars. 1322

(3) If an employer or labor organization that obtains 1323
contributions from employees or members pays to one or more of 1324
those employees or members a bonus or other remuneration for the 1325
purpose of reimbursing those contributions, that employer or labor 1326

organization shall be fined twice the total contributions obtained 1327
from all individuals for the candidate, campaign committee, 1328
political action committee, legislative campaign fund, political 1329
party, or electioneering communication committee, as applicable, 1330
during that calendar year. 1331

Sec. 3517.092. (A) As used in this section: 1332

(1) "Appointing authority" has the same meaning as in section 1333
124.01 of the Revised Code. 1334

(2) "State elected officer" means any person appointed or 1335
elected to a state elective office. 1336

(3) "State elective office" means any of the offices of 1337
governor, lieutenant governor, secretary of state, auditor of 1338
state, treasurer of state, attorney general, member of the state 1339
board of education, member of the general assembly, and justice 1340
and chief justice of the supreme court. 1341

(4) "County elected officer" means any person appointed or 1342
elected to a county elective office. 1343

(5) "County elective office" means any of the offices of 1344
county auditor, county treasurer, clerk of the court of common 1345
pleas, sheriff, county recorder, county engineer, county 1346
commissioner, prosecuting attorney, and coroner. 1347

(6) "Contribution" includes a contribution to any political 1348
party, campaign committee, political action committee, ~~political~~ 1349
~~contributing entity,~~ or legislative campaign fund. 1350

(B) No state elected officer, no campaign committee of such 1351
an officer, and no other person or entity shall knowingly solicit 1352
or accept a contribution on behalf of that officer or that 1353
officer's campaign committee from any of the following: 1354

(1) A state employee whose appointing authority is the state 1355

elected officer; 1356

(2) A state employee whose appointing authority is authorized 1357
or required by law to be appointed by the state elected officer; 1358

(3) A state employee who functions in or is employed in or by 1359
the same public agency, department, division, or office as the 1360
state elected officer. 1361

(C) No candidate for a state elective office, no campaign 1362
committee of such a candidate, and no other person or entity shall 1363
knowingly solicit or accept a contribution on behalf of that 1364
candidate or that candidate's campaign committee from any of the 1365
following: 1366

(1) A state employee at the time of the solicitation, whose 1367
appointing authority will be the candidate, if elected; 1368

(2) A state employee at the time of the solicitation, whose 1369
appointing authority will be appointed by the candidate, if 1370
elected, as authorized or required by law; 1371

(3) A state employee at the time of the solicitation, who 1372
will function in or be employed in or by the same public agency, 1373
department, division, or office as the candidate, if elected. 1374

(D) No county elected officer, no campaign committee of such 1375
an officer, and no other person or entity shall knowingly solicit 1376
a contribution on behalf of that officer or that officer's 1377
campaign committee from any of the following: 1378

(1) A county employee whose appointing authority is the 1379
county elected officer; 1380

(2) A county employee whose appointing authority is 1381
authorized or required by law to be appointed by the county 1382
elected officer; 1383

(3) A county employee who functions in or is employed in or 1384
by the same public agency, department, division, or office as the 1385

county elected officer. 1386

(E) No candidate for a county elective office, no campaign 1387
committee of such a candidate, and no other person or entity shall 1388
knowingly solicit a contribution on behalf of that candidate or 1389
that candidate's campaign committee from any of the following: 1390

(1) A county employee at the time of the solicitation, whose 1391
appointing authority will be the candidate, if elected; 1392

(2) A county employee at the time of the solicitation, whose 1393
appointing authority will be appointed by the candidate, if 1394
elected, as authorized or required by law; 1395

(3) A county employee at the time of the solicitation, who 1396
will function in or be employed in or by the same public agency, 1397
department, division, or office as the candidate, if elected. 1398

(F)(1) No public employee shall solicit a contribution from 1399
any person while the public employee is performing the public 1400
employee's official duties or in those areas of a public building 1401
where official business is transacted or conducted. 1402

(2) No person shall solicit a contribution from any public 1403
employee while the public employee is performing the public 1404
employee's official duties or is in those areas of a public 1405
building where official business is transacted or conducted. 1406

(3) As used in division (F) of this section, "public 1407
employee" does not include any person holding an elective office. 1408

(G) The prohibitions in divisions (B), (C), (D), (E), and (F) 1409
of this section are in addition to the prohibitions in sections 1410
124.57, 3304.22, and 4503.032 of the Revised Code. 1411

Sec. 3517.10. (A) Except as otherwise provided in this 1412
division, every campaign committee, political action committee, 1413
legislative campaign fund, and political party, ~~and political~~ 1414

~~contributing entity~~ that made or received a contribution or made 1415
an expenditure in connection with the nomination or election of 1416
any candidate or in connection with any ballot issue or question 1417
at any election held or to be held in this state shall file, on a 1418
form prescribed under this section, or by electronic means of 1419
transmission as provided in this section and section 3517.106 of 1420
the Revised Code, ~~or, until March 1, 2004, on computer disk as~~ 1421
~~provided in section 3517.106 of the Revised Code,~~ a full, true, 1422
and itemized statement, made under penalty of election 1423
falsification, setting forth in detail the contributions and 1424
expenditures, ~~no~~ not later than four p.m. of the following dates: 1425

(1) The twelfth day before the election to reflect 1426
contributions received and expenditures made from the close of 1427
business on the last day reflected in the last previously filed 1428
statement, if any, to the close of business on the twentieth day 1429
before the election; 1430

(2) The thirty-eighth day after the election to reflect the 1431
contributions received and expenditures made from the close of 1432
business on the last day reflected in the last previously filed 1433
statement, if any, to the close of business on the seventh day 1434
before the filing of the statement; 1435

(3) The last business day of January of every year to reflect 1436
the contributions received and expenditures made from the close of 1437
business on the last day reflected in the last previously filed 1438
statement, if any, to the close of business on the last day of 1439
December of the previous year; 1440

(4) The last business day of July of every year to reflect 1441
the contributions received and expenditures made from the close of 1442
business on the last day reflected in the last previously filed 1443
statement, if any, to the close of business on the last day of 1444
June of that year. 1445

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

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

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

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

No statement under division (A)(3) or (4) of this section shall be required for any year in which a campaign committee, political action committee, legislative campaign fund, or political party, ~~or political contributing entity~~ is required to file a postgeneral election statement under division (A)(2) of

this section. However, such a statement may be filed, at the 1477
option of the campaign committee, political action committee, 1478
legislative campaign fund, or political party, ~~or political~~ 1479
~~contributing entity~~. 1480

No statement under division (A)(3) or (4) of this section 1481
shall be required if the campaign committee, political action 1482
committee, legislative campaign fund, or political party, ~~or~~ 1483
~~political contributing entity~~ has no contributions that it has 1484
received and no expenditures that it has made since the last date 1485
reflected in its last previously filed statement. However, the 1486
campaign committee, political action committee, legislative 1487
campaign fund, or political party, ~~or political contributing~~ 1488
~~entity~~ shall file a statement to that effect, on a form prescribed 1489
under this section and made under penalty of election 1490
falsification, on the date required in division (A)(3) or (4) of 1491
this section, as applicable. 1492

The campaign committee of a statewide candidate shall file a 1493
monthly statement of contributions received during each of the 1494
months of July, August, and September in the year of the general 1495
election in which the candidate seeks office. The campaign 1496
committee of a statewide candidate shall file the monthly 1497
statement not later than three business days after the last day of 1498
the month covered by the statement. During the period beginning on 1499
the nineteenth day before the general election in which a 1500
statewide candidate seeks election to office and extending through 1501
the day of that general election, each time the campaign committee 1502
of the joint candidates for the offices of governor and lieutenant 1503
governor or of a candidate for the office of secretary of state, 1504
auditor of state, treasurer of state, or attorney general receives 1505
a contribution from a contributor that causes the aggregate amount 1506
of contributions received from that contributor during that period 1507
to equal or exceed ~~two~~ ten thousand ~~five hundred~~ dollars and each 1508

time the campaign committee of a candidate for the office of chief 1509
justice or justice of the supreme court receives a contribution 1510
from a contributor that causes the aggregate amount of 1511
contributions received from that contributor during that period to 1512
exceed ~~five hundred~~ ten thousand dollars, the campaign committee 1513
shall file a two-business-day statement reflecting that 1514
contribution. During the period beginning on the nineteenth day 1515
before a primary election in which a candidate for statewide 1516
office seeks nomination to office and extending through the day of 1517
that primary election, each time either the campaign committee of 1518
a statewide candidate in that primary election that files a notice 1519
under division (C)(1) of section 3517.103 of the Revised Code or 1520
the campaign committee of a statewide candidate in that primary 1521
election to which, in accordance with division (D) of section 1522
3517.103 of the Revised Code, the contribution limitations 1523
prescribed in section 3517.102 of the Revised Code no longer apply 1524
receives a contribution from a contributor that causes the 1525
aggregate amount of contributions received from that contributor 1526
during that period to exceed ~~two~~ ten thousand ~~five hundred~~ 1527
dollars, the campaign committee shall file a two-business-day 1528
statement reflecting that contribution. Contributions reported on 1529
a two-business-day statement required to be filed by a campaign 1530
committee of a statewide candidate in a primary election shall 1531
also be included in the postprimary election statement required to 1532
be filed by that campaign committee under division (A)(2) of this 1533
section. A two-business-day statement required by this paragraph 1534
shall be filed not later than two business days after receipt of 1535
the contribution. The statements required by this paragraph shall 1536
be filed in addition to any other statements required by this 1537
section. 1538

Subject to the secretary of state having implemented, tested, 1539
and verified the successful operation of any system the secretary 1540
of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of 1541

this section and division (H)(1) of section 3517.106 of the
Revised Code for the filing of campaign finance statements by
electronic means of transmission, a campaign committee of a
statewide candidate shall file a two-business-day statement under
the preceding paragraph by electronic means of transmission if the
campaign committee is required to file a ~~preelection~~ pre-election,
postelection, or monthly statement of contributions and
expenditures by electronic means of transmission under this
section or section 3517.106 of the Revised Code.

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

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

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

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

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

(3) The date of the election and whether it was or will be a general, primary, or special election;	1573 1574
(4) A statement of contributions received, which shall include the following information:	1575 1576
(a) The month, day, and year of the contribution;	1577
(b)(i) The full name and address of each person, political party, campaign committee, legislative campaign fund, <u>or</u> political action committee, or political contributing entity from whom contributions are received and the registration number assigned to the political action committee under division (D)(1) of this section. The requirement of filing the full address does not apply to any statement filed by a state or local committee of a political party, to a finance committee of such committee, or to a committee recognized by a state or local committee as its fund-raising auxiliary. Notwithstanding division (F) (1) of this section, the requirement of filing the full address shall be considered as being met if the address filed is the same address the contributor provided under division (E)(1) of this section.	1578 1579 1580 1581 1582 1583 1584 1585 1586 1587 1588 1589 1590
(ii) If <u>a political action committee, legislative campaign fund, or political party that is required to file campaign finance statements by electronic means of transmission under section 3517.106 of the Revised Code or</u> a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution from an individual that exceeds one hundred dollars, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation <u>and the name of the individual's business, if any;</u>	1591 1592 1593 1594 1595 1596 1597 1598 1599 1600
(iii) If a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution transmitted pursuant to section 3599.031	1601 1602 1603

of the Revised Code from amounts deducted from the wages and 1604
salaries of two or more employees that exceeds in the aggregate 1605
one hundred dollars during any one filing period under division 1606
(A)(1), (2), ~~or (3)~~, or (4) of this section, the full name of the 1607
employees' employer and the full name of the labor organization of 1608
which the employees are members, if any. 1609

(c) A description of the contribution received, if other than 1610
money; 1611

(d) The value in dollars and cents of the contribution; 1612

(e) A separately itemized account of all contributions and 1613
expenditures regardless of the amount, except a receipt of a 1614
contribution from a person in the sum of twenty-five dollars or 1615
less at one social or fund-raising activity and a receipt of a 1616
contribution transmitted pursuant to section 3599.031 of the 1617
Revised Code from amounts deducted from the wages and salaries of 1618
employees if the contribution from the amount deducted from the 1619
wages and salary of any one employee is twenty-five dollars or 1620
less aggregated in a calendar year. An account of the total 1621
contributions from each social or fund-raising activity shall 1622
include a description of and the value of each in-kind 1623
contribution received at that activity from any person who made 1624
one or more such contributions whose aggregate value exceeded two 1625
hundred fifty dollars and shall be listed separately, together 1626
with the expenses incurred and paid in connection with that 1627
activity. A campaign committee, political action committee, 1628
legislative campaign fund, or political party, ~~or political~~ 1629
~~contributing entity~~ shall keep records of contributions from each 1630
person in the amount of twenty-five dollars or less at one social 1631
or fund-raising activity and contributions from amounts deducted 1632
under section 3599.031 of the Revised Code from the wages and 1633
salary of each employee in the amount of twenty-five dollars or 1634
less aggregated in a calendar year. No continuing association that 1635

is recognized by a state or local committee of a political party 1636
as an auxiliary of the party and that makes a contribution from 1637
funds derived solely from regular dues paid by members of the 1638
auxiliary shall be required to list the name or address of any 1639
members who paid those dues. 1640

Contributions that are other income shall be itemized 1641
separately from all other contributions. The information required 1642
under division (B)(4) of this section shall be provided for all 1643
other income itemized. As used in this paragraph, "other income" 1644
means a loan, investment income, or interest income. 1645

(f) In the case of a campaign committee of a state elected 1646
officer, if a person doing business with the state elected officer 1647
in the officer's official capacity makes a contribution to the 1648
campaign committee of that officer, the information required under 1649
division (B)(4) of this section in regard to that contribution, 1650
which shall be filed together with and considered a part of the 1651
committee's statement of contributions as required under division 1652
(A) of this section but shall be filed on a separate form provided 1653
by the secretary of state. As used in this division ~~(B)(4)(f) of~~ 1654
~~this section:~~ 1655

(i) "State elected officer" has the same meaning as in 1656
section 3517.092 of the Revised Code. 1657

(ii) "Person doing business" means a person or an officer of 1658
an entity who enters into one or more contracts with a state 1659
elected officer or anyone authorized to enter into contracts on 1660
behalf of that officer to receive payments for goods or services, 1661
if the payments total, in the aggregate, more than five thousand 1662
dollars during a calendar year. 1663

(5) A statement of expenditures which shall include the 1664
following information: 1665

(a) The month, day, and year of the expenditure; 1666

(b) The full name and address of each person, political 1667
party, campaign committee, legislative campaign fund, or political 1668
action committee, ~~or political contributing entity~~ to whom the 1669
expenditure was made and the registration number assigned to the 1670
political action committee under division (D)(1) of this section; 1671

(c) The object or purpose for which the expenditure was made; 1672

(d) The amount of each expenditure. 1673

(C)(1) The statement of contributions and expenditures shall 1674
be signed by the person completing the form. If a statement of 1675
contributions and expenditures is filed by electronic means of 1676
transmission pursuant to this section or section 3517.106 of the 1677
Revised Code, the electronic signature of the person who executes 1678
the statement and transmits the statement by electronic means of 1679
transmission, as provided in division (H) of section 3517.106 of 1680
the Revised Code, shall be attached to or associated with the 1681
statement and shall be binding on all persons and for all purposes 1682
under the campaign finance reporting law as if the signature had 1683
been handwritten in ink on a printed form. 1684

(2) The person filing the statement, under penalty of 1685
election falsification, shall include with it a list of each 1686
anonymous contribution, the circumstances under which it was 1687
received, and the reason it cannot be attributed to a specific 1688
donor. 1689

(3) Each statement of a campaign committee of a candidate who 1690
holds public office shall contain a designation of each 1691
contributor who is an employee in any unit or department under the 1692
candidate's direct supervision and control. In a space provided in 1693
the statement, the person filing the statement shall affirm that 1694
each such contribution was voluntarily made. 1695

(4) A campaign committee that did not receive contributions 1696
or make expenditures in connection with the nomination or election 1697

of its candidate shall file a statement to that effect, on a form 1698
prescribed under this section and made under penalty of election 1699
falsification, on the date required in division (A)(2) of this 1700
section. 1701

(5) The campaign committee of any person who attempts to 1702
become a candidate and who, for any reason, does not become 1703
certified in accordance with Title XXXV of the Revised Code for 1704
placement on the official ballot of a primary, general, or special 1705
election to be held in this state, and who, at any time prior to 1706
or after an election, receives contributions or makes 1707
expenditures, or has given consent for another to receive 1708
contributions or make expenditures, for the purpose of bringing 1709
about the person's nomination or election to public office, shall 1710
file the statement or statements prescribed by this section and a 1711
termination statement, if applicable. ~~This paragraph~~ Division 1712
(C)(5) of this section does not apply to any person with respect 1713
to an election to the offices of member of a county or state 1714
central committee, presidential elector, or delegate to a national 1715
convention or conference of a political party. 1716

(6)(a) The statements required to be filed under this section 1717
shall specify the balance in the hands of the campaign committee, 1718
political action committee, legislative campaign fund, or 1719
political party, ~~or political contributing entity~~ and the 1720
disposition intended to be made of that balance. 1721

(b) The secretary of state shall prescribe the form for all 1722
statements required to be filed under this section and shall 1723
furnish the forms to the boards of elections in the several 1724
counties. The boards of elections shall supply printed copies of 1725
those forms without charge. The secretary of state shall prescribe 1726
the appropriate methodology, protocol, and data file structure for 1727
statements required or permitted to be filed by electronic means 1728
of transmission under division (A) of this section ~~and~~, divisions 1729

(E), (F), and (G) of section 3517.106, division (D) of section 3517.1011, and division (B) of section 3517.1012 of the Revised Code ~~and for statements permitted to be filed on computer disk under division (F) of section 3517.106 of the Revised Code.~~ Subject to division (A) of this section ~~and,~~ divisions (E), (F), and (G) of section 3517.106, division (D) of section 3517.1011, and division (B) of section 3517.1012 of the Revised Code, the statements required to be stored on computer by the secretary of state under division (B) of section 3517.106 of the Revised Code shall be filed in whatever format the secretary of state considers necessary to enable the secretary of state to store the information contained in the statements on computer. Any such format shall be of a type and nature that is readily available to whoever is required to file the statements in that format.

(c) The secretary of state shall assess the need for training regarding the filing of campaign finance statements by electronic means of transmission and regarding associated technologies for candidates, campaign committees, political action committees, legislative campaign funds, or political parties, ~~political contributing entities, or for~~ individuals, partnerships, or other entities, or for electioneering communication committees, required or permitted to file statements by electronic means of transmission under this section or section 3517.105 ~~or,~~ 3517.106, 3517.1011, or 3517.1012 of the Revised Code. If, in the opinion of the secretary of state, training in these areas is necessary, the secretary of state shall arrange for the provision of voluntary training programs for candidates, campaign committees, political action committees, legislative campaign funds, or political parties, ~~political contributing entities, and for~~ individuals, partnerships, and other entities, or for electioneering communication committees, as appropriate.

(7) Each monthly statement and each two-business-day

statement required by division (A) of this section shall contain 1762
the information required by divisions (B)(1) to (4), (C)(2), and, 1763
if appropriate, (C)(3) of this section. Each statement shall be 1764
signed as required by division (C)(1) of this section. 1765

(D)(1) Prior to receiving a contribution or making an 1766
expenditure, every campaign committee, political action committee, 1767
legislative campaign fund, or political party, ~~or political~~ 1768
~~contributing entity~~ shall appoint a treasurer and shall file, on a 1769
form prescribed by the secretary of state, a designation of that 1770
appointment, including the full name and address of the treasurer 1771
and of the campaign committee, political action committee, 1772
legislative campaign fund, or political party, ~~or political~~ 1773
~~contributing entity~~. That designation shall be filed with the 1774
official with whom the campaign committee, political action 1775
committee, legislative campaign fund, or political party, ~~or~~ 1776
~~political contributing entity~~ is required to file statements under 1777
section 3517.11 of the Revised Code. The name of a campaign 1778
committee shall include at least the last name of the campaign 1779
committee's candidate. The secretary of state shall assign a 1780
registration number to each political action committee that files 1781
a designation of the appointment of a treasurer under this 1782
division ~~(D)(1) of this section~~ if the political action committee 1783
is required by division (A)(1) of section 3517.11 of the Revised 1784
Code to file the statements prescribed by this section with the 1785
secretary of state. 1786

(2) The treasurer appointed under division (D)(1) of this 1787
section shall keep a strict account of all contributions, from 1788
whom received and the purpose for which they were disbursed. 1789

(3)(a) Except as otherwise provided in section 3517.108 of 1790
the Revised Code, a campaign committee shall deposit all monetary 1791
contributions received by the committee into an account separate 1792
from a personal or business account of the candidate or campaign 1793

committee. 1794

(b) A political action committee shall deposit all monetary 1795
contributions received by the committee into an account separate 1796
from all other funds. 1797

(c) A state or county political party may establish a state 1798
candidate fund that is separate from an account that contains the 1799
public moneys received from the Ohio political party fund under 1800
section 3517.17 of the Revised Code and from all other funds. A 1801
state or county political party may deposit into its state 1802
candidate fund any amounts of monetary contributions that are made 1803
to or accepted by the political party subject to the applicable 1804
limitations, if any, prescribed in section 3517.102 of the Revised 1805
Code. A state or county political party shall deposit all other 1806
monetary contributions received by the party into one or more 1807
accounts that are separate from its state candidate fund and from 1808
its account that contains the public moneys received from the Ohio 1809
political party fund under section 3517.17 of the Revised Code. 1810

(d) Each state political party shall have only one 1811
legislative campaign fund for each house of the general assembly. 1812
Each such fund shall be separate from any other funds or accounts 1813
of that state party. A legislative campaign fund is authorized to 1814
receive contributions and make expenditures for the primary 1815
purpose of furthering the election of candidates who are members 1816
of that political party to the house of the general assembly with 1817
which that legislative campaign fund is associated. Each 1818
legislative campaign fund shall be administered and controlled in 1819
a manner designated by the caucus. As used in this division 1820
~~(D)(3)(d) of this section~~, "caucus" has the same meaning as in 1821
section 3517.01 of the Revised Code and includes, as an ex officio 1822
member, the chairperson of the state political party with which 1823
the caucus is associated or that chairperson's designee. 1824

(4) Every expenditure in excess of twenty-five dollars shall 1825
be vouched for by a receipted bill, stating the purpose of the 1826
~~expenditures~~ expenditure, that shall be filed with the statement 1827
of expenditures. A canceled check with a notation of the purpose 1828
of the expenditure is a receipted bill for purposes of division 1829
(D)(4) of this section. 1830

(5) The secretary of state or the board of elections, as the 1831
case may be, shall issue a receipt for each statement filed under 1832
this section and shall preserve a copy of the receipt for a period 1833
of at least six years. All statements filed under this section 1834
shall be open to public inspection in the office where they are 1835
filed and shall be carefully preserved for a period of at least 1836
six years after the year in which they are filed. 1837

(6) The secretary of state, by rule adopted pursuant to 1838
section 3517.23 of the Revised Code, shall prescribe ~~the~~ both of 1839
the following: 1840

(a) The manner of immediately acknowledging, with date and 1841
time received, and preserving the receipt of statements that are 1842
transmitted by electronic means of transmission to the secretary 1843
of state pursuant to this section or section 3517.106, 3517.1011, 1844
or 3517.1012 of the Revised Code ~~and the;~~ 1845

(b) The manner of preserving the contribution and 1846
expenditure, contribution and disbursement, or deposit and 1847
disbursement information in ~~those~~ the statements described in 1848
division (D)(6)(a) of this section. The secretary of state shall 1849
preserve the contribution and expenditure, contribution and 1850
disbursement, or deposit and disbursement information in those 1851
statements for at least ten years after the year in which they are 1852
filed by electronic means of transmission. 1853

(7) The secretary of state, pursuant to division (I) of 1854
section 3517.106 of the Revised Code, shall make available online 1855

to the public through the internet the contribution and 1856
expenditure, contribution and disbursement, or deposit and 1857
disbursement information in all statements, all addenda, 1858
amendments, or other corrections to statements, and all amended 1859
statements filed with the secretary of state by electronic or 1860
other means of transmission under this section, division (B)(2)(b) 1861
or (C)(2)(b) of section 3517.105, or section 3517.106, 3517.1011, 1862
3517.1012, or 3517.11 of the Revised Code. The secretary of state 1863
may remove the information from the internet after a reasonable 1864
period of time. 1865

(E)(1) Any person, political party, campaign committee, 1866
legislative campaign fund, or political action committee, ~~or~~ 1867
~~political contributing entity~~ that makes a contribution in 1868
connection with the nomination or election of any candidate or in 1869
connection with any ballot issue or question at any election held 1870
or to be held in this state shall provide its full name and 1871
address to the recipient of the contribution at the time the 1872
contribution is made. The political action committee also shall 1873
provide the registration number assigned to the committee under 1874
division (D)(1) of this section to the recipient of the 1875
contribution at the time the contribution is made. 1876

(2) Any individual who makes a contribution that exceeds one 1877
hundred dollars ~~to a campaign committee of a statewide candidate~~ 1878
~~or candidate for the office of member of the general assembly~~ 1879
shall provide the name of the individual's current employer, if 1880
any, or, if the individual is self-employed, the individual's 1881
occupation and the name of the individual's business, if any, to 1882
the recipient of the contribution at the time the contribution is 1883
made. Sections 3599.39 and 3599.40 of the Revised Code do not 1884
apply to division (E)(2) of this section. 1885

(3) If a campaign committee shows that it has exercised its 1886
best efforts to obtain, maintain, and submit the information 1887

required under divisions (B)(4)(b)(ii) and (iii) of this section, 1888
that committee is considered to have met the requirements of those 1889
divisions. A campaign committee shall not be considered to have 1890
exercised its best efforts unless, in connection with written 1891
solicitations, it regularly includes a written request for the 1892
information required under division (B)(4)(b)(ii) of this section 1893
from the contributor or the information required under division 1894
(B)(4)(b)(iii) of this section from whoever transmits the 1895
contribution. 1896

(4) Any check that a political action committee uses to make 1897
a contribution or an expenditure shall contain the full name and 1898
address of the committee and the registration number assigned to 1899
the committee under division (D)(1) of this section. 1900

(F) As used in this section: 1901

(1) "Address" means all of the following if they exist: 1902
apartment number, street, road, or highway name and number, rural 1903
delivery route number, city or village, state, and zip code as 1904
used in a person's post-office address, but not post-office box. 1905
If an address is required in this section, a post-office box and 1906
office, room, or suite number may be included in addition to but 1907
not in lieu of an apartment, street, road, or highway name and 1908
number. If an address is required in this section, a campaign 1909
committee, political action committee, legislative campaign fund, 1910
or political party, ~~or political contributing entity~~ may use the 1911
business or residence address of its treasurer or deputy 1912
treasurer. The post-office box number of the campaign committee, 1913
political action committee, legislative campaign fund, or 1914
political party, ~~or political contributing entity~~ may be used in 1915
addition to that address. 1916

(2) "Statewide candidate" means the joint candidates for the 1917
offices of governor and lieutenant governor or a candidate for the 1918

office of secretary of state, auditor of state, treasurer of 1919
state, attorney general, member of the state board of education, 1920
chief justice of the supreme court, or justice of the supreme 1921
court. 1922

(G) An independent expenditure shall be reported whenever and 1923
in the same manner that an expenditure is required to be reported 1924
under this section and shall be reported pursuant to division 1925
(B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code. 1926

(H)(1) Except as otherwise provided in division (H)(2) of 1927
this section, if, during the combined ~~pre-election~~ pre-election and 1928
postelection reporting periods for an election, a campaign 1929
committee has received contributions of five hundred dollars or 1930
less and has made expenditures in the total amount of five hundred 1931
dollars or less, it may file a statement to that effect, under 1932
penalty of election falsification, in lieu of the statement 1933
required by division (A)(2) of this section. The statement shall 1934
indicate the total amount of contributions received and the total 1935
amount of expenditures made during those combined reporting 1936
periods. 1937

(2) In the case of a successful candidate at a primary 1938
election, if either the total contributions received by or the 1939
total expenditures made by the candidate's campaign committee 1940
during the preprimary, postprimary, pregeneral, and postgeneral 1941
election periods combined equal more than five hundred dollars, 1942
the campaign committee may file the statement under division 1943
(H)(1) of this section only for the primary election. The first 1944
statement that the campaign committee files in regard to the 1945
general election shall reflect all contributions received and all 1946
expenditures made during the preprimary and postprimary election 1947
periods. 1948

(3) Divisions (H)(1) and (2) of this section do not apply if 1949

a campaign committee receives contributions or makes expenditures 1950
prior to the first day of January of the year of the election at 1951
which the candidate seeks nomination or election to office or if 1952
the campaign committee does not file a termination statement with 1953
its postprimary election statement in the case of an unsuccessful 1954
primary election candidate or with its postgeneral election 1955
statement in the case of other candidates. 1956

(I) In the case of a contribution made by a partner of a 1957
partnership or an owner or a member of another unincorporated 1958
business from any funds of the partnership or other unincorporated 1959
business, all of the following apply: 1960

(1) The recipient of the contribution shall report the 1961
contribution by listing both the partnership or other 1962
unincorporated business and the name of the partner ~~or~~, owner, or 1963
member making the contribution. 1964

(2) For purposes of section 3517.102 of the Revised Code, the 1965
contribution shall be considered to have been made by the partner 1966
~~or~~, owner, or member reported under division (I)(1) of this 1967
section. 1968

(3) No contribution from a partner of a partnership or an 1969
owner or a member of another unincorporated business shall be 1970
accepted from any funds of the partnership or other unincorporated 1971
business unless the recipient reports the contribution under 1972
division (I)(1) of this section. 1973

(4) No partnership or other unincorporated business shall 1974
make a contribution or contributions solely in the name of the 1975
partnership or other unincorporated business. 1976

(5) As used in division (I) of this section, "partnership or 1977
other unincorporated business" includes, but is not limited to, a 1978
cooperative, a sole proprietorship, a general partnership, a 1979
limited partnership, a limited partnership association, a limited 1980

liability partnership, and a limited liability company. 1981

(J) A candidate shall have only one campaign committee at any 1982
given time for all of the offices for which the person is a 1983
candidate or holds office. 1984

(K)(1) In addition to filing a designation of appointment of 1985
a treasurer under division (D)(1) of this section, the campaign 1986
committee of any candidate for an elected municipal office that 1987
pays an annual amount of compensation of five thousand dollars or 1988
less, the campaign committee of any candidate for member of a 1989
board of education except member of the state board of education, 1990
or the campaign committee of any candidate for township trustee or 1991
township clerk may sign, under penalty of election falsification, 1992
a certificate attesting that the committee will not accept 1993
contributions during an election period that exceed in the 1994
aggregate two thousand dollars from all contributors and one 1995
hundred dollars from any one individual, and that the campaign 1996
committee will not make expenditures during an election period 1997
that exceed in the aggregate two thousand dollars. 1998

The certificate shall be on a form prescribed by the 1999
secretary of state and shall be filed not later than ten days 2000
after the candidate files a declaration of candidacy and petition, 2001
a nominating petition, or a declaration of intent to be a write-in 2002
candidate. 2003

(2) Except as otherwise provided in division (K)(3) of this 2004
section, a campaign committee that files a certificate under 2005
division (K)(1) of this section is not required to file the 2006
statements required by division (A) of this section. 2007

(3) If, after filing a certificate under division (K)(1) of 2008
this section, a campaign committee exceeds any of the limitations 2009
described in that division during an election period, the 2010
certificate is void and thereafter the campaign committee shall 2011

file the statements required by division (A) of this section. If 2012
the campaign committee has not previously filed a statement, then 2013
on the first statement the campaign committee is required to file 2014
under division (A) of this section after the committee's 2015
certificate is void, the committee shall report all contributions 2016
received and expenditures made from the time the candidate filed 2017
the candidate's declaration of candidacy and petition, nominating 2018
petition, or declaration of intent to be a write-in candidate. 2019

(4) As used in division (K) of this section, "election 2020
period" means the period of time beginning on the day a person 2021
files a declaration of candidacy and petition, nominating 2022
petition, or declaration of intent to be a write-in candidate 2023
through the day of the election at which the person seeks 2024
nomination to office if the person is not elected to office, or, 2025
if the candidate was nominated in a primary election, the day of 2026
the election at which the candidate seeks office. 2027

~~(L) Notwithstanding division (B)(4) of this section, a 2028
political contributing entity that receives contributions from the 2029
dues, membership fees, or other assessments of its members or from 2030
its officers, shareholders, and employees may report the aggregate 2031
amount of contributions received from those contributors and the 2032
number of individuals making those contributions, for each filing 2033
period identified under divisions (A)(1), (2), and (3) of this 2034
section. Division (B)(4) of this section applies to a political 2035
contributing entity with regard to contributions it receives from 2036
all other contributors. 2037~~

Sec. 3517.102. (A) Except as otherwise provided in section 2038
3517.103 of the Revised Code, as used in this section and sections 2039
3517.103 and 3517.104 of the Revised Code: 2040

(1) "Candidate" has the same meaning as in section 3517.01 of 2041
the Revised Code but includes only candidates for the offices of 2042

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) "Statewide candidate" or "any one 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,
member of the state board of education, chief justice of the
supreme court, or justice of the supreme court.

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

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

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

(b) In regard to any candidate, the "general election period"
begins on the day after the primary election immediately preceding
the general election at which the 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.

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

(7) "Postgeneral election statement" means the statement
filed under division (A)(2) of section 3517.10 of the Revised Code
by the campaign committee of a candidate after the general
election in which the candidate ran for office or filed by

legislative campaign fund after the general election in an 2073
even-numbered year. 2074

(8) "Contribution" means any contribution that is required to 2075
be reported in the statement of contributions under section 2076
3517.10 of the Revised Code. 2077

(9)(a) Except as otherwise provided in division (A)(9)(b) of 2078
this section and in division (F) of section 3517.103 and division 2079
(B)(3)(b) of section 3517.1010 of the Revised Code, "designated 2080
state campaign committee" means: 2081

~~(a)(i)~~ In the case of contributions to or from a state 2082
political party, a campaign committee of a statewide candidate, 2083
statewide officeholder, senate candidate, house candidate, or 2084
member of the general assembly. 2085

~~(b)(ii)~~ In the case of contributions to or from a county 2086
political party, a campaign committee of a ~~statewide candidate,~~ 2087
~~statewide officeholder,~~ senate candidate or house candidate whose 2088
candidacy is to be submitted to some or all of the electors in 2089
that county, or member of the general assembly whose district 2090
contains all or part of that county. 2091

~~(c)(iii)~~ In the case of contributions to or from a 2092
legislative campaign fund, a campaign committee of any of the 2093
following: 2094

~~(i)(I)~~ A senate or house candidate who, if elected, will be a 2095
member of the same party that established the legislative campaign 2096
fund and the same house with which the legislative campaign fund 2097
is associated; 2098

~~(ii)(II)~~ A state senator or state representative who is a 2099
member of the same party that established the legislative campaign 2100
fund and the same house with which the legislative campaign fund 2101
is associated. 2102

(b) A campaign committee is no longer a "designated state campaign committee" after the campaign committee's candidate changes the designation of treasurer required to be filed under division (D)(1) of section 3517.10 of the Revised Code to indicate that the person intends to be a candidate for, or becomes a candidate for nomination or election to, any office that, if elected, would not qualify that candidate's campaign committee as a "designated state campaign committee" under division (A)(9)(a) of this section.

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

~~(a) Two~~ (i) Ten 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~~ (ii) Ten 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~~ (iii) Ten 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~~ (iv) Ten thousand dollars to ~~any one~~ a county political party of the county in which the individual resides for the party's party's state candidate fund or in a calendar year;

(v) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;

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

~~(f) Five~~ (vii) Ten thousand dollars to any one political action committee in a calendar year;

(g) Five thousand dollars to any one political contributing entity in a calendar year.	2133 2134
<u>(b) No individual shall make a contribution or contributions to the state candidate fund of a county political party of any county other than the county in which the individual resides.</u>	2135 2136 2137
(2)(a) Subject to division (D)(1) of this section, no political action committee shall make a contribution or contributions aggregating more than:	2138 2139 2140
(a) Two (i) Ten thousand five hundred dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;	2141 2142 2143
(b) Two (ii) Ten thousand five hundred dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;	2144 2145 2146
(c) Two (iii) Ten thousand five hundred dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;	2147 2148 2149
(d) Five (iv) Fifteen 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;	2150 2151 2152
(e) Fifteen (v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;	2153 2154 2155
(f) Two (vi) Ten thousand five hundred dollars to another political action committee or to a political contributing entity in a calendar year. This division does not apply to a political action committee that makes a contribution to a political action committee or to a political contributing entity affiliated with it. For purposes of this division, a political action committee is affiliated with another political action committee or with a	2156 2157 2158 2159 2160 2161 2162

~~political contributing entity~~ if they are both established, 2163
financed, maintained, or controlled by, or if they are, the same 2164
corporation, organization, labor organization, continuing 2165
association, or other person, including any parent, subsidiary, 2166
division, or department of that corporation, organization, labor 2167
organization, continuing association, or other person. 2168

(b) No political action committee shall make a contribution 2169
or contributions to a county political party for the party's state 2170
candidate fund. 2171

(3) No campaign committee shall make a contribution or 2172
contributions aggregating more than: 2173

(a) ~~Two~~ Ten thousand ~~five hundred~~ dollars to the campaign 2174
committee of any one statewide candidate in a primary election 2175
period or in a general election period; 2176

(b) ~~Two~~ Ten thousand ~~five hundred~~ dollars to the campaign 2177
committee of any one senate candidate in a primary election period 2178
or in a general election period; 2179

(c) ~~Two~~ Ten thousand ~~five hundred~~ dollars to the campaign 2180
committee of any one house candidate in a primary election period 2181
or in a general election period; 2182

(d) ~~Two~~ Ten thousand ~~five hundred~~ dollars to any one 2183
political action committee in a calendar year; 2184

~~(e) Two thousand five hundred dollars to any one political~~ 2185
~~contributing entity in a calendar year.~~ 2186

(4)(a) Subject to division (D)(3) of this section, no 2187
political party shall make a contribution or contributions 2188
aggregating more than ~~two~~ ten thousand ~~five hundred~~ dollars to any 2189
one political action committee ~~or to any one political~~ 2190
~~contributing entity~~ in a calendar year. 2191

(b) No county political party shall make a contribution or 2192

<u>contributions to another county political party.</u>	2193
(5) No <u>(a) Subject to division (B)(5)(b) of this section, no</u>	2194
campaign committee, other than a designated state campaign	2195
committee, shall make a contribution or contributions aggregating	2196
in a calendar year more than:	2197
(a) Fifteen <u>(i) Thirty</u> thousand dollars to any one state	2198
political party for the party's state candidate fund;	2199
(b) Five <u>(ii) Fifteen</u> thousand dollars to any one legislative	2200
campaign fund;	2201
(c) Five <u>(iii) Ten</u> thousand dollars to any one county	2202
political party for the party's state candidate fund.	2203
<u>(b) No campaign committee shall make a contribution or</u>	2204
<u>contributions to a county political party for the party's state</u>	2205
<u>candidate fund unless one of the following applies:</u>	2206
<u>(i) The campaign committee's candidate will appear on a</u>	2207
<u>ballot in that county.</u>	2208
<u>(ii) The campaign committee's candidate is the holder of an</u>	2209
<u>elected public office that represents all or part of the</u>	2210
<u>population of that county at the time the contribution is made.</u>	2211
(6)(a) No state candidate fund of a county political party	2212
shall make a contribution or contributions, except a contribution	2213
or contributions to a designated state campaign committee, in a	2214
primary election period or a general election period, aggregating	2215
more than:	2216
(i) Two <u>Ten</u> thousand dollars to the campaign committee of any	2217
<u>one statewide candidate;</u>	2218
(ii) Ten thousand five hundred dollars to the campaign	2219
committee of any one senate candidate;	2220
(ii) Two <u>(iii) Ten</u> thousand five hundred dollars to the	2221

campaign committee of any one house candidate. 2222

(b)(i) No state candidate fund of a state or county political 2223
party shall make a transfer or a contribution or transfers or 2224
contributions of cash or cash equivalents to a designated state 2225
campaign committee in a primary election period or in a general 2226
election period aggregating more than: 2227

(I) Five hundred thousand dollars to the campaign committee 2228
of any one statewide candidate; 2229

(II) One hundred thousand dollars to the campaign committee 2230
of any one senate candidate; 2231

(III) Fifty thousand dollars to the campaign committee of any 2232
one house candidate. 2233

(ii) No legislative campaign fund shall make a transfer or a 2234
contribution or transfers or contributions of cash or cash 2235
equivalents to a designated state campaign committee aggregating 2236
more than: 2237

(I) Fifty thousand dollars in a primary election period or 2238
one hundred thousand dollars in a general election period to the 2239
campaign committee ~~or~~ of any one senate candidate; 2240

(II) Twenty-five thousand dollars in a primary election 2241
period or fifty thousand dollars in a general election period to 2242
the campaign committee of any one house candidate. 2243

(iii) As used in divisions (B)(6)(b) and (C)(6)(a) and (b) of 2244
this section, "transfer or contribution of cash or cash 2245
equivalents" does not include any in-kind contributions. 2246

(c) A county political party that has no state candidate fund 2247
and that is located in a county having a population of less than 2248
one hundred fifty thousand may make one or more contributions from 2249
other accounts to any one statewide candidate or to any one 2250
designated state campaign committee that do not exceed, in the 2251

aggregate, two thousand five hundred dollars in any primary 2252
election period or general election period. As used in this 2253
division, "other accounts" does not include ~~either~~ an account that 2254
contains the public moneys received from the Ohio political party 2255
fund under section 3517.17 of the Revised Code ~~or the county~~ 2256
~~political party's operating account.~~ 2257

(d) No legislative campaign fund shall make a contribution, 2258
other than to a designated state campaign committee or to the 2259
state candidate fund of a political party. 2260

~~(7) Subject to division (D)(1) of this section, no political~~ 2261
~~contributing entity shall make a contribution or contributions~~ 2262
~~aggregating more than:~~ 2263

~~(a) Two thousand five hundred dollars to the campaign~~ 2264
~~committee of any one statewide candidate in a primary election~~ 2265
~~period or in a general election period;~~ 2266

~~(b) Two thousand five hundred dollars to the campaign~~ 2267
~~committee of any one senate candidate in a primary election period~~ 2268
~~or in a general election period;~~ 2269

~~(c) Two thousand five hundred dollars to the campaign~~ 2270
~~committee of any one house candidate in a primary election period~~ 2271
~~or in a general election period;~~ 2272

~~(d) Five thousand dollars to any one county political party~~ 2273
~~for the party's state candidate fund or to any one legislative~~ 2274
~~campaign fund in a calendar year;~~ 2275

~~(e) Fifteen thousand dollars to any one state political party~~ 2276
~~for the party's state candidate fund in a calendar year;~~ 2277

~~(f) Two thousand five hundred dollars to another political~~ 2278
~~contributing entity or to a political action committee in a~~ 2279
~~calendar year. This division does not apply to a political~~ 2280
~~contributing entity that makes a contribution to a political~~ 2281

~~contributing entity or to a political action committee affiliated
with it. For purposes of this division, a political contributing
entity is affiliated with another political contributing entity or
with a political action committee if they are both established,
financed, maintained, or controlled by, or if they are, the same
corporation, organization, labor organization, continuing
association, or other person, including any parent, subsidiary,
division, or department of that corporation, organization, labor
organization, continuing association, or other person.~~

(C)(1)(a) Subject to division (D)(1) of this section, no
campaign committee of a statewide candidate shall accept a
contribution or contributions aggregating more than ~~two~~ ten
thousand ~~five hundred~~ dollars from any one individual, from any
one political action committee, from any one state candidate fund
of a county political contributing entity party, or from any one
other campaign committee in a primary election period or in a
general election period.

(b) No campaign committee of a statewide candidate shall
accept a contribution or contributions aggregating more than two
thousand five hundred dollars in a primary election period or in a
general election period from 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.

(2)(a) Subject to division (D)(1) of this section and except
for a designated state campaign committee, no campaign committee
of a senate candidate shall accept a contribution or contributions
aggregating more than ~~two~~ ten thousand ~~five hundred~~ dollars from
any one individual, from any one political action committee, ~~from~~
~~any one political contributing entity~~, from any one state
candidate fund of a county political party, or from any one other
campaign committee in a primary election period or in a general
election period.

(b) No campaign committee of a senate candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from 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.

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

(b) No campaign committee of a house candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from 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.

(4)(a)(i) Subject to division ~~(D)(1)(C)(4)(a)(ii)~~ of this section and except for a designated state campaign committee, no county political party shall accept a contribution or contributions for the party's state candidate fund aggregating more than ~~five~~ ten thousand dollars from any one individual, who resides within that county or from any one ~~political action committee, from any one political contributing entity, or from any one campaign committee, other than a designated state campaign committee,~~ in a calendar year.

(ii) Subject to division (D)(1) of this section, no county

political party shall accept a contribution or contributions for 2345
the party's state candidate fund from any individual who resides 2346
outside of that county, from any campaign committee unless the 2347
campaign committee's candidate will appear on a ballot in that 2348
county or unless the campaign committee's candidate is the holder 2349
of an elected public office that represents all or part of the 2350
population of that county at the time the contribution is 2351
accepted, or from any political action committee. 2352

(iii) No county political party shall accept a contribution 2353
or contributions from any other county political party. 2354

(b) Subject to division (D)(1) of this section, no state 2355
political party shall accept a contribution or contributions for 2356
the party's state candidate fund aggregating more than ~~fifteen~~ 2357
thirty thousand dollars from any one individual, from any one 2358
political action committee, ~~from any one political contributing~~ 2359
~~entity,~~ or from any one campaign committee, other than a 2360
designated state campaign committee, in a calendar year. 2361

(5) Subject to division (D)(1) of this section, no 2362
legislative campaign fund shall accept a contribution or 2363
contributions aggregating more than ~~five~~ fifteen thousand dollars 2364
from any one individual, from any one political action committee, 2365
~~from any one political contributing entity,~~ or from any one 2366
campaign committee, other than a designated state campaign 2367
committee, in a calendar year. 2368

(6)(a) No designated state campaign committee shall accept a 2369
transfer or contribution of cash or cash equivalents from a state 2370
candidate fund of a state ~~or county~~ political party or a transfer 2371
or contribution of cash or cash equivalents from any one or 2372
combination of state candidate funds of county political parties 2373
aggregating in a primary election period or a general election 2374
period more than: 2375

(i) Five hundred thousand dollars, in the case of a campaign committee of a statewide candidate;	2376 2377
(ii) One hundred thousand dollars, in the case of a campaign committee of a senate candidate;	2378 2379
(iii) Fifty thousand dollars, in the case of a campaign committee of a house candidate.	2380 2381
(b) No designated state campaign committee shall accept a transfer or contribution of cash or cash equivalents from a legislative candidate <u>campaign</u> fund aggregating more than:	2382 2383 2384
(i) Fifty thousand dollars in a primary election period or one hundred thousand dollars in a general election period, in the case of a campaign committee of a senate candidate;	2385 2386 2387
(ii) Twenty-five thousand dollars in a primary election period or fifty thousand dollars in a general election period, in the case of a campaign committee of a house candidate.	2388 2389 2390
(7)(a) Subject to division (D)(3) of this section, no political action committee and no political contributing entity shall accept a contribution or contributions aggregating more than five <u>ten</u> thousand dollars from any one individual, or more than two thousand five hundred dollars from any one campaign committee, or from any one political party <u>in a calendar year</u> .	2391 2392 2393 2394 2395 2396
(b) Subject to division (D)(1) of this section, no political action committee shall accept a contribution or contributions aggregating more than two <u>ten</u> thousand five hundred dollars from another political action committee or from a political contributing entity in a calendar year. Subject to division (D)(1) of this section, no political contributing entity shall accept a contribution or contributions aggregating more than two thousand five hundred dollars from another political contributing entity or from a political action committee in a calendar year. This	2397 2398 2399 2400 2401 2402 2403 2404 2405

division does not apply to a political action committee ~~or~~ 2406
~~political contributing entity~~ that accepts a contribution from a 2407
political action committee ~~or political contributing entity~~ 2408
affiliated with it. For purposes of this division, a political 2409
action committee is affiliated with another political action 2410
committee ~~or political contributing entity~~ if they are 2411
established, financed, maintained, or controlled by the same 2412
corporation, organization, labor organization, continuing 2413
association, or other person, including any parent, subsidiary, 2414
division, or department of that corporation, organization, labor 2415
organization, continuing association, or other person. 2416

(D)(1)~~(a)~~ For purposes of the limitations prescribed in 2417
division (B)(2) of this section and the limitations prescribed in 2418
divisions (C)(1), (2), (3), (4), (5), and (7)(b) of this section, 2419
whichever is applicable, all contributions made by and all 2420
contributions accepted from political action committees that are 2421
established, financed, maintained, or controlled by the same 2422
corporation, organization, labor organization, continuing 2423
association, or other person, including any parent, subsidiary, 2424
division, or department of that corporation, organization, labor 2425
organization, continuing association, or other person, are 2426
considered to have been made by or accepted from a single 2427
political action committee. 2428

~~(b) For purposes of the limitations prescribed in division 2429
(B)(7) of this section and the limitations prescribed in divisions 2430
(C)(1), (2), (3), (4), (5), and (7)(b) of this section, whichever 2431
is applicable, all contributions made by and all contributions 2432
accepted from political contributing entities that are 2433
established, financed, maintained, or controlled by, or that are, 2434
the same corporation, organization, labor organization, continuing 2435
association, or other person, including any parent, subsidiary, 2436
division, or department of that corporation, organization, labor 2437~~

~~organization, continuing association, or other person, are
considered to have been made by or accepted from a single
political contributing entity.~~ 2438
2439
2440

(2) As used in divisions (B)(1)~~(f)~~(a)(vii), (B)(3)(d), 2441
(B)(4), and (C)(7) of this section, "political action committee" 2442
does not include a political action committee that is organized to 2443
support or oppose a ballot issue or question and that makes no 2444
contributions to or expenditures on behalf of a political party, 2445
campaign committee, legislative campaign fund, or political action 2446
committee, ~~or political contributing entity. As used in divisions~~ 2447
~~(B)(1)(g), (B)(3)(e), (B)(4), and (C)(7) of this section,~~ 2448
~~"political contributing entity" does not include a political~~ 2449
~~contributing entity that is organized to support or oppose a~~ 2450
~~ballot issue or question and that makes no contributions to or~~ 2451
~~expenditures on behalf of a political party, campaign committee,~~ 2452
~~legislative campaign fund, political action committee, or~~ 2453
~~political contributing entity.~~ 2454

(3) For purposes of the limitations prescribed in divisions 2455
(B)(4) and (C)(7)(a) of this section, all contributions made by 2456
and all contributions accepted from a national political party, a 2457
state political party, and a county political party are considered 2458
to have been made by or accepted from a single political party and 2459
shall be combined with each other to determine whether the 2460
limitations have been exceeded. 2461

(E)(1) If a legislative campaign fund has kept a total amount 2462
of contributions exceeding one hundred fifty thousand dollars at 2463
the close of business on the seventh day before the postgeneral 2464
election statement is required to be filed under section 3517.10 2465
of the Revised Code, the legislative campaign fund shall comply 2466
with division (E)(2) of this section. 2467

(2)(a) Any legislative campaign fund that has kept a total 2468

amount of contributions in excess of the amount specified in 2469
division (E)(1) of this section at the close of business on the 2470
seventh day before the postgeneral election statement is required 2471
to be filed under section 3517.10 of the Revised Code shall 2472
dispose of the excess amount in the manner prescribed in division 2473
(E)(2)~~(e)~~(b)(i), (ii), or (iii) of this section not later than 2474
ninety days after the day the postgeneral election statement is 2475
required to be filed under section 3517.10 of the Revised Code. 2476
Any legislative campaign fund that is required to dispose of an 2477
excess amount of contributions under this division shall file a 2478
statement on the ninetieth day after the postgeneral election 2479
statement is required to be filed under section 3517.10 of the 2480
Revised Code indicating the total amount of contributions the fund 2481
has at the close of business on the seventh day before the 2482
postgeneral election statement is required to be filed under 2483
section 3517.10 of the Revised Code and that the excess 2484
contributions were disposed of pursuant to this division and 2485
~~divisions~~ division (E)(2)(b) ~~and (e)~~ of this section. The 2486
statement shall be on a form prescribed by the secretary of state 2487
and shall contain any additional information the secretary of 2488
state considers necessary. 2489

(b) ~~There is hereby created in the state treasury the Ohio~~ 2490
~~elections commission fund. All moneys credited to the fund shall~~ 2491
~~be used solely for the purpose of paying expenses related to the~~ 2492
~~operation of the Ohio elections commission.~~ 2493

~~(e)~~ Any legislative campaign fund that is required to dispose 2494
of an excess amount of contributions under division (E)(2) of this 2495
section shall dispose of that excess amount by doing any of the 2496
following: 2497

(i) Giving the amount to the treasurer of state for deposit 2498
into the state treasury to the credit of the Ohio elections 2499
commission fund created by division (I) of section 3517.152 of the 2500

<u>Revised Code;</u>	2501
(ii) Giving the amount to individuals who made contributions to that legislative campaign fund as a refund of all or part of their contributions;	2502 2503 2504
(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.	2505 2506 2507
(F)(1) No legislative campaign fund shall fail to file a statement required by division (E) of this section.	2508 2509
(2) No legislative campaign fund shall fail to dispose of excess contributions as required by division (E) of this section.	2510 2511
(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.	2512 2513 2514
Sec. 3517.103. (A) <u>(1)</u> For purposes of this section:	2515
(1) <u>(a)</u> "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.	2516 2517 2518 2519 2520
(2) <u>(b)(i)</u> "Personal funds" means contributions to the campaign committee of a candidate by the candidate or by the candidate's spouse, parents, children, sons-in-law, daughters-in-law, brothers, sisters, grandparents, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, or grandparents by marriage.	2521 2522 2523 2524 2525 2526
(3) <u>(ii)</u> <u>A loan obtained by, guaranteed by, or for the benefit of a statewide candidate, senate candidate, or house candidate shall be considered "personal funds" subject to the provisions of this section and section 3517.1010 of the Revised Code to the</u>	2527 2528 2529 2530

extent that the loan is obtained or guaranteed by the candidate or 2531
is for the benefit of the candidate and is obtained or guaranteed 2532
by the candidate's spouse, parents, children, sons-in-law, 2533
daughters-in-law, brothers, sisters, grandparents, mother-in-law, 2534
father-in-law, brothers-in-law, sisters-in-law, or grandparents by 2535
marriage. A loan that is obtained or guaranteed and that is for 2536
the benefit of a statewide candidate, senate candidate, or house 2537
candidate shall not be considered "personal funds" for the 2538
purposes of this section and section 3517.1010 of the Revised Code 2539
but shall be considered to be a "contribution" for the purposes of 2540
this chapter if the loan is obtained or guaranteed by anyone other 2541
than the candidate or the candidate's spouse, parents, children, 2542
sons-in-law, daughters-in-law, brothers, sisters, grandparents, 2543
mother-in-law, father-in-law, brothers-in-law, sisters-in-law, or 2544
grandparents by marriage. 2545

(iii) When a debt or other obligation incurred by a committee 2546
or by a candidate on behalf of the candidate's committee described 2547
in division (C)(1) or (2) of this section is to be paid from 2548
"personal funds," those funds are considered to be expended when 2549
the debt or other obligation is incurred, regardless of when it is 2550
paid. 2551

~~(4)(2)~~ For purposes of ~~Chapter 3517. of the Revised Code~~ this 2552
chapter, a candidate is an "opponent" when the candidate has 2553
indicated on the candidate's most recently filed designation of 2554
treasurer that the candidate seeks the same office at the same 2555
primary or general election as another candidate whose campaign 2556
committee has filed a personal funds notice required by division 2557
(C)(1) or (2) of this section. 2558

(B)(1) Except as otherwise provided in division (B)(2) of 2559
this section, no statewide candidate or candidate for the office 2560
of member of the general assembly shall make an expenditure of 2561
personal funds to influence the results of an election for that 2562

candidate's nomination or election to office unless the personal 2563
funds are first deposited into the campaign fund of that 2564
candidate's campaign committee. 2565

(2) A statewide candidate or candidate for the office of 2566
member of the general assembly may make an expenditure of personal 2567
funds without first depositing those funds into the campaign 2568
committee's funds as long as the aggregate total of those 2569
expenditures does not exceed five hundred dollars at any time 2570
during an election period. After the candidate's campaign 2571
committee reimburses the candidate for any direct expenditure of 2572
personal funds, the amount that was reimbursed is no longer 2573
included in the aggregate total of expenditures of personal funds 2574
subject to the five-hundred-dollar limit. 2575

(C)(1) If the campaign committee of any statewide candidate 2576
has received or expended or expects to expend more than one 2577
hundred thousand dollars of personal funds during a primary 2578
election period or one hundred fifty thousand dollars of personal 2579
funds during a general election period, the campaign committee 2580
shall file a personal funds notice in the manner provided in 2581
division (C)(3) of this section indicating that the committee has 2582
received or expended or expects to expend more than that amount. 2583
For the purpose of this division, a joint team of candidates for 2584
governor and lieutenant governor shall be considered a single 2585
candidate and their personal funds shall be combined. 2586

(2) If the campaign committee of any senate candidate or 2587
house candidate has received or expended or expects to expend more 2588
than twenty-five thousand dollars of personal funds during a 2589
primary election period or twenty-five thousand dollars of 2590
personal funds during a general election period, the campaign 2591
committee shall file a personal funds notice in the manner 2592
provided in division (C)(3) of this section indicating that the 2593
committee has received or expended or expects to expend more than 2594

that amount. 2595

(3) The personal funds notice required in divisions (C)(1) 2596
and (2) of this section and the declaration of no limits required 2597
under division (D)(2) of this section shall be on a form 2598
prescribed by the secretary of state. The personal funds notice 2599
required in divisions (C)(1) and (2) of this section shall be 2600
filed not later than the earlier of the following times: 2601

(a) One hundred twenty days before a primary election, in the 2602
case of personal funds received, expended, or expected to be 2603
expended during a primary election period, or not later than one 2604
hundred twenty days before a general election, in the case of 2605
personal funds received, expended, or expected to be expended 2606
during a general election period; 2607

(b) Two business days after the candidate's campaign 2608
committee receives or makes an expenditure of personal funds or 2609
the candidate makes an expenditure of personal funds on behalf of 2610
the candidate's campaign committee during that election period 2611
that exceed, in the aggregate, the amount specified in division 2612
(C)(1) or (2) of this section. 2613

The personal funds notice required under divisions (C)(1) and 2614
(2) of this section and the declaration of no limits required 2615
under division (D)(2) of this section shall be filed wherever the 2616
campaign committee files statements of contributions and 2617
expenditures under section 3517.11 of the Revised Code. The board 2618
of elections shall send to the secretary of state a copy of any 2619
personal funds notice or declaration of no limits filed by the 2620
campaign committee of a senate candidate or house candidate under 2621
division (C)(3) or (D)(2) of this section. 2622

(D)(1) Whenever a campaign committee files a notice under 2623
division (C)(1) or (2) of this section, and the campaign committee 2624
of an opponent files a declaration of no limits pursuant to 2625

division (D)(2) of this section within thirty days of the filing 2626
of the personal funds notice under division (C)(1) or (2) of this 2627
section, the contribution limitations prescribed in section 2628
3517.102 of the Revised Code no longer apply to the campaign 2629
committee of the candidate's opponent. 2630

(2) No campaign committee of a candidate described in 2631
division (D)(1) of this section shall accept any contribution or 2632
contributions from a contributor that exceed the limitations 2633
prescribed in section 3517.102 of the Revised Code until the 2634
committee files a declaration that the committee will accept 2635
contributions that exceed those limitations. This declaration 2636
shall be filed not later than thirty days after a candidate's 2637
opponent has filed a personal funds notice pursuant to division 2638
(C)(1) or (2) of section 3517.103 of the Revised Code, shall be 2639
referred to as the "declaration of no limits," and shall list all 2640
of the following: 2641

(a) The amount of cash on hand in the candidate's campaign 2642
fund at the end of the day immediately preceding the day on which 2643
the candidate's campaign committee files the declaration of no 2644
limits; 2645

(b) The value and description of all campaign assets worth 2646
five hundred dollars or more available to the candidate at the end 2647
of the day immediately preceding the day on which the candidate's 2648
campaign committee files the declaration of no limits. 2649

(3) A candidate who was not an opponent of a candidate who 2650
filed the personal funds notice required under division (C)(3) of 2651
this section on the date the personal funds notice was filed may 2652
file the declaration of no limits pursuant to division (D)(2) of 2653
this section within thirty days after becoming an opponent of the 2654
candidate who filed the personal funds notice. 2655

(4) If the candidate whose campaign committee filed a 2656

personal funds notice under division (C)(1) or (2) of this section 2657
fails to file a declaration of candidacy for the office listed on 2658
the designation of treasurer filed under division (D) of section 2659
3517.10 of the Revised Code or files a declaration of candidacy or 2660
nominating petition for that office and dies or withdraws, both of 2661
the following apply to the campaign committee of that candidate's 2662
opponent if the opponent has filed a declaration of no limits 2663
pursuant to division (D) of this section: 2664

(a) No contribution from a contributor may thereafter be 2665
accepted that, when added to the aggregate total of all 2666
contributions received by that committee from that contributor 2667
during the primary election period or general election period, 2668
whichever is applicable, would cause that committee to exceed the 2669
contribution limitations prescribed in section 3517.102 of the 2670
Revised Code for the applicable election period. 2671

(b) The statement of primary-day finances or the year-end 2672
statement required to be filed under division (E) of section 2673
3517.1010 of the Revised Code shall be filed not later than 2674
fourteen days after the date the candidate's opponent fails to 2675
file a declaration of candidacy or nominating petition by the 2676
appropriate filing deadline, or dies or withdraws. For purposes of 2677
calculating permitted funds under division (A)~~(7)~~(4) of section 2678
3517.1010 of the Revised Code, the primary or general election 2679
period, whichever is applicable, shall be considered to have ended 2680
on the filing deadline, in the case of an opponent who fails to 2681
file a declaration of candidacy or nominating petition, or on the 2682
date of the opponent's death or withdrawal. In such an event, the 2683
filing of a statement of primary-day finances or year-end finances 2684
and the disposing of any excess funds as required under division 2685
(B) of section 3517.1010 of the Revised Code satisfies the 2686
candidate's obligation to file such a statement for that election 2687
period. 2688

(E)(1) No campaign committee shall fail to file a personal funds notice as required under division (C)(1) or (2) of this section.	2689 2690 2691
(2) No campaign committee shall accept any contribution in excess of the contribution limitations prescribed in section 3517.102 of the Revised Code:	2692 2693 2694
(a) Unless a declaration of no limits has been filed under division (D)(2) of this section;	2695 2696
(b) In violation of division (D)(4) of this section once the candidate who filed a personal funds notice under division (C)(3) of this section fails to file a declaration of candidacy or nominating petition or that candidate dies or withdraws.	2697 2698 2699 2700
(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.	2701 2702 2703 2704
(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.	2705 2706 2707 2708
(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.	2709 2710 2711 2712 2713 2714 2715 2716 2717 2718

(2) Division (F)(1) of this section no longer applies to a 2719
campaign committee after both of the following occur: 2720

(a) The primary or general election period during which the 2721
contribution limitations prescribed in section 3517.102 of the 2722
Revised Code did not apply after being removed pursuant to 2723
division (D) of this section has expired; 2724

(b) When the campaign committee has disposed of all excess 2725
funds and excess aggregate contributions as required under section 2726
3517.1010 of the Revised Code. 2727

Sec. 3517.104. (A) In January of each odd-numbered year, the 2728
secretary of state, in accordance with this division and division 2729
(B) of this section, shall adjust each amount specified in section 2730
3517.102 and in division (B)(4)(e) of section 3517.10 of the 2731
Revised Code. The adjustment shall be based on the yearly average 2732
of the previous two years of the Consumer Price Index for All 2733
Urban Consumers or its successive equivalent, as determined by the 2734
United States department of labor, bureau of labor statistics, or 2735
its successor in responsibility, for all items, Series A. Using 2736
the 1996 yearly average as the base year, the secretary of state 2737
shall compare the most current average consumer price index with 2738
that determined in the preceding odd-numbered year, and shall 2739
determine the percentage increase or decrease. The percentage 2740
increase or decrease shall be multiplied by the actual dollar 2741
figure for each office or entity specified in section 3517.102 of 2742
the Revised Code and by each actual dollar figure specified in 2743
division (B)(4)(e) of section 3517.10 of the Revised Code as 2744
determined in the previous odd-numbered year, and the product 2745
shall be added to or subtracted from its corresponding actual 2746
dollar figure, as necessary, for that previous odd-numbered year. 2747
The 2748

The resulting amount shall be rounded ~~to the nearest five~~ 2749

~~hundred dollars if the calculations are made regarding the amounts~~ 2750
~~specified in section 3517.102 of the Revised Code or to the~~ 2751
nearest twenty-five dollars if the calculations are made regarding 2752
the amounts specified in division (B)(4)(e) of section 3517.10 of 2753
the Revised Code. 2754

If the calculations are made regarding the amounts specified 2755
in section 3517.102 of the Revised Code, the resulting amount 2756
shall not be rounded. If that resulting amount is less than one 2757
hundred dollars, the secretary of state shall retain a record of 2758
the resulting amount and the manner in which it was calculated, 2759
but shall not make an adjustment unless the resulting amount, when 2760
added to the resulting amount calculated in each prior 2761
odd-numbered year since the last adjustment was made, equals or 2762
exceeds one hundred dollars. 2763

(B)(1) The secretary of state shall calculate the adjustment 2764
under division (A) of this section and shall report the 2765
calculations and necessary materials to the auditor of state, on 2766
or before the thirty-first day of January of each odd-numbered 2767
year. The secretary of state shall base the adjustment on the most 2768
current consumer price index that is described in division (A) of 2769
this section and that is in effect as of the first day of January 2770
of each odd-numbered year. 2771

(2) The calculations made by the secretary of state under 2772
divisions (A) and (B)(1) of this section shall be certified by the 2773
auditor of state on or before the fifteenth day of February of 2774
each odd-numbered year. 2775

(3) On or before the twenty-fifth day of February of each 2776
odd-numbered year, the secretary of state shall prepare a report 2777
setting forth the maximum contribution limitations under section 2778
3517.102 of the Revised Code, the maximum amounts, if any, of 2779
contributions permitted to be kept under that section, and the 2780
amounts required under division (B)(4)(e) of section 3517.10 of 2781

the Revised Code for reporting contributions and in-kind 2782
contributions at social or fund-raising activities and 2783
contributions from amounts deducted from an employee's wages and 2784
salary, as calculated and certified pursuant to divisions (A) and 2785
(B)(1) and (2) of this section. The report and all documents 2786
relating to the calculations contained in the report are public 2787
records. The report shall contain an indication of the period in 2788
which the limitations, the maximum contribution amounts, and the 2789
reporting amounts apply, a summary of how the limitations, the 2790
maximum contribution amounts, and the reporting amounts were 2791
calculated, and a statement that the report and all related 2792
documents are available for inspection and copying at the office 2793
of the secretary of state. 2794

(4) On or before the twenty-fifth day of February of each 2795
odd-numbered year, the secretary of state shall transmit the 2796
report to the general assembly, and shall send the report by mail 2797
to the board of elections of each county. 2798

(5) The secretary of state shall send the report by mail to 2799
each person who files a declaration of candidacy or nominating 2800
petition with the secretary of state for the office of governor, 2801
lieutenant governor, secretary of state, auditor of state, 2802
treasurer of state, attorney general, member of the state board of 2803
education, chief justice of the supreme court, or justice of the 2804
supreme court. The report shall be mailed on or before the tenth 2805
day after the filing. 2806

(6) A board of elections shall send the report by mail to 2807
each person who files a declaration of candidacy or nominating 2808
petition with the board for the office of state representative or 2809
state senator. The report shall be mailed on or before the tenth 2810
day after the filing. 2811

Sec. 3517.105. (A)(1) As used in this section, "public 2812

political advertising" means advertising to the general public 2813
through a broadcasting station, newspaper, magazine, poster, yard 2814
sign, or outdoor advertising facility, by direct mail, or by any 2815
other means of advertising to the general public. 2816

(2) For purposes of this section and section 3517.20 of the 2817
Revised Code, a person is a member of a political action committee 2818
if the person makes one or more contributions to that political 2819
action committee, ~~and a person is a member of a political~~ 2820
~~contributing entity if the person makes one or more contributions~~ 2821
~~to, or pays dues, membership fees, or other assessments to, that~~ 2822
~~political contributing entity.~~ 2823

(B)(1) Whenever a candidate, a campaign committee, a 2824
political action committee ~~or political contributing entity~~ with 2825
ten or more members, or a legislative campaign fund makes an 2826
independent expenditure, or whenever a political action committee 2827
~~or political contributing entity~~ with fewer than ten members makes 2828
an independent expenditure in excess of one hundred dollars for a 2829
local candidate, in excess of two hundred fifty dollars for a 2830
candidate for the office of member of the general assembly, or in 2831
excess of five hundred dollars for a statewide candidate, for the 2832
purpose of financing communications advocating the election or 2833
defeat of an identified candidate or solicits without the 2834
candidate's express consent a contribution for or against an 2835
identified candidate through public political advertising, a 2836
statement shall appear or be presented in a clear and conspicuous 2837
manner in the advertising that does both of the following: 2838

(a) Clearly indicates that the communication or public 2839
political advertising is not authorized by the candidate or the 2840
candidate's campaign committee; 2841

(b) Clearly identifies the candidate, campaign committee, 2842
political action committee, ~~political contributing entity~~, or 2843
legislative campaign fund that has paid for the communication or 2844

public political advertising in accordance with section 3517.20 of 2845
the Revised Code. 2846

(2)(a) Whenever any campaign committee, legislative campaign 2847
fund, political action committee, ~~political contributing entity,~~ 2848
or political party makes an independent expenditure in support of 2849
or opposition to any candidate, the committee, ~~entity,~~ fund, or 2850
party shall report the independent expenditure and identify the 2851
candidate on a statement prescribed by the secretary of state and 2852
filed by the committee, ~~entity,~~ fund, or ~~political~~ party as part 2853
of its statement of contributions and expenditures pursuant to 2854
division (A) of section 3517.10 and division (A) of section 2855
3517.11 of the Revised Code. 2856

(b) Whenever any individual, partnership, or other entity, 2857
except a corporation, labor organization, campaign committee, 2858
legislative campaign fund, political action committee, ~~political~~ 2859
~~contributing entity,~~ or political party, makes one or more 2860
independent expenditures in support of or opposition to any 2861
candidate, the individual, partnership, or other entity shall file 2862
with the secretary of state in the case of a statewide candidate, 2863
or with the board of elections in the county in which the 2864
candidate files the candidate's petitions for nomination or 2865
election for district or local office, not later than the dates 2866
specified in divisions (A)(1), (2), ~~and (3),~~ and (4) of section 2867
3517.10 of the Revised Code, and, except as otherwise provided in 2868
that section, a statement itemizing all independent expenditures 2869
made during the period since the close of business on the last day 2870
reflected in the last previously filed such statement, if any. The 2871
statement shall be made on a form prescribed by the secretary of 2872
state or shall be filed by electronic means of transmission 2873
pursuant to division (G) of section 3517.106 of the Revised Code 2874
as authorized or required by that division. The statement shall 2875
indicate the date and the amount of each independent expenditure 2876

and the candidate on whose behalf it was made and shall be made 2877
under penalty of election falsification. 2878

(C)(1) Whenever a corporation, labor organization, campaign 2879
committee, political action committee with ten or more members, or 2880
legislative campaign fund makes an independent expenditure, or 2881
whenever a political action committee with fewer than ten members 2882
makes an independent expenditure in excess of one hundred dollars 2883
for a local ballot issue or question, or in excess of five hundred 2884
dollars for a statewide ballot issue or question, for the purpose 2885
of financing communications advocating support of or opposition to 2886
an identified ballot issue or question or solicits without the 2887
express consent of the ballot issue committee a contribution for 2888
or against an identified ballot issue or question through public 2889
political advertising, a statement shall appear or be presented in 2890
a clear and conspicuous manner in the advertising that does both 2891
of the following: 2892

(a) Clearly indicates that the communication or public 2893
political advertising is not authorized by the identified ballot 2894
issue committee; 2895

(b) Clearly identifies the corporation, labor organization, 2896
campaign committee, legislative campaign fund, or political action 2897
committee that has paid for the communication or public political 2898
advertising in accordance with section 3517.20 of the Revised 2899
Code. 2900

(2)(a) Whenever any corporation, labor organization, campaign 2901
committee, legislative campaign fund, political party, or 2902
political action committee makes an independent expenditure in 2903
support of or opposition to any ballot issue or question, the 2904
corporation or labor organization shall report the independent 2905
expenditure in accordance with division (C) of section 3599.03 of 2906
the Revised Code, and the campaign committee, fund, party, or 2907
political action committee shall report the independent 2908

expenditure and identify the ballot issue or question on a 2909
statement prescribed by the secretary of state and filed by the 2910
campaign committee, fund, ~~political~~ party, or political action 2911
committee as part of its statement of contributions and 2912
expenditures pursuant to division (A) of section 3517.10 and 2913
division (A) of section 3517.11 of the Revised Code. 2914

(b) Whenever any individual, partnership, or other entity, 2915
except a corporation, labor organization, campaign committee, 2916
legislative campaign fund, political action committee, or 2917
political party, makes one or more independent expenditures in 2918
excess of one hundred dollars in support of or opposition to any 2919
ballot issue or question, the individual, partnership, or other 2920
entity shall file with the secretary of state in the case of a 2921
statewide ballot issue or question, or with the board of elections 2922
in the county that certifies the issue or question for placement 2923
on the ballot in the case of a district or local issue or 2924
question, not later than the dates specified in ~~division~~ divisions 2925
(A)(1), (2), ~~and~~ (3), and (4) of section 3517.10 of the Revised 2926
Code, and, except as otherwise provided in that section, a 2927
statement itemizing all independent expenditures made during the 2928
period since the close of business on the last day reflected in 2929
the last previously filed such statement, if any. The statement 2930
shall be made on a form prescribed by the secretary of state or 2931
shall be filed by electronic means of transmission pursuant to 2932
division (G) of section 3517.106 of the Revised Code as authorized 2933
or required by that division. The statement shall indicate the 2934
date and the amount of each independent expenditure and the ballot 2935
issue or question in support of or opposition to which it was made 2936
and shall be made under penalty of election falsification. 2937

(3) No person, campaign committee, legislative campaign fund, 2938
political action committee, corporation, labor organization, or 2939
other organization or association shall use or cause to be used a 2940

false or fictitious name in making an independent expenditure in support of or opposition to any candidate or any ballot issue or question. A name is false or fictitious if the person, campaign committee, legislative campaign fund, political action committee, corporation, labor organization, or other organization or association does not actually exist or operate, if the corporation, labor organization, or other organization or association has failed to file a fictitious name or other registration with the secretary of state, if it is required to do so, or if the person, campaign committee, legislative campaign fund, or political action committee has failed to file a designation of the appointment of a treasurer, if it is required to do so by division (D)(1) of section 3517.10 of the Revised Code.

(D) Any expenditure by a political party for the purpose of financing communications advocating the election or defeat of a candidate for judicial office shall be deemed to be an independent expenditure subject to the provisions of this section.

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

(1) "Statewide office" means any of the offices of governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, chief justice of the supreme court, and justice of the supreme court.

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

(B)(1) The secretary of state shall store on computer the information contained in statements of contributions and expenditures and monthly statements required to be filed under section 3517.10 of the Revised Code and in statements of independent expenditures required to be filed under section

3517.105 of the Revised Code by any of the following:	2971
(1)(a) The campaign committees of candidates for statewide office;	2972 2973
(2)(b) The political action committees and political contributing entities described in division (A)(1) of section 3517.11 of the Revised Code;	2974 2975 2976
(3)(c) Legislative campaign funds;	2977
(4)(d) State political parties;	2978
(5)(e) 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;	2979 2980 2981 2982
(6)(f) The campaign committees of candidates for the office of member of the general assembly;	2983 2984
<u>(g) County political parties, with respect to their state candidate funds.</u>	2985 2986
<u>(2) The secretary of state shall store on computer the information contained in disclosure of electioneering communications statements required to be filed under section 3517.1011 of the Revised Code.</u>	2987 2988 2989 2990
<u>(3) The secretary of state shall store on computer the information contained in deposit and disbursement statements required to be filed with the office of the secretary of state under section 3517.1012 of the Revised Code.</u>	2991 2992 2993 2994
(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	2995 2996 2997 2998 2999 3000

interested persons, for a reasonable fee, computer programs that 3001
are compatible with the secretary of state's method of storing the 3002
information contained in the statements. 3003

(2) The secretary of state shall make the information 3004
required to be stored under division (B) of this section available 3005
on computer at the secretary of state's office so that, to the 3006
maximum extent feasible, individuals may obtain at the secretary 3007
of state's office any part or all of that information for any 3008
given year, subject to the limitation expressed in division (D) of 3009
this section. 3010

(D) The secretary of state shall keep the information stored 3011
on computer under division (B) of this section for at least six 3012
years. 3013

(E)(1) Subject to the secretary of state having implemented, 3014
tested, and verified the successful operation of any system the 3015
secretary of state prescribes pursuant to division (H)(1) of this 3016
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 3017
the Revised Code for the filing of campaign finance statements by 3018
electronic means of transmission, the campaign committee of each 3019
candidate for statewide office may file the statements prescribed 3020
by section 3517.10 of the Revised Code by electronic means of 3021
transmission or, if the total amount of the contributions received 3022
or the total amount of the expenditures made by the campaign 3023
committee for the applicable reporting period as specified in 3024
division (A) of section 3517.10 of the Revised Code exceeds ten 3025
thousand dollars, shall file those statements by electronic means 3026
of transmission. 3027

Except as otherwise provided in this division, within five 3028
business days after a statement filed by a campaign committee of a 3029
candidate for statewide office is received by the secretary of 3030
state by electronic or other means of transmission, the secretary 3031
of state shall make available online to the public through the 3032

internet, as provided in division (I) of this section, the 3033
contribution and expenditure information in that statement. The 3034
secretary of state shall not make available online to the public 3035
through the internet any contribution or expenditure information 3036
contained in a statement for any candidate until the secretary of 3037
state is able to make available online to the public through the 3038
internet the contribution and expenditure information for all 3039
candidates for a particular office. As soon as the secretary of 3040
state has available all of that information, the secretary of 3041
state shall simultaneously make available online to the public 3042
through the internet the information for all candidates for a 3043
particular office. 3044

If a statement filed by electronic means of transmission is 3045
found to be incomplete or inaccurate after the examination of the 3046
statement for completeness and accuracy pursuant to division 3047
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 3048
committee shall file by electronic means of transmission any 3049
addendum to the statement that provides the information necessary 3050
to complete or correct the statement or, if required by the 3051
secretary of state under that division, an amended statement. 3052

Within five business days after the secretary of state 3053
receives from a campaign committee of a candidate for statewide 3054
office an addendum to the statement or an amended statement by 3055
electronic or other means of transmission under this division or 3056
division (B)(3)(a) of section 3517.11 of the Revised Code, the 3057
secretary of state shall make the contribution and expenditure 3058
information in the addendum or amended statement available online 3059
to the public through the internet as provided in division (I) of 3060
this section. 3061

~~(2) Subject to division (E)(3) of this section and subject to~~ 3062
the secretary of state having implemented, tested, and verified 3063
the successful operation of any system the secretary of state 3064

prescribes pursuant to division (H)(1) of this section and 3065
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 3066
Code for the filing of campaign finance statements by electronic 3067
means of transmission, a political action committee ~~and a~~ 3068
~~political contributing entity~~ described in division (B)~~(2)~~(1)(b) 3069
of this section, a legislative campaign fund, and a state 3070
political party may file the statements prescribed by section 3071
3517.10 of the Revised Code by electronic means of transmission 3072
or, if the total amount of the contributions received or the total 3073
amount of the expenditures made by the political action committee, 3074
legislative campaign fund, or state political party for the 3075
applicable reporting period as specified in division (A) of 3076
section 3517.10 of the Revised Code exceeds ten thousand dollars, 3077
shall file those statements by electronic means of transmission. 3078

Within five business days after a statement filed by a 3079
political action committee ~~or a political contributing entity~~ 3080
described in division (B)~~(2)~~(1)(b) of this section, a legislative 3081
campaign fund, or a state political party is received by the 3082
secretary of state by electronic or other means of transmission, 3083
the secretary of state shall make available online to the public 3084
through the internet, as provided in division (I) of this section, 3085
the contribution and expenditure information in that statement. 3086

If a statement filed by electronic means of transmission is 3087
found to be incomplete or inaccurate after the examination of the 3088
statement for completeness and accuracy pursuant to division 3089
(B)(3)(a) of section 3517.11 of the Revised Code, the political 3090
action committee, ~~political contributing entity,~~ legislative 3091
campaign fund, or state political party shall file by electronic 3092
means of transmission any addendum to the statement that provides 3093
the information necessary to complete or correct the statement or, 3094
if required by the secretary of state under that division, an 3095
amended statement. 3096

Within five business days after the secretary of state 3097
receives from a political action committee ~~or a political~~ 3098
~~contributing entity~~ described in division (B)~~(2)~~(1)(b) of this 3099
section, a legislative campaign fund, or a state political party 3100
an addendum to the statement or an amended statement by electronic 3101
or other means of transmission under this division or division 3102
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 3103
state shall make the contribution and expenditure information in 3104
the addendum or amended statement available online to the public 3105
through the internet as provided in division (I) of this section. 3106

(3) Subject to the secretary of state having implemented, 3107
tested, and verified the successful operation of any system the 3108
secretary of state prescribes pursuant to division (H)(1) of this 3109
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 3110
the Revised Code for the filing of campaign finance statements by 3111
electronic means of transmission, ~~a political action committee and~~ 3112
~~a political contributing entity described in division (B)(2) of~~ 3113
~~this section, a legislative campaign fund, and a state county~~ 3114
political party shall file the statements prescribed by section 3115
3517.10 of the Revised Code with respect to its state candidate 3116
fund by electronic means of transmission ~~if the total amount of~~ 3117
~~the contributions received or the total amount of the expenditures~~ 3118
~~made by the political action committee, political contributing~~ 3119
~~entity, legislative campaign fund, or political party for the~~ 3120
~~applicable reporting period as specified in division (A) of~~ 3121
~~section 3517.10 of the Revised Code exceeds ten thousand dollars~~ 3122
to the office of the secretary of state. 3123

Within five business days after a statement filed by a 3124
~~political action committee or a political contributing entity~~ 3125
~~described in division (B)(2) of this section, a legislative~~ 3126
~~campaign fund, or a state county~~ political party with respect to 3127
its state candidate fund is received by the secretary of state by 3128

electronic ~~or other~~ means of transmission, the secretary of state 3129
shall make available online to the public through the internet, as 3130
provided in division (I) of this section, the contribution and 3131
expenditure information in that statement. 3132

If a statement ~~filed by electronic means of transmission~~ is 3133
found to be incomplete or inaccurate after the examination of the 3134
statement for completeness and accuracy pursuant to division 3135
(B)(3)(a) of section 3517.11 of the Revised Code, ~~the political~~ 3136
~~action committee, political contributing entity, legislative~~ 3137
~~campaign fund, or state~~ a county political party shall file by 3138
electronic means of transmission any addendum to the statement 3139
that provides the information necessary to complete or correct the 3140
statement or, if required by the secretary of state under that 3141
division, an amended statement. 3142

Within five business days after the secretary of state 3143
receives from a ~~political action committee or a political~~ 3144
~~contributing entity described in division (B)(2) of this section,~~ 3145
~~a legislative campaign fund, or a state~~ county political party an 3146
addendum to the statement or an amended statement by electronic ~~or~~ 3147
~~other~~ means of transmission under this division or division 3148
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 3149
state shall make the contribution and expenditure information in 3150
the addendum or amended statement available online to the public 3151
through the internet as provided in division (I) of this section. 3152

(F)(1) Subject ~~to division (F)(4) of this section and subject~~ 3153
to the secretary of state having implemented, tested, and verified 3154
the successful operation of any system the secretary of state 3155
prescribes pursuant to division (H)(1) of this section and 3156
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 3157
Code for the filing of campaign finance statements by electronic 3158
means of transmission ~~or on computer disk~~, a campaign committee of 3159
a candidate for the office of member of the general assembly or a 3160

campaign committee of a candidate for the office of judge of a 3161
court of appeals may file the statements prescribed by section 3162
3517.10 of the Revised Code in accordance with division (A)(2) of 3163
section 3517.11 of the Revised Code or by electronic means of 3164
transmission to the office of the secretary of state or, ~~until~~ 3165
~~March 1, 2004, on computer disk with the appropriate board of~~ 3166
~~elections specified in division (A)(2) of section 3517.11 of the~~ 3167
~~Revised Code~~ if the total amount of the contributions received by 3168
the campaign committee for the applicable reporting period as 3169
specified in division (A) of section 3517.10 of the Revised Code 3170
exceeds ten thousand dollars, shall file those statements by 3171
electronic means of transmission to the office of the secretary of 3172
state. 3173

Except as otherwise provided in this division, within five 3174
business days after a statement filed by a campaign committee of a 3175
candidate for the office of member of the general assembly or a 3176
campaign committee of a candidate for the office of judge of a 3177
court of appeals is received by the secretary of state by 3178
electronic or other means of transmission, the secretary of state 3179
shall make available online to the public through the internet, as 3180
provided in division (I) of this section, the contribution and 3181
expenditure information in that statement. The secretary of state 3182
shall not make available online to the public through the internet 3183
any contribution or expenditure information contained in a 3184
statement for any candidate until the secretary of state is able 3185
to make available online to the public through the internet the 3186
contribution and expenditure information for all candidates for a 3187
particular office. As soon as the secretary of state has available 3188
all of that information, the secretary of state shall 3189
simultaneously make available online to the public through the 3190
internet the information for all candidates for a particular 3191
office. 3192

If a statement filed by electronic means of transmission ~~or~~ 3193
~~on computer disk~~ is found to be incomplete or inaccurate after the 3194
examination of the statement for completeness and accuracy 3195
pursuant to division (B)(3)(a) of section 3517.11 of the Revised 3196
Code, the campaign committee shall file by electronic means of 3197
transmission to the office of the secretary of state, ~~or, until~~ 3198
~~March 1, 2004, on computer disk with the appropriate board of~~ 3199
~~elections if the original statement was filed on computer disk,~~ 3200
any addendum to the statement that provides the information 3201
necessary to complete or correct the statement or, if required by 3202
the secretary of state under that division, an amended statement. 3203

Within five business days after the secretary of state 3204
receives from a campaign committee of a candidate for the office 3205
of member of the general assembly or a campaign committee of a 3206
candidate for the office of judge of a court of appeals an 3207
addendum to the statement or an amended statement by electronic or 3208
other means of transmission under this division or division 3209
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 3210
state shall make the contribution and expenditure information in 3211
the addendum or amended statement available online to the public 3212
through the internet as provided in division (I) of this section. 3213

(2) ~~Until March 1, 2004, if a campaign committee of a~~ 3214
~~candidate for the office of member of the general assembly files a~~ 3215
~~statement of contributions and expenditures, an addendum to the~~ 3216
~~statement, or an amended statement by electronic means of~~ 3217
~~transmission or on computer disk pursuant to division (F)(1) of~~ 3218
~~this section, the campaign committee shall file as prescribed by~~ 3219
~~section 3517.10 of the Revised Code with the appropriate board of~~ 3220
~~elections specified in division (A)(2) of section 3517.11 of the~~ 3221
~~Revised Code a printed version of the statement, addendum, or~~ 3222
~~amended statement filed by electronic means of transmission or on~~ 3223
~~computer disk, in the format that the secretary of state shall~~ 3224

~~prescribe.~~ 3225

If a statement, addendum, or amended statement is not filed 3226
by electronic means of transmission ~~or on computer disk to the~~ 3227
office of the secretary of state but is filed by printed version 3228
only under division (A)(2) of section 3517.11 of the Revised Code 3229
with the appropriate board of elections, the campaign committee of 3230
a candidate for the office of member of the general assembly or a 3231
campaign committee of a candidate for the office of judge of a 3232
court of appeals shall file two copies of the printed version of 3233
the statement, addendum, or amended statement with the ~~appropriate~~ 3234
board of elections. The board of elections shall send one of those 3235
copies by overnight delivery service to the secretary of state 3236
before the close of business on the day the board of elections 3237
receives the statement, addendum, or amended statement. 3238

~~(3)(a) Subject to division (F)(4) of this section and subject~~ 3239
~~to the secretary of state having implemented, tested, and verified~~ 3240
~~the successful operation of any system the secretary of state~~ 3241
~~prescribes pursuant to division (H)(1) of this section and~~ 3242
~~divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised~~ 3243
~~Code for the filing of campaign finance statements by electronic~~ 3244
~~means of transmission or on computer disk, the secretary of state~~ 3245
~~shall assess, and a campaign committee of a candidate for the~~ 3246
~~office of member of the general assembly shall pay, a fee as~~ 3247
~~provided in this division if the campaign committee has not filed~~ 3248
~~the campaign finance statements prescribed by section 3517.10 of~~ 3249
~~the Revised Code by electronic means of transmission or on~~ 3250
~~computer disk pursuant to division (F)(1) of this section. The fee~~ 3251
~~shall be calculated on the total contributions received for the~~ 3252
~~applicable reporting period specified in division (A) of section~~ 3253
~~3517.10 of the Revised Code as follows:~~ 3254

~~(i) No fee for total contributions up to and including ten~~ 3255
~~thousand dollars;~~ 3256

~~(ii) A fee of fifty dollars for total contributions of over 3257
ten thousand dollars up to and including twenty five thousand 3258
dollars; 3259~~

~~(iii) A fee of one hundred fifty dollars for total 3260
contributions over twenty five thousand dollars up to and 3261
including fifty thousand dollars; 3262~~

~~(iv) A fee of two hundred dollars for total contributions 3263
over fifty thousand dollars. 3264~~

~~(b) No campaign committee of a candidate for the office of 3265
member of the general assembly shall be required to pay the fee 3266
prescribed by division (F)(3)(a) of this section in connection 3267
with the filing of an addendum to a statement of contributions and 3268
expenditures or in connection with the filing of an amended 3269
statement. 3270~~

~~(c) The fee prescribed by division (F)(3)(a) of this section 3271
shall be made payable to the secretary of state and shall be 3272
collected by the appropriate board of elections at the time the 3273
campaign committee of a candidate for the office of member of the 3274
general assembly files the statement of contributions and 3275
expenditures. The fee shall be sent along with the statement, 3276
before the close of business on the day it is received, to the 3277
secretary of state by overnight delivery service. 3278~~

~~(4) Subject to the secretary of state having implemented, 3279
tested, and verified the successful operation of any system the 3280
secretary of state prescribes pursuant to division (H)(1) of this 3281
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 3282
the Revised Code for the filing of campaign finance statements by 3283
electronic means of transmission, on and after March 1, 2004, a 3284
campaign committee of a candidate for the office of member of the 3285
general assembly shall file the statements prescribed by section 3286
3517.10 of the Revised Code by electronic means of transmission to 3287~~

~~the secretary of state if the total amount of the contributions
received by the campaign committee for the applicable reporting
period as specified in division (A) of section 3517.10 of the
Revised Code exceeds ten thousand dollars.~~

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

~~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 campaign
committee of a candidate for the office of member of the general
assembly shall file by electronic means of transmission any
addendum to the statement that provides the information necessary
to complete or correct the statement or, if required by the
secretary of state under that division, an amended statement.~~

~~Within five business days after the secretary of state
receives from a campaign committee of a candidate for the office~~

~~of member of the general assembly an addendum to the statement or 3320
an amended statement by electronic or other means of transmission 3321
under this division or division (B)(3)(a) of section 3517.11 of 3322
the Revised Code, the secretary of state shall make the 3323
contribution and expenditure information in the addendum or 3324
amended statement available online to the public through the 3325
internet as provided in division (I) of this section. 3326~~

(G)(1) Subject to division (G)(2) of this section and subject 3327
to the secretary of state having implemented, tested, and verified 3328
the successful operation of any system the secretary of state 3329
prescribes pursuant to division (H)(1) of this section and 3330
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 3331
Code for the filing of campaign finance statements by electronic 3332
means of transmission, any individual, partnership, or other 3333
entity that makes independent expenditures in support of or 3334
opposition to a statewide candidate or a statewide ballot issue or 3335
question as provided in division (B)(2)(b) or (C)(2)(b) of section 3336
3517.105 of the Revised Code may file the statement specified in 3337
that division by electronic means of transmission or, if the total 3338
amount of independent expenditures made during the reporting 3339
period under that division exceeds ten thousand dollars, shall 3340
file the statement specified in that division by electronic means 3341
of transmission. 3342

Within five business days after a statement filed by an 3343
individual, partnership, or other entity is received by the 3344
secretary of state by electronic or other means of transmission, 3345
the secretary of state shall make available online to the public 3346
through the internet, as provided in division (I) of this section, 3347
the expenditure information in that statement. 3348

If a statement filed by electronic means of transmission is 3349
found to be incomplete or inaccurate after the examination of the 3350
statement for completeness and accuracy pursuant to division 3351

(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.

~~(2) 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, 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 shall file the statement specified in that division by electronic means of transmission if the total amount of the independent expenditures made during the reporting period under that division exceeds ten thousand dollars.~~

~~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 3384
through the internet, as provided in division (I) of this section, 3385
the expenditure information in that statement. 3386~~

~~If a statement filed by electronic means of transmission is 3387
found to be incomplete or inaccurate after the examination of the 3388
statement for completeness and accuracy pursuant to division 3389
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 3390
partnership, or other entity shall file by electronic means of 3391
transmission any addendum to the statement that provides the 3392
information necessary to complete or correct the statement or, if 3393
required by the secretary of state under that division, an amended 3394
statement. 3395~~

~~Within five business days after the secretary of state 3396
receives from an individual, partnership, or other entity 3397
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 3398
of the Revised Code an addendum to the statement or an amended 3399
statement by electronic or other means of transmission under this 3400
division or division (B)(3)(a) of section 3517.11 of the Revised 3401
Code, the secretary of state shall make the expenditure 3402
information in the addendum or amended statement available online 3403
to the public through the internet as provided in division (I) of 3404
this section. 3405~~

(H)(1) The secretary of state, by rule adopted pursuant to 3406
section 3517.23 of the Revised Code, shall prescribe one or more 3407
techniques by which a person who executes and transmits by 3408
electronic means a statement of contributions and expenditures, a 3409
statement of independent expenditures, a disclosure of 3410
electioneering communications statement, or a deposit and 3411
disbursement statement, an addendum to ~~either statement~~ any of 3412
those statements, an amended statement of contributions and 3413
expenditures, ~~or an amended statement of independent expenditures,~~ 3414
an amended disclosure of electioneering communications statement, 3415

or an amended deposit and disbursement statement, under this 3416
section or section 3517.10 ~~or~~, 3517.105, 3517.1011, or 3517.1012 3417
of the Revised Code shall electronically sign the statement, 3418
addendum, or amended statement. Any technique prescribed by the 3419
secretary of state pursuant to this division shall create an 3420
electronic signature that satisfies all of the following: 3421

(a) It is unique to the signer. 3422

(b) It objectively identifies the signer. 3423

(c) It involves the use of a signature device or other means 3424
or method that is under the sole control of the signer and that 3425
cannot be readily duplicated or compromised. 3426

(d) It is created and linked to the electronic record to 3427
which it relates in a manner that, if the record or signature is 3428
intentionally or unintentionally changed after signing, the 3429
electronic signature is invalidated. 3430

(2) An electronic signature prescribed by the secretary of 3431
state under division (H)(1) of this section shall be attached to 3432
or associated with the statement of contributions and 3433
expenditures, the statement of independent expenditures, the 3434
disclosure of electioneering communications statement, or the 3435
deposit and disbursement statement, the addendum to ~~either~~ 3436
~~statement~~ any of those statements, the amended statement of 3437
contributions and expenditures, ~~or~~ the amended statement of 3438
independent expenditures, the amended disclosure of electioneering 3439
communications statement, or the amended deposit and disbursement 3440
statement that is executed and transmitted by electronic means by 3441
the person to whom the electronic signature is attributed. The 3442
electronic signature that is attached to or associated with the 3443
statement, addendum, or amended statement under this division 3444
shall be binding on all persons and for all purposes under the 3445
campaign finance reporting law as if the signature had been 3446

handwritten in ink on a printed form ~~of the statement, addendum,~~ 3447
~~or amended statement.~~ 3448

(I) The secretary of state shall make the contribution and 3449
expenditure, the contribution and disbursement, or the deposit and 3450
disbursement information in all statements, all addenda to the 3451
statements, and all amended statements that are filed with the 3452
secretary of state by electronic or other means of transmission 3453
under this section or section 3517.10, 3517.105, 3517.1011, 3454
3517.1012, or 3517.11 of the Revised Code available online to the 3455
public by any means that are searchable, viewable, and accessible 3456
through the internet. 3457

(J)(1) As used in this division, "library" means a library 3458
that is open to the public and that is one of the following: 3459

(a) A library that is maintained and regulated under section 3460
715.13 of the Revised Code; 3461

(b) A library that is created, maintained, and regulated 3462
under Chapter 3375. of the Revised Code. 3463

(2) The secretary of state shall notify all libraries of the 3464
location on the internet at which the contribution and 3465
expenditure, contribution and disbursement, or deposit and 3466
disbursement information in campaign finance statements required 3467
to be made available online to the public through the internet 3468
pursuant to division (I) of this section may be accessed. 3469

If that location is part of ~~the graphical subnetwork~~ called 3470
the world wide web and if the secretary of state has notified a 3471
library of that world wide web location as required by this 3472
division, the library shall include a link to that world wide web 3473
location on each internet-connected computer it maintains that is 3474
accessible to the public. 3475

(3) If the system the secretary of state prescribes for the 3476
filing of campaign finance statements by electronic means of 3477

transmission pursuant to division (H)(1) of this section and 3478
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 3479
Code includes filing those statements through the internet via ~~an~~ 3480
~~interactive location on the graphical subnetwork~~ called the world 3481
wide web, the secretary of state shall notify all libraries of the 3482
world wide web location at which those statements may be filed. 3483

If those statements may be filed through the internet via ~~an~~ 3484
~~interactive location on the graphical subnetwork~~ called the world 3485
wide web and if the secretary of state has notified a library of 3486
that world wide web location as required by this division, the 3487
library shall include a link to that world wide web location on 3488
each internet-connected computer it maintains that is accessible 3489
to the public. 3490

(K) It is an affirmative defense to a complaint or charge 3491
brought against any campaign committee, political action 3492
committee, legislative campaign fund, or political party, 3493
~~political contributing entity, or~~ any individual, partnership, or 3494
other entity, or any electioneering communication committee, for 3495
the failure to file by electronic means of transmission a campaign 3496
finance statement as required by this section or section 3517.10 3497
~~or~~, 3517.105, 3517.1011, or 3517.1012 of the Revised Code that all 3498
of the following apply to the campaign committee, political action 3499
committee, legislative campaign fund, or political party, 3500
~~political contributing entity, or~~ the individual, partnership, or 3501
other entity, or the electioneering communication committee, that 3502
failed to so file ~~the required statement~~: 3503

(1) The campaign committee, political action committee, 3504
legislative campaign fund, or political party, ~~political~~ 3505
~~contributing entity, or~~ the individual, partnership, or other 3506
entity, or the electioneering communication committee attempted to 3507
file by electronic means of transmission the required statement 3508
prior to the deadline set forth in the applicable section. 3509

(2) The campaign committee, political action committee, 3510
legislative campaign fund, or political party, ~~political~~ 3511
~~contributing entity, or the~~ individual, partnership, or other 3512
entity, or the electioneering communication committee was unable 3513
to file by electronic means of transmission due to an expected or 3514
unexpected shutdown of the whole or part of the electronic 3515
campaign finance statement-filing system, such as for maintenance 3516
or because of hardware, software, or network connection failure. 3517

(3) The campaign committee, political action committee, 3518
legislative campaign fund, or political party, ~~political~~ 3519
~~contributing entity, or the~~ individual, partnership, or other 3520
entity, or the electioneering communication committee filed by 3521
electronic means of transmission the required statement within a 3522
reasonable period of time after being unable to so file it under 3523
the circumstance described in division (K)(2) of this section. 3524

Sec. 3517.108. (A) As used in divisions (A) and (B) of this 3525
section: 3526

(1) "Candidate" has the same meaning as in section 3517.01 of 3527
the Revised Code but includes only candidates for the offices of 3528
governor, lieutenant governor, secretary of state, auditor of 3529
state, treasurer of state, attorney general, member of the state 3530
board of education, member of the general assembly, chief justice 3531
of the supreme court, and justice of the supreme court. 3532

(2) A "general election period" begins on the day after the 3533
primary election immediately preceding the general election at 3534
which a candidate seeks an office specified in division (A)(1) of 3535
this section and ends on the thirty-first day of December 3536
following that general election. 3537

(3) A "primary election period" begins on the first day of 3538
January of the year following the year in which the general 3539

election was held for the office that the candidate seeks, 3540
including any mid-term election, and ends on the day of the 3541
primary election. 3542

(B) Whenever the campaign committee of a candidate has unpaid 3543
debt at the end of a primary election period or at the end of a 3544
general election period, the committee may accept additional 3545
contributions during the immediately following election period up 3546
to the applicable limitation prescribed under section 3517.102 of 3547
the Revised Code from any individual, political action committee, 3548
~~political contributing entity~~, or other campaign committee who, 3549
during the primary or general election period for which debt 3550
remains unpaid, has contributed less than the contribution 3551
limitations prescribed under section 3517.102 of the Revised Code 3552
applicable to that individual, political action committee, 3553
~~political contributing entity~~, or other campaign committee. Any 3554
additional contribution that a campaign committee accepts under 3555
this division shall count toward the applicable limitations 3556
prescribed under section 3517.102 of the Revised Code for that 3557
primary or general election period at the end of which the debt 3558
remains unpaid, and shall not count toward the applicable 3559
limitations for any other primary or general election period if 3560
all of the following conditions apply: 3561

(1) The campaign committee reports, on the statement required 3562
to be filed under division (A)(2) of section 3517.10 of the 3563
Revised Code, all debt remaining unpaid at the end of the election 3564
period. The committee shall also file a separate statement, on a 3565
form prescribed by the secretary of state, at the same time that 3566
the committee is required to file a statement of contributions and 3567
expenditures under section 3517.10 of the Revised Code. The 3568
separate statement shall include the name and address of each 3569
contributor who makes an additional contribution under division 3570
(B) of this section, how the contribution was applied to pay the 3571

unpaid debt as required by division (B)(3) of this section, and 3572
the balance of the unpaid debt after each contribution was applied 3573
to it. 3574

(2) The additional contributions are accepted only during the 3575
primary or general election period, whichever is applicable, 3576
immediately following the election period covered in the statement 3577
filed under division (B)(1) of this section. 3578

(3) All additional contributions made under division (B) of 3579
this section are used by the campaign committee that receives them 3580
only to pay the debt of the committee reported under division 3581
(B)(1) of this section. 3582

(4) The campaign committee maintains a separate account for 3583
all additional contributions made under division (B) of this 3584
section, and uses moneys in that account only to pay the unpaid 3585
debt reported under division (B)(1) of this section and to 3586
administer the account. 3587

(5) The campaign committee stops accepting additional 3588
contributions after funds sufficient to repay the unpaid debt 3589
reported under division (B)(1) of this section have been raised 3590
and promptly disposes of any contributions received that exceed 3591
the amount of the unpaid debt by returning the excess 3592
contributions to the contributors or by giving the excess 3593
contributions to an organization that is exempt from federal 3594
income taxation under subsection 501(a) and described in 3595
subsection 501(c)(3), (4), (8), (10), or (19) of the Internal 3596
Revenue Code. 3597

Sec. 3517.109. (A) As used in this section: 3598

(1) "Candidate" has the same meaning as in section 3517.01 of 3599
the Revised Code but includes only candidates for the offices of 3600
governor, lieutenant governor, secretary of state, auditor of 3601

state, treasurer of state, attorney general, member of the state board of education, and member of the general assembly.

(2) "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, and member of the state board of education.

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

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

(5) "State office" means the offices of governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, and member of the general assembly.

(6) "Aggregate contribution" means the total of all contributions from a contributor during the pre-filing period.

(7) "Allowable aggregate contribution" means all of the following:

(a) In the case of a contribution from a contributor whose contributions are subject to the contribution limits described in division (B)(1), (2), (3), or (6)(a), ~~or (7)~~ of section 3517.102 of the Revised Code, that portion of the amount of the contributor's aggregate contribution that does not exceed the preprimary contribution limit applicable to that contributor.

(b) In the case of a contribution or contributions from a contributor whose contributions are not subject to the contribution limits described in divisions (B)(1), (2), (3), or (6)(a), ~~or (7)~~ of section 3517.102 of the Revised Code, the total of the following:

(i) That portion of the aggregate contribution that was received as in-kind services; 3632
3633

(ii) That portion of the aggregate contribution that was received as cash and does not exceed the applicable preprimary cash transfer or contribution limits described in division (B)(6)(b) of section 3517.102 of the Revised Code. 3634
3635
3636
3637

(8) "Excess aggregate contribution" means, for each contributor, the amount by which that contributor's aggregate contribution exceeds that contributor's allowable aggregate contribution. 3638
3639
3640
3641

(9) "Pre-filing period" means the period of time ending on the day that the candidacy petitions are due for the state office for which the candidate has filed and beginning on the latest date of the following: 3642
3643
3644
3645

(a) The first day of January of the year following the general election in which that state office was last on the ballot; 3646
3647
3648

(b) The first day of January of the year following the general election in which the candidate was last a candidate for any office; 3649
3650
3651

(c) The first day of the month following the primary election in which the candidate was last a candidate for any office. 3652
3653

(10) "Filing date" means the last date on which a candidacy petition may be filed for an office. 3654
3655

(11) "Applicable carry-in limit" means thirty-five thousand dollars if the candidate is a house candidate or a candidate for the state board of education, one hundred thousand dollars if the candidate is a senate candidate, and two hundred thousand dollars if the candidate is a statewide candidate other than a candidate for the state board of education. 3656
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(12) "Campaign asset" means prepaid, purchased, or donated assets available to the candidate on the date of the filing deadline for the office the candidate is seeking that will be consumed or depleted in the course of the candidate's election campaign, including, but not limited to, postage, prepaid rent for campaign headquarters, prepaid radio, television, and newspaper advertising, and other prepaid consulting and personal services.

(13) "Permitted funds" means the sum of the following:

(a) The total of the allowable aggregate contribution of each contributor;

(b) The applicable carry-in limit.

(14) "Excess funds" means the amount by which the sum of the total cash on hand and total reported campaign assets exceeds permitted funds.

(15) "Covered candidate" means both of the following:

(a) A candidate who, during the pre-filing period, accepts or has a campaign committee that accepts contributions on the candidate's behalf for the purpose of nominating or electing the candidate to any office not subject to the contribution limits prescribed in section 3517.102 of the Revised Code;

(b) A person who, during the pre-filing period, accepts or has a campaign committee that accepts contributions on the person's behalf prior to the person deciding upon or announcing the office for which the person will become a candidate for nomination or election.

(B) Each candidate who files for state office, not later than the filing date for that office, shall dispose of any excess funds. Each covered candidate who files for state office, not later than the filing date for that office, shall dispose of any excess aggregate contributions.

(C) Any campaign committee that is required to dispose of
excess funds or excess aggregate contributions under division (B)
of this section shall dispose of that excess amount or amounts by
doing any of the following:

(1) Giving the amount to the treasurer of state for deposit
into the state treasury to the credit of the Ohio elections
commission fund created by division (I) of section 3517.152 of the
Revised Code;

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

(3) 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.

(D)(1) Subject to division (D)(2) of this section, no
candidate or covered candidate shall appear on the ballot, even if
certified to appear on the ballot, unless the candidate's or
covered candidate's campaign committee has disposed of excess
funds, excess aggregate contributions, or both as required by
divisions (B) and (C) of this section.

(2) If the excess aggregate contributions accepted by a
covered candidate or a covered candidate's campaign committee
aggregate a total of less than five thousand dollars from all
contributors, that candidate shall not be prohibited from
appearing on the ballot under division (D)(1) of this section.

(E)(1) The campaign committee of each candidate required to
dispose of excess funds under this section shall file a report, on
a form prescribed by the secretary of state, with the official or
board with which the candidate is required to file statements
under section 3517.11 of the Revised Code. The report shall be
filed by the seventh day following the filing deadline for the

office the candidate is seeking, shall indicate the amount of 3723
excess funds disposed of, and shall describe the manner in which 3724
the campaign committee disposed of the excess amount. 3725

(2) In addition to the information required to be included in 3726
a report filed under division (E)(1) of this section, the campaign 3727
committee of each covered candidate required to dispose of excess 3728
aggregate contributions under this section shall include in that 3729
report the source and amount of each excess aggregate contribution 3730
disposed of and shall describe the manner in which the campaign 3731
committee disposed of the excess amount. 3732

(F)(1) Each campaign committee of a candidate who has filed a 3733
declaration of candidacy or a nominating petition for a state 3734
office, not later than seven days after the ~~date of the filing~~ 3735
~~deadline~~ date for the office the candidate is seeking, shall file 3736
a declaration of filing-day finances, on a form prescribed by the 3737
secretary of state, with the official or board with which the 3738
candidate is required to file statements under section 3517.11 of 3739
the Revised Code. 3740

(2) A declaration of filing-day finances shall list all of 3741
the following: 3742

(a) The amount of cash on hand in the candidate's campaign 3743
fund on the ~~date of the filing~~ ~~deadline~~ date for the office the 3744
candidate is seeking. 3745

(b) The value and description of all campaign assets worth 3746
five hundred dollars or more available to the candidate on the 3747
~~date of the filing~~ date. Assets purchased by the campaign shall be 3748
valued at actual cost, and in-kind contributions shall be valued 3749
at market value. 3750

(c) The total of all aggregate contributions; 3751

(d) The total of all allowable aggregate contributions; 3752

(e) The applicable carry-in limit, if any.	3753
(3) In addition to the information required to be included in a report of filing-day finances filed under division (F)(1) of this section, the campaign committee of each covered candidate shall include both of the following in that report:	3754 3755 3756 3757
(a) The total of all excess aggregate contributions;	3758
(b) For each contributor, if any, for whom there is an excess aggregate contribution, the name, address, aggregate contribution, and excess aggregate contribution.	3759 3760 3761
(G) A campaign committee of a candidate is not required to file a declaration of filing-day finances under division (F) of this section if all of the following apply:	3762 3763 3764
(1) The campaign committee has not accepted, during the pre-filing period, any aggregate contribution greater than the applicable amount.	3765 3766 3767
(2) The campaign committee had less than the carry-in amount in cash on hand at the beginning of the pre-filing period.	3768 3769
(3) The candidate files a declaration, on a form prescribed by the secretary of state, with the official or board with which the candidate is required to file statements under section 3517.11 of the Revised Code not later than seven days after the date of the filing deadline <u>date</u> for the office that candidate is seeking, stating that the candidate's campaign committee has not accepted aggregate contributions as described in division (G)(1) of this section and has less than the carry-in amount in cash on hand as described in division (G)(2) of this section.	3770 3771 3772 3773 3774 3775 3776 3777 3778
<u>Sec. 3517.1011.</u> (A) As used in this section:	3779
(1) <u>"Address" has the same meaning as in section 3517.10 of the Revised Code.</u>	3780 3781

(2) "Broadcast, cable, or satellite communication" means a communication that is publicly distributed by a television station, radio station, cable television system, or satellite system. 3782
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(3) "Contribution" means any loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or of anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, that is made, received, or used to pay the direct costs of producing or airing electioneering communications. 3786
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(4)(a) "Coordinated electioneering communication" means any electioneering communication that is made pursuant to any arrangement, coordination, or direction by a candidate or a candidate's campaign committee, by an officer, agent, employee, or consultant of a candidate or a candidate's campaign committee, or by a former officer, former agent, former employee, or former consultant of a candidate or a candidate's campaign committee prior to the airing, broadcasting, or cablecasting of the communication. An electioneering communication is presumed to be a "coordinated electioneering communication" when it is either of the following: 3794
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(i) Based on information about a candidate's plans, projects, or needs provided to the electioneering communication committee making the disbursement by the candidate or the candidate's campaign committee, by an officer, agent, employee, or consultant of the candidate or the candidate's campaign committee, or by a former officer, former agent, former employee, or former consultant of the candidate or the candidate's campaign committee, with a view toward having the communication made; 3805
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(ii) Made by or through any person who is, or has been, authorized to raise or expend funds on behalf of a candidate or the candidate's campaign committee, who is, or has been, an officer, agent, employee, or consultant of the candidate or of the candidate's campaign committee, or who is, or has been, receiving any form of compensation or reimbursement from the candidate or the candidate's campaign committee or from an officer, agent, employee, or consultant of the candidate or of the candidate's campaign committee. 3813
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(b) An electioneering communication may only be considered to be a "coordinated electioneering communication" if the communication is made during one of the following periods of time: 3822
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(i) Between the filing date for the office the candidate is seeking and the thirtieth day prior to the primary election at which candidates will be nominated for that office; 3825
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(ii) Between the day of the primary election at which the candidate was nominated for office and the thirtieth day prior to the general election at which a candidate will be elected to that office. 3828
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(c) An electioneering communication shall not be presumed to be a "coordinated electioneering communication" under division (A)(4)(a)(ii) of this section if the communication is made through any person who provides a service that does not affect the content of the communication, such as communications placed through the efforts of a media buyer, unless that person also affects the content of the communication. 3832
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(5) "Disclosure date" means both of the following: 3839

(a) The first date during any calendar year by which an electioneering communication committee makes disbursements for the direct costs of producing or airing electioneering communications aggregating in excess of one dollar; 3840
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(b) The same day of the week of each remaining week in the 3844
same calendar year as the day of the week of the initial 3845
disclosure date established under division (A)(5)(a) of this 3846
section, if, during that remaining week, the electioneering 3847
communication committee makes disbursements for the direct costs 3848
of producing or airing electioneering communications aggregating 3849
in excess of one dollar. 3850

(6)(a) "Electioneering communication" means any broadcast, 3851
cable, or satellite communication that refers to a clearly 3852
identified candidate and that is made at any time other than 3853
during the thirty days preceding a primary election or during the 3854
thirty days preceding a general election. 3855

(b) "Electioneering communication" does not include any of 3856
the following: 3857

(i) A communication that is publicly disseminated through a 3858
means of communication other than a broadcast, cable, or satellite 3859
television or radio station. For example, "electioneering 3860
communication" does not include communications appearing in print 3861
media, including a newspaper or magazine, handbill, brochure, 3862
bumper sticker, yard sign, poster, billboard, and other written 3863
materials, including mailings; communications over the internet, 3864
including electronic mail; or telephone communications. 3865

(ii) A communication that appears in a news story, 3866
commentary, or editorial distributed through the facilities of any 3867
broadcast, cable, or satellite television or radio station, unless 3868
those facilities are owned or controlled by any political party, 3869
political committee, or candidate; 3870

(iii) A communication that constitutes an expenditure or an 3871
independent expenditure under section 3517.01 of the Revised Code; 3872

(iv) A communication that constitutes a candidate debate or 3873
forum or that solely promotes a candidate debate or forum and is 3874

<u>made by or on behalf of the person sponsoring the debate or forum.</u>	3875
<u>(7) "Filing date" has the same meaning as in section 3517.109 of the Revised Code.</u>	3876
<u>(8) "Immigration and Nationality Act" means the Immigration and Nationality Act, 110 Stat. 309 (1996), 8 U.S.C. 1101 et seq., as amended.</u>	3878
<u>(9) "Person" has the same meaning as in section 1.59 of the Revised Code and includes any political organization considered exempt from income taxation under section 527 of the Internal Revenue Code.</u>	3879
<u>(10) "Political committee" means any of the following:</u>	3880
<u>(a) Any committee, club, association, or other group of persons that receives contributions aggregating in excess of one thousand dollars during a calendar year or that makes expenditures aggregating in excess of one thousand dollars during a calendar year;</u>	3881
<u>(b) Any separate segregated fund;</u>	3882
<u>(c) Any state, county, or local committee of a political party that does any of the following:</u>	3883
<u>(i) Receives contributions aggregating in excess of five thousand dollars during a calendar year;</u>	3884
<u>(ii) Makes payments that do not constitute contributions or expenditures aggregating in excess of five thousand dollars during a calendar year;</u>	3885
<u>(iii) Makes contributions or expenditures aggregating in excess of one thousand dollars during a calendar year.</u>	3886
<u>(11) "Publicly distributed" means aired, broadcast, cablecast, or otherwise disseminated for a fee.</u>	3887
<u>(12) "Refers to a clearly identified candidate" means that</u>	3888

the candidate's name, nickname, photograph, or drawing appears, or 3904
the identity of the candidate is otherwise apparent through an 3905
unambiguous reference to the person such as "the chief justice," 3906
"the governor," "member of the Ohio senate," "member of the Ohio 3907
house of representatives," "county auditor," "mayor," or "township 3908
trustee" or through an unambiguous reference to the person's 3909
status as a candidate. 3910

(B) For the purposes of this section, a person shall be 3911
considered to have made a disbursement if the person has entered 3912
into a contract to make the disbursement. 3913

(C) Any person or political committee intending to make a 3914
disbursement or disbursements for the direct costs of producing or 3915
airing electioneering communications shall establish an 3916
electioneering communication committee in accordance with this 3917
division. Such a person or political committee, prior to making 3918
the first disbursement for the direct costs of producing or airing 3919
an electioneering communication, shall file a notice with the 3920
office of the secretary of state that the person or political 3921
committee is establishing an electioneering communication 3922
committee for the purpose of making such disbursements. 3923

(D)(1) Every electioneering communication committee that 3924
makes a disbursement or disbursements for the direct costs of 3925
producing and airing electioneering communications aggregating in 3926
excess of one dollar during any calendar year shall file, within 3927
twenty-four hours of each disclosure date, a disclosure of 3928
electioneering communications statement containing the following 3929
information: 3930

(a) The full name and address of the electioneering 3931
communication committee making the disbursement, of any person 3932
sharing or exercising direction or control over the activities of 3933
the electioneering communication committee, and of the custodian 3934

<u>of the books and accounts of the electioneering communication</u>	3935
<u>committee;</u>	3936
<u>(b) The principal place of business of the electioneering</u>	3937
<u>communication committee making the disbursement, if not an</u>	3938
<u>individual;</u>	3939
<u>(c) The amount of each disbursement of more than one dollar</u>	3940
<u>during the period covered by the statement and the identity of the</u>	3941
<u>person to whom the disbursement was made;</u>	3942
<u>(d) The nominations or elections to which the electioneering</u>	3943
<u>communications pertain and the names, if known, of the candidates</u>	3944
<u>identified or to be identified;</u>	3945
<u>(e) If the disbursements were paid out of a segregated bank</u>	3946
<u>account that consists of funds contributed solely by individuals</u>	3947
<u>who are United States citizens or nationals or lawfully admitted</u>	3948
<u>for permanent residence as defined in section 101(a)(20) of the</u>	3949
<u>Immigration and Nationality Act directly to the account for</u>	3950
<u>electioneering communications, the information specified in</u>	3951
<u>division (D)(2) of this section for all contributors who</u>	3952
<u>contributed an aggregate amount of two hundred dollars or more to</u>	3953
<u>the segregated bank account during the period beginning on the</u>	3954
<u>first day of the preceding calendar year and ending on the</u>	3955
<u>disclosure date. Nothing in this division prohibits or shall be</u>	3956
<u>construed to prohibit the use of funds in such a segregated bank</u>	3957
<u>account for a purpose other than electioneering communications.</u>	3958
<u>(f) If the disbursements were paid out of funds not described</u>	3959
<u>in division (D)(1)(e) of this section, the information specified</u>	3960
<u>in division (D)(2) of this section for all contributors who</u>	3961
<u>contributed an aggregate amount of two hundred dollars or more to</u>	3962
<u>the electioneering communication committee making the disbursement</u>	3963
<u>during the period beginning on the first day of the preceding</u>	3964
<u>calendar year and ending on the disclosure date.</u>	3965

(2) For each contributor for which information is required to 3966
be reported under division (D)(1)(e) or (f) of this section, all 3967
of the following shall be reported: 3968

(a) The month, day, and year that the contributor made the 3969
contribution or contributions aggregating two hundred dollars or 3970
more; 3971

(b)(i) The full name and address of the contributor, and, if 3972
the contributor is a political action committee, the registration 3973
number assigned to the political action committee under division 3974
(D)(1) of section 3517.10 of the Revised Code; 3975

(ii) If the contributor is an individual, the name of the 3976
individual's current employer, if any, or, if the individual is 3977
self-employed, the individual's occupation and the name of the 3978
individual's business, if any; 3979

(iii) If the contribution is transmitted pursuant to section 3980
3599.031 of the Revised Code from amounts deducted from the wages 3981
and salaries of two or more employees that exceed in the aggregate 3982
one hundred dollars during the period specified in division 3983
(D)(1)(e) or (f) of this section, as applicable, the full name of 3984
the employees' employer and the full name of the labor 3985
organization of which the employees are members, if any. 3986

(c) A description of the contribution, if other than money; 3987

(d) The value in dollars and cents of the contribution. 3988

(3) Subject to the secretary of state having implemented, 3989
tested, and verified the successful operation of any system the 3990
secretary of state prescribes pursuant to divisions (C)(6)(b) and 3991
(D)(6) of section 3517.10 and division (H)(1) of section 3517.106 3992
of the Revised Code for the filing of campaign finance statements 3993
by electronic means of transmission, an electioneering 3994
communication committee shall file the disclosure of 3995

electioneering communications statement prescribed under divisions 3996
(D)(1) and (2) of this section by electronic means of transmission 3997
to the office of the secretary of state. 3998

Within five business days after the secretary of state 3999
receives a disclosure of electioneering communications statement 4000
under this division, the secretary of state shall make available 4001
online to the public through the internet, as provided in division 4002
(I) of section 3517.106 of the Revised Code, the contribution and 4003
disbursement information in that statement. 4004

If a filed disclosure of electioneering communications 4005
statement is found to be incomplete or inaccurate after its 4006
examination for completeness and accuracy pursuant to division 4007
(B)(3)(a) of section 3517.11 of the Revised Code, the 4008
electioneering communication committee shall file by electronic 4009
means of transmission to the office of the secretary of state any 4010
addendum, amendment, or other correction to the statement that 4011
provides the information necessary to complete or correct the 4012
statement or, if required by the secretary of state under that 4013
division, an amended statement. 4014

Within five business days after the secretary of state 4015
receives an addendum, amendment, or other correction to a 4016
disclosure of electioneering communications statement or an 4017
amended statement by electronic means of transmission under this 4018
division or division (B)(3)(a) of section 3517.11 of the Revised 4019
Code, the secretary of state shall make the contribution and 4020
disbursement information in the addendum, amendment, or other 4021
correction to the statement or amended statement available online 4022
to the public through the internet as provided in division (I) of 4023
section 3517.106 of the Revised Code. 4024

(E)(1) Any person who makes a contribution for the purpose of 4025
funding the direct costs of producing or airing an electioneering 4026

communication under this section shall provide the person's full 4027
name and address to the recipient of the contribution at the time 4028
the contribution is made. 4029

(2) Any individual who makes a contribution or contributions 4030
aggregating two hundred dollars or more during the period 4031
specified in division (D)(1)(e) or (f) of this section, as 4032
applicable, for the purpose of funding the direct costs of 4033
producing or airing an electioneering communication under this 4034
section shall provide the name of the individual's current 4035
employer, if any, or, if the individual is self-employed, the 4036
individual's occupation and the name of the individual's business, 4037
if any, to the recipient of the contribution at the time the 4038
contribution is made. 4039

(F) In each electioneering communication, a statement shall 4040
appear or be presented in a clear and conspicuous manner that does 4041
both of the following: 4042

(1) Clearly indicates that the electioneering communication 4043
is not authorized by the candidate or the candidate's campaign 4044
committee; 4045

(2) Clearly identifies the electioneering communication 4046
committee making the disbursement for the electioneering 4047
communication in accordance with section 3517.20 of the Revised 4048
Code. 4049

(G) Any coordinated electioneering communication is an 4050
in-kind contribution, subject to the applicable contribution 4051
limits prescribed in section 3517.102 of the Revised Code, to the 4052
candidate by the electioneering communication committee making 4053
disbursements to pay the direct costs of producing or airing the 4054
communication. 4055

(H) No electioneering communication committee shall make, 4056
during the thirty days preceding a primary election or during the 4057

thirty days preceding a general election, any broadcast, cable, or 4058
satellite communication that refers to a clearly identified 4059
candidate. 4060

Sec. 3517.1012. (A)(1) Each state and county political party 4061
shall establish a restricted fund that is separate from all other 4062
accounts of the political party. 4063

(2) A state or county political party shall deposit into its 4064
restricted fund all public moneys received from the Ohio political 4065
party fund under section 3517.17 of the Revised Code and all gifts 4066
that are made to or accepted by the political party from a 4067
corporation or labor organization subject to the applicable 4068
limitations prescribed in division (X) of section 3517.13 of the 4069
Revised Code. A state or county political party may deposit into 4070
its restricted fund any gifts that are made to or accepted by the 4071
political party from a source other than a corporation or labor 4072
organization. 4073

(3) Moneys in a state or county political party's restricted 4074
fund may be disbursed to pay costs incurred for any of the 4075
purposes specified in division (A) of section 3517.18 of the 4076
Revised Code. 4077

(B) Except as otherwise provided in this division, a state or 4078
county political party shall file deposit and disbursement 4079
statements, in the same manner as the party is required to file 4080
statements of contributions and expenditures under section 3517.10 4081
of the Revised Code, regarding all deposits made into, and all 4082
disbursements made from, the party's restricted fund. Deposit and 4083
disbursement statements filed in accordance with this division by 4084
a county political party shall be filed by electronic means of 4085
transmission to the office of the secretary of state at the times 4086
specified in division (A) of section 3517.10 of the Revised Code 4087
for the filing of statements of contributions and expenditures if 4088

the county political party accepts gifts from a corporation or 4089
labor organization under division (A)(2) of this section. 4090

Sec. 3517.11. (A)(1) Campaign committees of candidates for 4091
statewide ~~offices~~ office or the state board of education, 4092
political action committees ~~or political contributing entities~~ 4093
that make contributions to campaign committees of candidates that 4094
are required to file the statements prescribed by section 3517.10 4095
of the Revised Code with the secretary of state, political action 4096
committees ~~or political contributing entities~~ that make 4097
contributions to campaign committees of candidates for member of 4098
the general assembly, political action committees ~~or political~~ 4099
~~contributing entities~~ that make contributions to state and 4100
national political parties and to legislative campaign funds, 4101
political action committees ~~or political contributing entities~~ 4102
that receive contributions or make expenditures in connection with 4103
a statewide ballot issue, political action committees ~~or political~~ 4104
~~contributing entities~~ that make contributions to other political 4105
action committees ~~or political contributing entities~~, political 4106
parties, and campaign committees, except as set forth in division 4107
(A)(3) of this section, legislative campaign funds, and state and 4108
national political parties shall file the statements prescribed by 4109
section 3517.10 of the Revised Code with the secretary of state. 4110

(2)(a) Except as otherwise provided in division (F) of 4111
section 3517.106 of the Revised Code, campaign committees of 4112
candidates for all other offices shall file the statements 4113
prescribed by section 3517.10 of the Revised Code with the board 4114
of elections where their candidates are required to file their 4115
petitions or other papers for nomination or election. 4116

(b) A campaign committee of a candidate for office of member 4117
of the general assembly or a campaign committee of a candidate for 4118
the office of judge of a court of appeals shall file two copies of 4119

the printed version of any statement, addendum, or amended 4120
statement if the committee does not file by electronic means of 4121
transmission ~~or on computer disk~~ pursuant to division (F)(1) of 4122
section 3517.106 of the Revised Code but files by printed version 4123
only with the appropriate board of elections. The board of 4124
elections shall send one of those copies by overnight delivery 4125
service to the secretary of state before the close of business on 4126
the day the board of elections receives the statement, addendum, 4127
or amended statement. 4128

(3) Political action committees ~~or political contributing~~ 4129
~~entities~~ that only contribute to a county political party, 4130
contribute to campaign committees of candidates whose nomination 4131
or election is to be submitted only to electors within a county, 4132
subdivision, or district, excluding candidates for member of the 4133
general assembly, and receive contributions or make expenditures 4134
in connection with ballot questions or issues to be submitted only 4135
to electors within a county, subdivision, or district shall file 4136
the statements prescribed by section 3517.10 of the Revised Code 4137
with the board of elections in that county or in the county 4138
contained in whole or part within the subdivision or district 4139
having a population greater than that of any other county 4140
contained in whole or part within that subdivision or district, as 4141
the case may be. 4142

(4) County Except as otherwise provided in division (E)(3) of 4143
section 3517.106 of the Revised Code with respect to state 4144
candidate funds, county political parties shall file the 4145
statements prescribed by section 3517.10 of the Revised Code with 4146
the board of elections of their respective counties. 4147

(B)(1) The official with whom petitions and other papers for 4148
nomination or election to public office are filed shall furnish 4149
each candidate at the time of that filing a copy of sections 4150
3517.01, 3517.08 to 3517.11, 3517.13 to 3517.993, 3599.03, and 4151

3599.031 of the Revised Code and any other materials that the
secretary of state may require. Each candidate receiving the
materials shall acknowledge their receipt in writing.

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

(3)(a) Any statement required to be filed under sections
3517.081 to 3517.17 of the Revised Code that is found to be
incomplete or inaccurate by the officer to whom it is submitted
shall be accepted on a conditional basis, and the person who filed
it shall be notified by certified mail as to the incomplete or
inaccurate nature of the statement. The secretary of state may
examine statements filed for candidates for the office of member
of the general assembly and candidates for the office of judge of
a court of appeals for completeness and accuracy. The secretary of
state shall examine for completeness and accuracy statements that
campaign committees of candidates for the office of member of the

general assembly and campaign committees of candidates for the 4184
office of judge of a court of appeals file by electronic means of 4185
transmission pursuant to division (F) of section 3517.106 of the 4186
Revised Code. If an officer at the board of elections where a 4187
statement filed for a candidate for the office of member of the 4188
general assembly or for a candidate for the office of judge of a 4189
court of appeals was submitted finds the statement to be 4190
incomplete or inaccurate, the officer shall immediately notify the 4191
secretary of state of its incomplete or inaccurate nature. If 4192
either an officer at the board of elections or the secretary of 4193
state finds a statement filed for a candidate for the office of 4194
member of the general assembly or for a candidate for the office 4195
of judge of a court of appeals to be incomplete or inaccurate, 4196
only the secretary of state shall send the notification as to the 4197
incomplete or inaccurate nature of the statement. 4198

Within twenty-one days after receipt of the notice, in the 4199
case of a pre-election statement, a postelection statement, a 4200
monthly statement, ~~or~~ an annual statement, or a semiannual 4201
statement prescribed by section 3517.10, an annual statement 4202
prescribed by section 3517.101, or a statement prescribed by 4203
division (B)(2)(b) or (C)(2)(b) of section 3517.105 or section 4204
3517.107 of the Revised Code, the recipient shall file an 4205
addendum, amendment, or other correction to the statement 4206
providing the information necessary to complete or correct the 4207
statement. The secretary of state may require that, in lieu of 4208
filing an addendum, amendment, or other correction to a statement 4209
that is filed by electronic means of transmission to the office of 4210
the secretary of state ~~or on computer disk with the appropriate~~ 4211
~~board of elections~~ pursuant to section 3517.106 of the Revised 4212
Code, the recipient of the notice described in this division file 4213
by electronic means of transmission, ~~or, until March 1, 2004, on~~ 4214
~~computer disk with the appropriate board of elections if the~~ 4215
~~original statement was filed on computer disk,~~ an amended 4216

statement that incorporates the information necessary to complete 4217
or correct the statement. ~~The~~ 4218

The secretary of state shall determine by rule when an 4219
addendum, amendment, or other correction to ~~a~~ any of the following 4220
or when an amended statement of any of the following shall be 4221
filed: 4222

(i) A two-business-day statement prescribed by section 4223
3517.10 of the Revised Code ~~or an amended two-business-day~~ 4224
~~statement shall be filed;~~ 4225

(ii) A disclosure of electioneering communications statement 4226
prescribed by division (D) of section 3517.1011 of the Revised 4227
Code; 4228

(iii) A deposit and disbursement statement prescribed under 4229
division (B) of section 3517.1012 of the Revised Code. ~~An~~ 4230

An addendum, amendment, or other correction to a statement 4231
that is filed by electronic means of transmission ~~or on computer~~ 4232
~~disk~~ pursuant to section 3517.106 of the Revised Code shall be 4233
filed in the same manner as the statement. ~~The~~ 4234

The provisions of sections 3517.10 ~~and~~, 3517.106, 3517.1011, 4235
and 3517.1012 of the Revised Code pertaining to the filing of 4236
statements of contributions and expenditures ~~and~~, statements of 4237
independent expenditures, disclosure of electioneering 4238
communications statements, and deposit and disbursement statements 4239
by electronic means of transmission ~~or on computer disk~~ apply to 4240
the filing of addenda, amendments, or other corrections to those 4241
statements by electronic means of transmission ~~or, until March 1,~~ 4242
~~2004, on computer disk~~ and the filing of amended statements by 4243
electronic means of transmission ~~or, until March 1, 2004, on~~ 4244
~~computer disk.~~ 4245

(b) Within five business days after the secretary of state 4246
receives, by electronic or other means of transmission, an 4247

addendum, amendment, or other correction to a statement or an
amended statement under division (B)(3)(a) of this section, the
secretary of state, pursuant to divisions (E), (F), (G), and (I)
of section 3517.106 or division (D) of section 3517.1011 of the
Revised Code, shall make the contribution and expenditure,
contribution and disbursement, or deposit and disbursement
information in that addendum, amendment, correction, or amended
statement available online to the public through the internet.

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

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

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

(C)(1) In the event of a failure to file or a late filing of
a statement required to be filed under sections 3517.081 to
3517.17 of the Revised Code, or if a filed statement or any
addendum, amendment, or other correction to ~~the~~ a statement or any
amended statement, if an addendum, amendment, or other correction
or an amended statement is required to be filed, is incomplete or
inaccurate or appears to disclose a failure to comply with or a
violation of law, the official whose duty it is to examine the
statement shall promptly file a complaint with the Ohio elections

commission under section 3517.153 of the Revised Code if the law 4279
is one over which the commission has jurisdiction to hear 4280
complaints, or the official shall promptly report the failure or 4281
violation to the board of elections and the board shall promptly 4282
report it to the prosecuting attorney in accordance with division 4283
(J) of section 3501.11 of the Revised Code. If the official files 4284
a complaint with the commission, the commission shall proceed in 4285
accordance with sections 3517.154 to 3517.157 of the Revised Code. 4286

(2) For purposes of division (C)(1) of this section, a 4287
statement or an addendum, amendment, or other correction to a 4288
statement or an amended statement required to be filed under 4289
sections 3517.081 to 3517.17 of the Revised Code is incomplete or 4290
inaccurate under this section if the statement ~~or~~, addendum, 4291
amendment, other correction, or amended statement fails to 4292
disclose substantially all contributions that are received ~~from a~~ 4293
~~source and that~~ or deposits that are made that are required to be 4294
reported under sections 3517.10, 3517.107, ~~and~~ 3517.108, 4295
3517.1011, and 3517.1012 of the Revised Code or if the statement 4296
~~or~~, addendum, amendment, other correction, or amended statement 4297
fails to disclose at least ninety per cent of the total 4298
contributions received or deposits made or of the total 4299
expenditures or disbursements made during the reporting period. 4300

(D) No certificate of nomination or election shall be issued 4301
to a person, and no person elected to an office shall enter upon 4302
the performance of the duties of that office, until that person or 4303
that person's campaign committee, as appropriate, has fully 4304
complied with this section and sections 3517.08, 3517.081, 4305
3517.10, and 3517.13 of the Revised Code. 4306

Sec. 3517.13. (A)(1) No campaign committee ~~for~~ of a statewide 4307
candidate ~~whose candidacy for nomination or election was submitted~~ 4308
~~to electors throughout the entire state~~ shall fail to file a 4309

complete and accurate statement required under division (A)(1) of 4310
section 3517.10 of the Revised Code. 4311

(2) No campaign committee of a statewide candidate shall fail 4312
to file a complete and accurate monthly statement, and no campaign 4313
committee of a statewide candidate or a candidate for the office 4314
of chief justice or justice of the supreme court shall fail to 4315
file a complete and accurate two-business-day statement, as 4316
required under section 3517.10 of the Revised Code. 4317

As used in this division, "statewide candidate" has the same 4318
meaning as in division (F)(2) of section 3517.10 of the Revised 4319
Code. 4320

(B) No campaign committee ~~for a candidate whose candidacy for~~ 4321
~~nomination or election was submitted to electors within a county~~ 4322
~~or district~~ shall fail to file a complete and accurate statement 4323
required under division (A)(1) of section 3517.10 of the Revised 4324
Code. 4325

(C) No campaign committee shall fail to file a complete and 4326
accurate statement required under division (A)(2) of section 4327
3517.10 of the Revised Code. 4328

(D) No campaign committee shall fail to file a complete and 4329
accurate statement required under division (A)(3) or (4) of 4330
section 3517.10 of the Revised Code. 4331

(E) No person other than a campaign committee shall knowingly 4332
fail to file a statement required under section 3517.10 or 4333
3517.107 of the Revised Code. 4334

(F) No person shall make cash contributions to any person 4335
totaling more than one hundred dollars in each primary, special, 4336
or general election. 4337

(G)(1) No person shall knowingly conceal or misrepresent 4338
contributions given or received, expenditures made, or any other 4339

information required to be reported by a provision in sections 4340
3517.08 to 3517.13 and 3517.17 of the Revised Code. 4341

(2)(a) No person shall make a contribution to a campaign 4342
committee, political action committee, legislative campaign fund, 4343
political party, or ~~political contributing entity~~ electioneering
communication committee in the name of another person. 4344
4345

(b) A person does not make a contribution in the name of 4346
another when either of the following applies: 4347

(i) An individual makes a contribution from a partnership or 4348
other unincorporated business account, if the contribution is 4349
reported by listing both the name of the partnership or other 4350
unincorporated business and the name of the partner or owner 4351
making the contribution as required under division (I) of section
3517.10 of the Revised Code. 4352
4353

(ii) A person makes a contribution in that person's spouse's 4354
name or in both of their names. 4355

(H) No person within this state, publishing a newspaper or 4356
other periodical, shall charge a campaign committee for political 4357
advertising a rate in excess of the rate such person would charge 4358
if the campaign committee were a general rate advertiser whose 4359
advertising was directed to promoting its business within the same 4360
area as that encompassed by the particular office that the 4361
candidate of the campaign committee is seeking. The rate shall 4362
take into account the amount of space used, as well as the type of 4363
advertising copy submitted by or on behalf of the campaign 4364
committee. All discount privileges otherwise offered by a 4365
newspaper or periodical to general rate advertisers shall be 4366
available upon equal terms to all campaign committees. 4367

No person within this state, operating a radio or television 4368
station or network of stations in this state, shall charge a 4369
campaign committee for political broadcasts a rate that exceeds: 4370

(1) During the forty-five days preceding the date of a 4371
primary election and during the sixty days preceding the date of a 4372
general or special election in which the candidate of the campaign 4373
committee is seeking office, the lowest unit charge of the station 4374
for the same class and amount of time for the same period; 4375

(2) At any other time, the charges made for comparable use of 4376
~~such~~ that station by its other users. 4377

(I) Subject to divisions (K), (L), (M), and (N) of this 4378
section, no agency or department of this state or any political 4379
subdivision shall award any contract, other than one let by 4380
competitive bidding or a contract incidental to such contract or 4381
which is by force account, for the purchase of goods costing more 4382
than five hundred dollars or services costing more than five 4383
hundred dollars to any individual, partnership, association, 4384
including, without limitation, a professional association 4385
organized under Chapter 1785. of the Revised Code, estate, or 4386
trust if the individual has made or the individual's spouse has 4387
made, or any partner, shareholder, administrator, executor, or 4388
trustee, or the ~~spouses~~ spouse of any of them has made, as an 4389
individual, within the two previous calendar years, one or more 4390
contributions totaling in excess of one thousand dollars to the 4391
holder of the public office having ultimate responsibility for the 4392
award of the contract or to the public officer's campaign 4393
committee. 4394

(J) Subject to divisions (K), (L), (M), and (N) of this 4395
section, no agency or department of this state or any political 4396
subdivision shall award any contract, other than one let by 4397
competitive bidding or a contract incidental to such contract or 4398
which is by force account, for the purchase of goods costing more 4399
than five hundred dollars or services costing more than five 4400
hundred dollars to a corporation or business trust, except a 4401
professional association organized under Chapter 1785. of the 4402

Revised Code, if an owner of more than twenty per cent of the 4403
corporation or business trust or the spouse of ~~such~~ that person, 4404
has made, as an individual, within the two previous calendar 4405
years, taking into consideration only owners for all of ~~such~~ that 4406
period, one or more contributions totaling in excess of one 4407
thousand dollars to the holder of a public office having ultimate 4408
responsibility for the award of the contract or to the public 4409
officer's campaign committee. 4410

(K) For purposes of divisions (I) and (J) of this section, if 4411
a public officer who is responsible for the award of a contract is 4412
appointed by the governor, whether or not the appointment is 4413
subject to the advice and consent of the senate, excluding members 4414
of boards, commissions, committees, authorities, councils, boards 4415
of trustees, task forces, and other such entities appointed by the 4416
governor, the office of the governor is considered to have 4417
ultimate responsibility for the award of the contract. 4418

(L) For purposes of divisions (I) and (J) of this section, if 4419
a public officer who is responsible for the award of a contract is 4420
appointed by the elected chief executive officer of a municipal 4421
corporation, or appointed by the elected chief executive officer 4422
of a county operating under an alternative form of county 4423
government or county charter, excluding members of boards, 4424
commissions, committees, authorities, councils, boards of 4425
trustees, task forces, and other such entities appointed by the 4426
chief executive officer, the office of the chief executive officer 4427
is considered to have ultimate responsibility for the award of the 4428
contract. 4429

(M)(1) Divisions (I) and (J) of this section do not apply to 4430
contracts awarded by the board of commissioners of the sinking 4431
fund, municipal legislative authorities, boards of education, 4432
boards of county commissioners, boards of township trustees, or 4433
other boards, commissions, committees, authorities, councils, 4434

boards of trustees, task forces, and other such entities created 4435
by law, by the supreme court or courts of appeals, by county 4436
courts consisting of more than one judge, courts of common pleas 4437
consisting of more than one judge, or municipal courts consisting 4438
of more than one judge, or by a division of any court if the 4439
division consists of more than one judge. ~~Division (M)(1) of this~~ 4440
~~section~~ This division shall apply to the specified entity only if 4441
the members of the entity act collectively in the award of a 4442
contract for goods or services. 4443

(2) Divisions (I) and (J) of this section do not apply to 4444
actions of the controlling board. 4445

(N)(1) Divisions (I) and (J) of this section apply to 4446
contributions made to the holder of a public office having 4447
ultimate responsibility for the award of a contract, or to the 4448
public officer's campaign committee, during the time the person 4449
holds the office and during any time such person was a candidate 4450
for the office. ~~These~~ Those divisions do not apply to 4451
contributions made to, or to the campaign committee of, a 4452
candidate for or holder of the office other than the holder of the 4453
office at the time of the award of the contract. 4454

(2) Divisions (I) and (J) of this section do not apply to 4455
contributions of a partner, shareholder, administrator, executor, 4456
trustee, or owner of more than twenty per cent of a corporation or 4457
business trust made before the person held any of those positions 4458
or after the person ceased to hold any of those positions in the 4459
partnership, association, estate, trust, corporation, or business 4460
trust whose eligibility to be awarded a contract is being 4461
determined, nor to contributions of the person's spouse made 4462
before the person held any of those positions, after the person 4463
ceased to hold any of those positions, before the two were 4464
married, ~~or~~ after the granting of a decree of divorce, dissolution 4465
of marriage, or ~~nullity~~ annulment, or after the granting of an 4466

order in an action brought solely for legal separation. ~~These~~ 4467
Those divisions do not apply to contributions of the spouse of an 4468
individual whose eligibility to be awarded a contract is being 4469
determined made before the two were married, ~~or~~ after the granting 4470
of a decree of divorce, dissolution of marriage, or ~~nullity~~ 4471
annulment, or after the granting of an order in an action brought 4472
solely for legal separation. 4473

(0) No beneficiary of a campaign fund or other person shall 4474
convert for personal use, and no person shall knowingly give to a 4475
beneficiary of a campaign fund or any other person, for the 4476
beneficiary's or any other person's personal use, anything of 4477
value from the beneficiary's campaign fund, including, without 4478
limitation, payments to a beneficiary for services the beneficiary 4479
personally performs, except as reimbursement for any of the 4480
following: 4481

(1) Legitimate and verifiable prior campaign expenses 4482
incurred by the beneficiary; 4483

(2) Legitimate and verifiable~~r~~ ordinary~~r~~ and necessary prior 4484
expenses incurred by the beneficiary in connection with duties as 4485
the holder of a public office, including, without limitation, 4486
expenses incurred through participation in nonpartisan or 4487
bipartisan events if the participation of the holder of a public 4488
office would normally be expected; 4489

(3) Legitimate and verifiable ordinary and necessary prior 4490
expenses incurred by the beneficiary while doing any of the 4491
following: 4492

(a) ~~Engaged~~ Engaging in activities in support of or 4493
opposition to a candidate other than the beneficiary, political 4494
party, or ballot issue; 4495

(b) Raising funds for a political party, political action 4496
committee, ~~political contributing entity~~, legislative campaign 4497

fund, campaign committee, or other candidate; 4498

(c) Participating in the activities of a political party, 4499
political action committee, ~~political contributing entity,~~ 4500
legislative campaign fund, or campaign committee; ~~or~~ 4501

(d) Attending a political party convention or other political 4502
meeting. 4503

For purposes of this division, an expense is incurred 4504
whenever a beneficiary has either made payment or is obligated to 4505
make payment, as by the use of a credit card or other credit 4506
procedure or by the use of goods or services received on account. 4507

(P) No beneficiary of a campaign fund shall knowingly accept, 4508
and no person shall knowingly give to the beneficiary of a 4509
campaign fund, reimbursement for an expense under division (O) of 4510
this section to the extent that the expense previously was 4511
reimbursed or paid from another source of funds. If an expense is 4512
reimbursed under division (O) of this section and is later paid or 4513
reimbursed, wholly or in part, from another source of funds, the 4514
beneficiary shall repay the reimbursement received under division 4515
(O) of this section to the extent of the payment made or 4516
reimbursement received from the other source. 4517

(Q) No candidate or public official or employee shall accept 4518
for personal or business use anything of value from a political 4519
party, political action committee, ~~political contributing entity,~~ 4520
legislative campaign fund, or campaign committee other than the 4521
candidate's or public official's or employee's own campaign 4522
committee, and no person shall knowingly give to a candidate or 4523
public official or employee anything of value from a political 4524
party, political action committee, ~~political contributing entity,~~ 4525
legislative campaign fund, or such a campaign committee, except 4526
for the following: 4527

(1) Reimbursement for legitimate and verifiable, ordinary, 4528

and necessary prior expenses not otherwise prohibited by law 4529
incurred by the candidate or public official or employee while 4530
engaged in any legitimate activity of the political party, 4531
political action committee, ~~political contributing entity,~~ 4532
legislative campaign fund, or such campaign committee. Without 4533
limitation, reimbursable expenses under this division include 4534
those incurred while doing any of the following: 4535

(a) ~~Engaged~~ Engaging in activities in support of or 4536
opposition to another candidate, political party, or ballot issue; 4537

(b) Raising funds for a political party, legislative campaign 4538
fund, campaign committee, or another candidate; ~~or~~ 4539

(c) Attending a political party convention or other political 4540
meeting. 4541

(2) Compensation not otherwise prohibited by law for actual 4542
and valuable personal services rendered under a written contract 4543
to the political party, political action committee, ~~political~~ 4544
~~contributing entity,~~ legislative campaign fund, or such campaign 4545
committee for any legitimate activity of the political party, 4546
political action committee, ~~political contributing entity,~~ 4547
legislative campaign fund, or such campaign committee. 4548

Reimbursable expenses under this division do not include, and 4549
it is a violation of this division for a candidate or public 4550
official or employee to accept, or for any person to knowingly 4551
give to a candidate or public official or employee from a 4552
political party, political action committee, ~~political~~ 4553
~~contributing entity,~~ legislative campaign fund, or campaign 4554
committee other than the candidate's or public official's or 4555
employee's own campaign committee, anything of value for 4556
activities primarily related to the candidate's or public 4557
official's or employee's own campaign for election, except for 4558
contributions to the candidate's or public official's or 4559

employee's campaign committee. 4560

For purposes of this division, an expense is incurred 4561
whenever a candidate or public official or employee has either 4562
made payment or is obligated to make payment, as by the use of a 4563
credit card or other credit procedure, or by the use of goods or 4564
services on account. 4565

(R)(1) Division (O) or (P) of this section does not prohibit 4566
a campaign committee from making direct advance or post payment 4567
from contributions to vendors for goods and services for which 4568
reimbursement is permitted under division (O) of this section, 4569
except that no campaign committee shall pay its candidate or other 4570
beneficiary for services personally performed by the candidate or 4571
other beneficiary. 4572

(2) If any expense that may be reimbursed under division (O), 4573
(P), or (Q) of this section is part of other expenses that may not 4574
be paid or reimbursed, the separation of the two types of expenses 4575
for the purpose of allocating for payment or reimbursement those 4576
expenses that may be paid or reimbursed may be by any reasonable 4577
accounting method, considering all of the surrounding 4578
circumstances. 4579

(3) For purposes of divisions (O), (P), and (Q) of this 4580
section, mileage allowance at a rate not greater than that allowed 4581
by the internal revenue service at the time the travel occurs may 4582
be paid instead of reimbursement for actual travel expenses 4583
allowable. 4584

(S)(1) As used in division (S) of this section: 4585

(a) "State elective office" has the same meaning as in 4586
section 3517.092 of the Revised Code. 4587

(b) "Federal office" means a federal office as defined in the 4588
Federal Election Campaign Act. 4589

(c) "Federal campaign committee" means a principal campaign committee or authorized committee as defined in the Federal Election Campaign Act.

(2) No person who is a candidate for state elective office and who previously sought nomination or election to a federal office shall transfer any funds or assets from that person's federal campaign committee for nomination or election to the federal office to that person's campaign committee as a candidate for state elective office.

(3) No campaign committee of a person who is a candidate for state elective office and who previously sought nomination or election to a federal office shall accept any funds or assets from that person's federal campaign committee for that person's nomination or election to the federal office.

(T)(1) Except as otherwise provided in division (B)(6)(c) of section 3517.102 of the Revised Code, a state or county political party shall not disburse moneys from any account other than a state candidate fund to make contributions to any of the following:

(a) A state candidate fund;

(b) A legislative campaign fund;

(c) A campaign committee of a candidate for the office of governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, or member of the general assembly.

(2) No state candidate fund, legislative campaign fund, or campaign committee of a candidate for any office described in division (T)(1)(c) of this section shall knowingly accept a contribution in violation of division (T)(1) of this section.

(U) No person shall fail to file the statement required under

section 3517.12 of the Revised Code. 4620

(V) No campaign committee shall fail to file a statement 4621
required under division (K)(3) of section 3517.10 of the Revised 4622
Code. 4623

(W)(1) No foreign national shall, directly or indirectly 4624
through any other person or entity, make a contribution, 4625
expenditure, or independent expenditure or promise, either 4626
expressly or implicitly, to make a contribution, expenditure, or 4627
independent expenditure in support of or opposition to a candidate 4628
for any elective office in this state, including an office of a 4629
political party. 4630

(2) No candidate, campaign committee, political action 4631
committee, ~~political contributing entity~~, legislative campaign 4632
fund, state candidate fund, political party, or separate 4633
segregated fund shall solicit or accept a contribution, 4634
expenditure, or independent expenditure from a foreign national. 4635
The secretary of state may direct any candidate, committee, fund, 4636
~~entity~~, or party that accepts a contribution, expenditure, or 4637
independent expenditure in violation of this division to return 4638
the contribution, expenditure, or independent expenditure or, if 4639
it is not possible to return the contribution, expenditure, or 4640
independent expenditure, then to return instead the value of it, 4641
to the contributor. 4642

(3) As used in division (W) of this section, "foreign 4643
national" has the same meaning as in section 441e(b) of the 4644
Federal Election Campaign Act. 4645

(X)(1) No state or county political party shall transfer any 4646
moneys from its restricted fund to any account of the political 4647
party into which contributions may be made or from which 4648
contributions or expenditures may be made. 4649

(2)(a) No state or county political party shall deposit a 4650

contribution or contributions that it receives into its restricted fund. 4651
4652

(b) No state or county political party shall make a contribution or an expenditure from its restricted fund. 4653
4654

(3)(a) No corporation or labor organization shall make a gift or gifts from the corporation's or labor organization's money or property aggregating more than ten thousand dollars to any one state or county political party for the party's restricted fund in a calendar year. 4655
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(b) No state or county political party shall accept a gift or gifts for the party's restricted fund aggregating more than ten thousand dollars from any one corporation or labor organization in a calendar year. 4660
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(4) No state or county political party shall transfer any moneys in the party's restricted fund to any other state or county political party. 4664
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(5) No state or county political party shall knowingly fail to file a statement required under section 3517.1012 of the Revised Code. 4667
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Sec. 3517.151. (A) On and after January 1, 1996, complaints with respect to acts or failures to act under the sections listed in division (A) of section 3517.153 of the Revised Code shall be filed with the Ohio elections commission created under section 3517.152 of the Revised Code. 4670
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(B)(1) If a complaint filed with the Ohio elections commission created under section 3517.152 of the Revised Code alleges an act or failure to act that occurred before August 24, 1995, and the commission imposes a fine, sections 3517.99 and 3517.991 of the Revised Code, and not sections 3517.992 and 3517.993 of the Revised Code, shall apply. 4675
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(2) If a complaint filed with the Ohio elections commission 4681
created under section 3517.152 of the Revised Code alleges an act 4682
or failure to act that is a violation of section 3517.13 of the 4683
Revised Code, former divisions (A) to (R) of that section apply to 4684
the act or failure to act if it occurred before August 24, 1995, 4685
former divisions (A) to (U) of that section apply to the act or 4686
failure to act if it occurs on or after August 24, 1995, but 4687
before July 13, 1998, former divisions (A) to (V) of that section 4688
apply to the act or failure to act if it occurs on or after July 4689
13, 1998, but before ~~the effective date of this amendment~~ December 4690
22, 1999, and former divisions (A) to (W) of that section apply to 4691
the act or failure to act if it occurs on or after ~~the effective~~ 4692
~~date of this amendment~~ December 22, 1999, but before the effective 4693
date of this amendment, and divisions (A) to (X) of that section 4694
apply to the act or failure to act if it occurs on or after the 4695
effective date of this amendment. 4696

(C) The Ohio elections commission created under section 4697
3517.14 of the Revised Code is abolished at the close of business 4698
on December 31, 1995. 4699

Sec. 3517.152. (A)(1) There is hereby created the Ohio 4700
elections commission consisting of seven members. 4701

Not later than forty-five days after August 24, 1995, the 4702
speaker of the house of representatives and the leader in the 4703
senate of the political party of which the speaker is a member 4704
shall jointly submit to the governor a list of five persons who 4705
are affiliated with that political party. Not later than 4706
forty-five days after August 24, 1995, the two legislative leaders 4707
in the two houses of the general assembly of the major political 4708
party of which the speaker is not a member shall jointly submit to 4709
the governor a list of five persons who are affiliated with the 4710
major political party of which the speaker is not a member. Not 4711

later than fifteen days after receiving each list, the governor
shall appoint three persons from each list to the commission. The
governor shall appoint one person from each list to a term that
ends on December 31, 1996, one person from each list to a term
that ends on December 31, 1997, and one person from each list to a
term that ends on December 31, 1998.

Not later than thirty days after the governor appoints these
six members, they shall, by a majority vote, appoint to the
commission a seventh member, who shall not be affiliated with a
political party. If the six members fail to appoint the seventh
member within this thirty-day period, the chief justice of the
supreme court, not later than thirty days after the end of the
period during which the six members were required to appoint a
member, shall appoint the seventh member, who shall not be
affiliated with a political party. The seventh member shall be
appointed to a term that ends on December 31, 2001. Terms of the
initial members appointed under this division begin on January 1,
1996.

(2) If a vacancy occurs in the position of the seventh
member, who is not affiliated with a political party, the six
remaining members by a majority vote shall appoint, not later than
forty-five days after the date of the vacancy, the seventh member
of the commission, who shall not be affiliated with a political
party. If these members fail to appoint the seventh member within
this forty-five-day period, the chief justice of the supreme
court, within fifteen days after the end of this period, shall
appoint the seventh member, who shall not be affiliated with a
political party. If a vacancy occurs in any of the other six
positions on the commission, the legislative leaders of the
political party from whose list of persons the member being
replaced was appointed shall submit to the governor, not later
than thirty days after the date of the vacancy, a list of three

persons who are affiliated with that political party. Not later
than fifteen days after receiving the list, the governor, with the
advice and consent of the senate, shall appoint one person from
the list to the commission.

(3) At no time shall more than six members of the commission
be affiliated with a political party, and, of these six members,
not more than three shall be affiliated with the same political
party.

(4) In making appointments to the commission, the governor
shall take into consideration the various geographic areas of this
state and shall appoint members so that those areas are
represented on the commission in a balanced manner, to the extent
feasible.

(5) Members of the commission shall be registered electors
and shall be of good moral character.

(B) Each member of the Ohio elections commission shall hold
office from the date of the member's appointment until the end of
the term for which the member was appointed. A member appointed to
fill a vacancy occurring prior to the expiration of the term for
which the member's predecessor was appointed shall hold office for
the remainder of that term. A member shall continue in office
subsequent to the expiration date of the member's term until the
member's successor takes office or until a period of sixty days
has elapsed, whichever occurs first. After the initial terms of
office provided for in division (A)(1) of this section, terms of
office shall be for five years.

(C) A vacancy in the Ohio elections commission may be caused
by death, resignation, or three absences from commission meetings
in a calendar year if those absences are caused by reasons
declared invalid by a vote of five members of the remaining
members of the commission.

(D) Each member of the Ohio elections commission while in the performance of the business of the commission shall be entitled to receive compensation at the rate of twenty-five thousand dollars per year. Members shall be reimbursed for expenses actually and necessarily incurred in the performance of their duties.

(E) No member of the Ohio elections commission shall serve more than one full term unless the terms served are served nonconsecutively.

(F)(1) No member of the Ohio elections commission shall do or be any of the following:

(a) Hold, or be a candidate for, a public office;

(b) Serve on a committee supporting or opposing a candidate or ballot question or issue;

(c) Be an officer of the state central committee, a county central committee, or a district, city, township, or other committee of a political party or an officer of the executive committee of the state central committee, a county central committee, or a district, city, township, or other committee of a political party;

(d) Be a legislative agent as defined in section 101.70 of the Revised Code or an executive agency lobbyist as defined in section 121.60 of the Revised Code;

(e) Solicit or be involved in soliciting contributions on behalf of a candidate, campaign committee, political party, or political action committee, ~~or political contributing entity;~~

(f) Be in the unclassified service under section 124.11 of the Revised Code;

(g) Be a person or employee described in divisions (C)(1) to (15) of section 4117.01 of the Revised Code.

(2) No member or employee of the commission shall make a

contribution to, or for the benefit of, a campaign committee or
committee in support of or opposition to a ballot question or
issue, a political party, a legislative campaign fund, or a
political action committee, ~~or a political contributing entity.~~

(G)(1) The members of the Ohio elections commission shall
elect a chairperson and a vice-chairperson. At no time shall the
chairperson and vice-chairperson be affiliated with the same
political party. The chairperson shall serve in that capacity for
one year and shall not serve as chairperson more than twice during
a term as a member of the commission. No two successive
chairpersons shall be affiliated with the same political party.

(2) The commission shall meet at the call of the chairperson
or upon the written request of a majority of the members. The
meetings and hearings of the commission or a panel of the
commission under sections 3517.153 to 3517.157 of the Revised Code
are subject to section 121.22 of the Revised Code.

(3) The commission shall adopt rules for its procedures in
accordance with Chapter 119. of the Revised Code. Five of the
seven members constitute a quorum. Except as otherwise provided in
this section and in sections 3517.154 to 3517.157 of the Revised
Code, no action shall be taken without the concurrence of a
majority of the members.

(H)(1) The Ohio elections commission shall employ the
technical, professional, and clerical employees that are necessary
for it to carry out its duties.

(2)(a) Notwithstanding section 109.02 of the Revised Code,
the commission shall employ a full-time attorney, and, as needed,
one or more investigatory attorneys to conduct investigations for
the commission or a panel of the commission. The commission may
employ or contract for the services of additional attorneys, as
needed. The full-time attorney shall do all of the following:

(i) Serve as the commission's attorney in regard to all legal matters, including representing the commission at appeals from a final determination of the commission, except that the full-time attorney shall not perform the duties that an investigatory attorney is required or requested to perform or that another attorney the commission employs or contracts with for services is required or requested to perform, and shall not represent the commission in any legal proceeding in which the commission is a named party;

(ii) At the request of the commission or a panel of the commission, be present at a hearing held under sections 3517.154 to 3517.156 of the Revised Code to rule on the admissibility of evidence and to advise on the conduct of procedure;

(iii) Perform other duties as required by rule of the commission.

(b) An attorney employed by or under contract with the commission shall be licensed to practice law in this state.

(3)(a) Except as otherwise provided in division (H)(3)(b) of this section, at least five members of the commission shall agree on the employment of a person, a majority of the members shall agree on the discharge of an employee, and a person employed by the commission shall serve at the pleasure of the commission.

(b) At least five of the seven members shall agree on the discharge of an investigatory attorney.

(I) 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.

Sec. 3517.154. (A)(1) The full-time attorney for the Ohio elections commission shall review each complaint filed with the

commission under section 3517.153 of the Revised Code, shall 4866
determine the nature of the complaint, and, unless division 4867
(A)(2)(a) of this section requires that the complaint receive an 4868
automatic expedited hearing, shall make a recommendation to the 4869
commission for its disposition, in accordance with this section. 4870
The attorney shall make the determination and the recommendation, 4871
if required, not later than one business day after the complaint 4872
is filed. 4873

(2)(a) If the attorney determines that the complaint sets 4874
forth a violation of division (B) of section 3517.21 or division 4875
(B) of section 3517.22 of the Revised Code and that the complaint 4876
is filed during one of the periods of time specified in division 4877
(B)(1) of section 3517.156 of the Revised Code, or that the 4878
complaint sets forth a violation of section 3517.103 of the 4879
Revised Code or a violation described in division (D) of section 4880
3517.1010 of the Revised Code, the complaint shall receive an 4881
automatic expedited hearing under section 3517.156 of the Revised 4882
Code. 4883

(b) If the attorney determines that the complaint sets forth 4884
a failure to comply with or a violation of division (G), (I), (J), 4885
(O), (P), or (Q) of section 3517.13, division (A) of section 4886
3517.21, or division (A) of section 3517.22 of the Revised Code 4887
and that the complaint is filed during one of the periods of time 4888
specified in division (B)(1) of section 3517.156 of the Revised 4889
Code, the attorney shall recommend to the commission that the 4890
complaint receive an expedited hearing under section 3517.156 of 4891
the Revised Code, and the complaint shall receive such a hearing. 4892

(c) If the attorney determines that the complaint sets forth 4893
a failure to comply with or a violation of a section of the 4894
Revised Code over which the commission has jurisdiction to hear 4895
complaints other than the sections described in divisions 4896
(A)(2)(a) and (b) of this section, and unless the attorney makes a 4897

determination as provided for in division (A)(3) of this section, 4898
the attorney shall recommend to the commission that the complaint 4899
be submitted to the commission under section 3517.155 of the 4900
Revised Code. After the attorney makes that recommendation, the 4901
attorney shall notify all parties to the complaint of the 4902
attorney's recommendation. 4903

(3)(a) If a complaint sets forth a failure to comply with or 4904
a violation of a section of the Revised Code over which the 4905
commission has jurisdiction to hear complaints other than the 4906
sections described in divisions (A)(2)(a) and (b) of this section 4907
and if the complaint is filed during one of the periods of time 4908
specified in division (B)(1) of section 3517.156 of the Revised 4909
Code, the attorney may determine that the complaint should receive 4910
an expedited hearing under that section. The attorney shall make 4911
that determination by considering one or more of the following: 4912

(i) The number of prior failures to comply with or violations 4913
of Title XXXV of the Revised Code that the person or entity 4914
against whom the complaint has been brought has committed and any 4915
prior penalties the commission has imposed on the person or 4916
entity; 4917

(ii) If the complaint involves a statement required to be 4918
filed under section 3517.10, division (E) of section 3517.102, or 4919
section 3517.103, 3517.105, 3517.107, 3517.108, ~~or~~ 3517.109, 4920
3517.1011, or 3517.1012 of the Revised Code or an addendum 4921
required to be filed under section 3517.11 of the Revised Code 4922
that is filed late, how late the filing is and how much time has 4923
elapsed between the deadline for filing the statement or addendum 4924
and the filing of the complaint; 4925

(iii) If the complaint involves contributions ~~or~~ and 4926
expenditures, contributions and disbursements, or deposits and 4927
disbursements required to be reported under section 3517.10, 4928

division (E) of section 3517.102, or section 3517.105, 3517.107, 4929
3517.108, ~~or 3517.109, 3517.1011, or 3517.1012~~ of the Revised Code 4930
that are either not reported or reported late, the number of 4931
contributions ~~or~~ and expenditures, contributions and 4932
disbursements, or deposits and disbursements not reported or how 4933
late they were reported; 4934

(iv) If the complaint involves contributions required to be 4935
reported by a campaign committee under section 3517.10, division 4936
(E) of section 3517.102, or section 3517.105, 3517.107, 3517.108, 4937
or 3517.109 of the Revised Code that are not reported, whether any 4938
of the contributors of the contributions not reported have a 4939
personal or professional relationship with the campaign 4940
committee's candidate; 4941

(v) If the complaint involves a statement required to be 4942
filed under section 3517.10, division (E) of section 3517.102, or 4943
section 3517.103, 3517.105, 3517.107, 3517.108, ~~or 3517.109,~~ 4944
3517.1011, or 3517.1012 of the Revised Code that is incomplete, 4945
the degree to which it is incomplete; 4946

(vi) If the complaint involves the receipt of contributions 4947
in violation of section 3599.03 of the Revised Code, the dollar 4948
amount and number of contributions received in violation of that 4949
section; 4950

(vii) If the complaint involves a failure to make the 4951
identification or a misstatement of the identification required 4952
under section 3517.105 or 3517.20 of the Revised Code, whether the 4953
failure or misstatement was purposely made; 4954

(viii) If the complaint sets forth a failure to comply with 4955
or a violation of a section of the Revised Code described in 4956
division (A)(2)(c) of this section, whether the person or entity 4957
against whom the complaint has been made has committed more than 4958
one such failure or violation within a reasonable amount of time, 4959

or whether the cumulative nature of the failures or violations 4960
indicates a systematic disregard for the law. 4961

(b) Prior to making a determination under division (A)(3)(a) 4962
of this section that the complaint should receive an expedited 4963
hearing under section 3517.156 of the Revised Code, the attorney 4964
shall take into consideration the number of panels of the 4965
commission that have cases pending before them and the number of 4966
cases pending before the panels and shall not make a determination 4967
that will place an undue burden on a panel of the commission. 4968

(c) If the attorney determines that the complaint should 4969
receive an expedited hearing under section 3517.156 of the Revised 4970
Code, the attorney shall recommend to the commission that the 4971
complaint receive an expedited hearing, and, if a majority of the 4972
members of the commission agrees with the recommendation, the 4973
complaint shall receive an expedited hearing under that section. 4974

(4) The attorney may join two or more complaints if the 4975
attorney determines that the allegations in each complaint are of 4976
the same or similar character, are based on the same act or 4977
failure to act, or are based on two or more acts or failures to 4978
act constituting parts of a common scheme or plan. If one 4979
complaint contains two or more allegations, the attorney may 4980
separate the allegations if they are not of the same or similar 4981
character, if they are not based on the same act or failure to 4982
act, or if they are not based on two or more acts or failures to 4983
act constituting parts of a common scheme or plan. If the attorney 4984
separates the allegations in a complaint, the attorney may make 4985
separate recommendations under division (A)(2) or (3) of this 4986
section for each allegation. 4987

(B) Whenever a person or other entity files a complaint with 4988
the commission setting forth a failure to comply with or a 4989
violation of a section of the Revised Code as described in 4990

division (A)(2)(c) of this section and the complaint is filed 4991
during one of the periods of time specified in division (B)(1) of 4992
section 3517.156 of the Revised Code, the person or entity may 4993
request an expedited hearing under that section at the time the 4994
complaint is filed. The attorney for the commission shall inform 4995
the members of the commission of that request at the time the 4996
attorney makes a recommendation under division (A) of this 4997
section. The commission may grant the request for an expedited 4998
hearing under this division if it determines that an expedited 4999
hearing is practicable. 5000

Sec. 3517.155. (A)(1) Except as otherwise provided in 5001
division (B) of this section, the Ohio elections commission shall 5002
hold its first hearing on a complaint filed with it, other than a 5003
complaint that receives an expedited hearing under section 5004
3517.156 of the Revised Code, not later than ninety business days 5005
after the complaint is filed unless the commission has good cause 5006
to hold the hearing after that time, in which case it shall hold 5007
the hearing not later than one hundred eighty business days after 5008
the complaint is filed. At the hearing, the commission shall 5009
determine whether or not the failure to act or the violation 5010
alleged in the complaint has occurred and shall do only one of the 5011
following, except as otherwise provided in division (B) of this 5012
section or in division (B) of section 3517.151 of the Revised 5013
Code: 5014

(a) Enter a finding that good cause has been shown not to 5015
impose a fine or not to refer the matter to the appropriate 5016
prosecutor; 5017

(b) Impose a fine under section 3517.993 of the Revised Code; 5018

(c) Refer the matter to the appropriate prosecutor; 5019

(d) Direct the secretary of state or appropriate board of 5020

elections with the authority to certify a candidate to the ballot 5021
to remove a candidate's name from the ballot if the candidate is 5022
barred from the ballot under division (D) of section 3517.1010 of 5023
the Revised Code. 5024

(2) As used in division (A) of this section, "appropriate 5025
prosecutor" means a prosecutor as defined in section 2935.01 of 5026
the Revised Code and either of the following: 5027

(a) In the case of a failure to comply with or a violation of 5028
law involving a campaign committee or the committee's candidate, a 5029
political party, a legislative campaign fund, or a political 5030
action committee, ~~or a political contributing entity~~, that is 5031
required to file a statement of contributions and expenditures 5032
with the secretary of state under division (A) of section 3517.11 5033
of the Revised Code, the prosecutor of Franklin county; 5034

(b) In the case of a failure to comply with or a violation of 5035
law involving any other campaign committee or committee's 5036
candidate, or any other political party or political action 5037
committee, either of the following as determined by the 5038
commission: 5039

(i) The prosecutor of Franklin county; 5040

(ii) The prosecutor of the county in which the candidacy or 5041
ballot question or issue is submitted to the electors or, if it is 5042
submitted in more than one county, the most populous of those 5043
counties. 5044

(B) If the commission decides that the evidence is 5045
insufficient for it to determine whether or not the failure to act 5046
or the violation alleged in the complaint has occurred, the 5047
commission, by the affirmative vote of five members, may request 5048
that an investigatory attorney investigate the complaint. Upon 5049
that request, an investigatory attorney shall make an 5050
investigation in order to produce sufficient evidence for the 5051

commission to decide the matter. If the commission requests an investigation under this division, for good cause shown by the investigatory attorney, the commission may extend by sixty days the deadline for holding its first hearing on the complaint as required in division (A) of this section.

(C) The commission shall take one of the actions required under division (A) of this section not later than thirty days after the close of all the evidence presented.

(D)(1) The commission shall make any finding of a failure to comply with or a violation of law in regard to a complaint that alleges a violation of division (D) of section 3517.1010, division (A) or (B) of section 3517.21, or division (A) or (B) of section 3517.22 of the Revised Code by clear and convincing evidence. The commission shall make any finding of a failure to comply with or a violation of law in regard to any other complaint by a preponderance of the evidence.

(2) If the commission finds a violation of division (B) of section 3517.21 or division (B) of section 3517.22 of the Revised Code, it shall refer the matter to the appropriate prosecutor under division (A)(1)(c) of this section and shall not impose a fine under division (A)(1)(b) of this section or section 3517.993 of the Revised Code.

(E) In an action before the commission or a panel of the commission, if the allegations of the complainant are not proved, and the commission takes the action described in division (A)(1)(a) of this section or a panel of the commission takes the action described in division (C)(1) of section 3517.156 of the Revised Code, the commission or a panel of the commission may find that the complaint is frivolous, and, if the commission or panel so finds, the commission shall order the complainant to pay reasonable attorney's fees and to pay the costs of the commission

or panel as determined by a majority of the members of the 5083
commission. The costs paid to the commission or panel under this 5084
division shall be deposited into the Ohio elections commission 5085
fund. 5086

Sec. 3517.16. (A) There is hereby created in the state 5087
treasury the Ohio political party fund. All moneys received as a 5088
result of individuals exercising the checkoff option on their 5089
state income tax returns provided for in section 5747.081 of the 5090
Revised Code shall be deposited in ~~this~~ the fund. The tax 5091
commissioner shall pay money from the fund only to the auditor of 5092
state. 5093

(B)(1) The auditor of state shall retain sufficient funds 5094
from the moneys in the Ohio political party fund to pay any costs 5095
the auditor of state incurs in conducting audits under section 5096
3517.17 of the Revised Code. 5097

(2) After the costs of audits are deducted under division 5098
(B)(1) of this section, the auditor of state shall pay any moneys 5099
remaining in the fund only to political parties qualifying for ~~it~~ 5100
them under division (B) of section 3517.17 of the Revised Code. 5101

Sec. 3517.17. (A) At the beginning of each calendar quarter, 5102
after the costs of audits are deducted under division (B)(1) of 5103
section 3517.16 of the Revised Code, the auditor of state shall 5104
divide any remaining moneys that have accrued in the Ohio 5105
political party fund during the previous quarter ~~shall be divided~~ 5106
equally among all qualified political parties in the following 5107
manner. Of the public moneys to which a party is entitled: 5108

(1) One-half shall be paid to the treasurer of the state 5109
executive committee of the party; 5110

(2) One-half shall be distributed to the treasurer of each 5111
county executive committee of the various counties in accordance 5112

with the ratio that the number of checkoffs in each county bears 5113
to the total number of checkoffs, as determined by the tax 5114
commissioner. 5115

Each party treasurer receiving public moneys from the Ohio 5116
political party fund shall deposit those moneys into the party's 5117
restricted fund created under section 3517.1012 of the Revised 5118
Code, shall expend and maintain such those moneys in an account 5119
separate from all other assets of the political party subject to 5120
the requirements of that section and section 3517.18 of the 5121
Revised Code, and shall file deposit and disbursement statements 5122
of contributions and expenditures as required by sections 3517.10 5123
and 3517.11 division (B) of section 3517.1012 of the Revised Code. 5124
~~Each treasurer of a state executive committee who files such a~~ 5125
~~statement shall file it with the secretary of state and each~~ 5126
~~treasurer of a county executive committee who files such a~~ 5127
~~statement shall file it with the appropriate board of elections.~~ 5128
~~All such statements filed shall clearly indicate the amounts of~~ 5129
~~public moneys received and the manner of their expenditure.~~ The 5130
auditor of state shall annually audit the deposit and disbursement 5131
statements of the state committee of a political party that ~~has~~ 5132
~~received~~ is eligible to receive public moneys collected during the 5133
previous year, to ascertain that ~~such~~ all moneys in the party's 5134
restricted fund are expended in accordance with law. The auditor 5135
of state shall audit the deposit and disbursement statements of 5136
each county committee of such a political party to ascertain that 5137
all moneys in the party's restricted fund are expended in 5138
accordance with law at the time of the public office audit of that 5139
county under Chapter 117. of the Revised Code. 5140

(B) Only major political parties, as defined in section 5141
3501.01 of the Revised Code, may apply for public moneys from the 5142
Ohio political party fund. At the end of each even-numbered 5143
calendar year, the secretary of state shall announce the names of 5144

all such political parties, indicating that they may apply to 5145
receive such moneys during the ensuing two years. Any political 5146
party named at this time may, not later than the last day of 5147
January of the ensuing odd-numbered year, make application with 5148
the ~~tax commissioner~~ auditor of state to receive public moneys. ~~No~~ 5149
A political party that fails to make a timely application shall 5150
not receive public moneys during that two-year period. The ~~tax~~ 5151
~~commissioner~~ auditor of state shall prescribe an appropriate 5152
application form. Moneys from the fund shall be provided during 5153
the appropriate two-year period to each political party that makes 5154
a timely application in accordance with this division. 5155

Sec. 3517.20. (A)(1) As used in ~~division (A) of~~ this section: 5156
5157

(a) "Political publication for or against a candidate" means 5158
a notice, placard, advertisement, sample ballot, brochure, flyer, 5159
direct mailer, or ~~any~~ other form of general publication that is 5160
designed to promote the nomination, election, or defeat of a 5161
candidate. 5162

(b) "Political publication for or against an issue" means a 5163
notice, placard, advertisement, sample ballot, brochure, flyer, 5164
direct mailer, or ~~any~~ other form of general publication that is 5165
designed to promote the adoption or defeat of a ballot issue or 5166
question or to influence the voters in an election. 5167

(c) "Public political advertising" means newspapers, 5168
magazines, outdoor advertising facilities, direct mailings, or 5169
other similar types of general public political advertising, or 5170
flyers, handbills, or other nonperiodical printed matter. 5171

(d) "Statewide candidate" has the same meaning as in section 5172
3517.102 of the Revised Code. 5173

(e) "Legislative candidate" means a candidate for the office 5174

of member of the general assembly. 5175

(f) "Local candidate" means a candidate for an elective 5176
office of a political subdivision of this state. 5177

(g) "Legislative campaign fund" has the same meaning as in 5178
section 3517.01 of the Revised Code. 5179

(h) "Limited political action committee" means a political 5180
action committee of fewer than ten members. 5181

~~(i) "Limited political contributing entity" means a political 5182
contributing entity of fewer than ten members. 5183~~

~~(j)~~ "Designated amount" means one hundred dollars in the case 5184
of a local candidate or a local ballot issue, two hundred fifty 5185
dollars in the case of a legislative candidate, or five hundred 5186
dollars in the case of a statewide candidate or a statewide ballot 5187
issue. 5188

~~(k)~~(j) "To issue" includes to print, post, distribute, 5189
reproduce for distribution, or cause to be issued, printed, 5190
posted, distributed, or reproduced for distribution. 5191

(k) "Telephone bank" means more than five hundred telephone 5192
calls of an identical or substantially similar nature within any 5193
thirty-day period, whether those telephone calls are made by 5194
individual callers or by recording. 5195

(2) No candidate, campaign committee, legislative campaign 5196
fund, political party, or other entity, except a political action 5197
committee ~~or political contributing entity~~, shall issue a form of 5198
political publication for or against a candidate, or shall make an 5199
expenditure for the purpose of financing political communications 5200
in support of or opposition to a candidate through public 5201
political advertising, unless the name and residence or business 5202
address of the candidate or the chairperson, treasurer, or 5203
secretary of the campaign committee, legislative campaign fund, 5204

political party, or other entity that issues or otherwise is 5205
responsible for that political publication or that makes an 5206
expenditure for that political communication appears in a 5207
conspicuous place on that political publication or is contained 5208
within that political communication. 5209

(3) No limited political action committee ~~or limited~~ 5210
~~political contributing entity~~ shall do either of the following 5211
unless the name and residence or business address of the 5212
chairperson, treasurer, or secretary of the limited political 5213
action committee ~~or limited political contributing entity~~ involved 5214
appears in a conspicuous place in the political publication for or 5215
against a candidate described in division (A)(3)(a) of this 5216
section or is contained within the political communication 5217
described in division (A)(3)(b) of this section: 5218

(a) Issue a form of political publication for or against a 5219
candidate that costs in excess of the designated amount or that is 5220
issued in cooperation, consultation, or concert with, or at the 5221
request or suggestion of, a candidate, a campaign committee, a 5222
legislative campaign fund, a political party, a political action 5223
committee with ten or more members, ~~a political contributing~~ 5224
~~entity with ten or more members,~~ or a limited political action 5225
committee ~~or limited political contributing entity~~ that spends in 5226
excess of the designated amount on a related or the same or 5227
similar political publication for or against a candidate; 5228

(b) Make an expenditure in excess of the designated amount in 5229
support of or opposition to a candidate or make an expenditure in 5230
cooperation, consultation, or concert with, or at the request or 5231
suggestion of, a candidate, a campaign committee, a legislative 5232
campaign fund, a political party, a political action committee 5233
with ten or more members, ~~a political contributing entity with ten~~ 5234
~~or more members,~~ or a limited political action committee ~~or~~ 5235
~~limited political contributing entity~~ that spends in excess of the 5236

designated amount in support of or opposition to the same 5237
candidate, for the purpose of financing political communications 5238
in support of or opposition to that candidate through public 5239
political advertising. 5240

(4) No political action committee with ten or more members 5241
~~and no political contributing entity with ten or more members~~ 5242
shall issue a form of political publication for or against a 5243
candidate, or shall make an expenditure for the purpose of 5244
financing political communications in support of or opposition to 5245
a candidate through public political advertising, unless the name 5246
and residence or business address of the chairperson, treasurer, 5247
or secretary of the political action committee ~~or political~~ 5248
~~contributing entity~~ that issues or otherwise is responsible for 5249
that political publication or that makes an expenditure for that 5250
political communication through public political advertising 5251
appears in a conspicuous place in that political publication or is 5252
contained within that political communication. 5253

(5) No corporation, labor organization, campaign committee, 5254
legislative campaign fund, political party, or other entity, 5255
except a political action committee, shall issue a form of 5256
political publication for or against an issue, or shall make an 5257
expenditure for the purpose of financing political communications 5258
in support of or opposition to a ballot issue or question through 5259
public political advertising, unless the name and residence or 5260
business address of the chairperson, treasurer, or secretary of 5261
the corporation, labor organization, campaign committee, 5262
legislative campaign fund, political party, or other entity that 5263
issues or otherwise is responsible for that political publication 5264
or that makes an expenditure for that political communication 5265
through public political advertising appears in a conspicuous 5266
place in that political publication or is contained within that 5267
political communication. 5268

(6) No limited political action committee shall do either of 5269
the following unless the name and residence or business address of 5270
the chairperson, treasurer, or secretary of the limited political 5271
action committee involved appears in a conspicuous place in the 5272
political publication for or against a ballot issue described in 5273
division (A)(6)(a) of this section or is contained within the 5274
political communication described in division (A)(6)(b) of this 5275
section: 5276

(a) Issue a form of political publication for or against a 5277
ballot issue that costs in excess of the designated amount or that 5278
is issued in cooperation, consultation, or concert with, or at the 5279
request or suggestion of, a candidate, a campaign committee, a 5280
legislative campaign fund, a political party, a political action 5281
committee with ten or more members, or a limited political action 5282
committee that spends in excess of the designated amount for a 5283
related or the same or similar political publication for or 5284
against an issue; 5285

(b) Make an expenditure in excess of the designated amount in 5286
support of or opposition to a ballot issue or make an expenditure 5287
in cooperation, consultation, or concert with, or at the request 5288
or suggestion of, a candidate, a campaign committee, a legislative 5289
campaign fund, a political party, a political action committee 5290
with ten or more members, or a limited political action committee 5291
that spends in excess of the designated amount in support of or 5292
opposition to the same ballot issue, for the purpose of financing 5293
political communications in support of or opposition to that 5294
ballot issue through public political advertising. 5295

(7) No political action committee with ten or more members 5296
shall issue a form of political publication for or against an 5297
issue, or shall make an expenditure for the purpose of financing 5298
political communications in support of or opposition to a ballot 5299
issue or question through public political advertising, unless the 5300

name and residence or business address of the chairperson, 5301
treasurer, or secretary of the political action committee that 5302
issues or otherwise is responsible for that political publication 5303
or that makes an expenditure for that political communication 5304
appears in a conspicuous place in that political publication or is 5305
contained within that political communication. 5306

(8) The disclaimer "paid political advertisement" is not 5307
sufficient to meet the requirements of this section. 5308

(9) If the political publication described in division (A) of 5309
this section is issued by the regularly constituted central or 5310
executive committee of a political party that is organized as 5311
provided in ~~Chapter 3517. of the Revised Code~~ this chapter, it 5312
shall be sufficiently identified if it bears the name of the 5313
committee and its chairperson or treasurer. 5314

(10) If more than one piece of printed matter or printed 5315
political communications are mailed as a single packet, the 5316
requirements of division (A) of this section are met if one of the 5317
pieces of printed matter or printed political communications in 5318
the packet contains the name and residence or business address of 5319
the chairperson, treasurer, or secretary of the organization or 5320
entity that issues or is responsible for the printed matter or 5321
other printed political communications. 5322

(11) This section does not apply to the transmittal of 5323
personal correspondence that is not reproduced by machine for 5324
general distribution. 5325

(12) The secretary of state, by rule, may exempt from the 5326
requirements of this section, printed matter and certain other 5327
kinds of printed communications such as campaign buttons, 5328
balloons, pencils, or similar items, the size or nature of which 5329
makes it unreasonable to add an identification or disclaimer. 5330

(13) The disclaimer or identification described in division 5331

(A) of this section, when paid for by a campaign committee, shall
be identified by the words "paid for by" followed by the name and
address of the campaign committee and the appropriate officer of
the committee, identified by name and title. The identification or
disclaimer may use reasonable abbreviations for common terms such
as "treasurer" or "committee".

(B)(1) No candidate, campaign committee, legislative campaign
fund, political contributing entity, political party, political
action committee, limited political action committee, ~~political~~
~~contributing entity, limited political contributing entity,~~ or
other entity shall utter or cause to be uttered, over the
broadcasting facilities of any radio or television station within
this state, any communication that is designed to promote the
nomination, election, or defeat of a candidate, or the adoption or
defeat of an issue or to influence the voters in an election,
unless the speaker identifies the speaker with the speaker's name
and residence address or unless the communication identifies the
chairperson, treasurer, or secretary of the organization
responsible for the communication with the name and residence or
business address of that officer, except that communications by
radio need not broadcast the residence or business address of the
officer. However, a radio station, for a period of at least six
months, shall keep the residence or business address on file and
divulge it to any person upon request.

No person operating a broadcast station or an organ of
printed media shall broadcast or print a paid political
communication that does not contain the identification required by
this section.

(2) Division (B) of this section does not apply to any
communications made on behalf of a radio or television station or
network by any employee of such radio or television station or
network while acting in the course of the employee's employment.

(3) No candidate or entity described in division (B)(1) of this section shall use or cause to be used a false, fictitious, or fraudulent name or address in the making or issuing of a publication or communication included within the provisions of this section.

(C) No candidate, campaign committee, legislative campaign fund, political party, political action committee, limited political action committee, or other person or entity shall conduct a telephone bank for the purpose of promoting the nomination, election, or defeat of a candidate or the adoption or defeat of an issue or to influence the voters in an election, unless the call includes a disclaimer that identifies the name of the candidate, campaign committee, legislative campaign fund, political party, political action committee, limited political action committee, or other person or entity paying for the telephone bank.

(D) Before a prosecution may commence under this section, a complaint shall be filed with the Ohio elections commission under section 3517.153 of the Revised Code. After the complaint is filed, the commission shall proceed in accordance with sections 3517.154 to 3517.157 of the Revised Code.

Sec. 3517.23. The secretary of state shall adopt rules in accordance with Chapter 119. of the Revised Code that are necessary for the administration and enforcement of sections 3517.08 to 3517.13, 3517.18, 3517.20 to 3517.22, 3599.03, and 3599.031 of the Revised Code and shall provide each candidate, political action committee, legislative campaign fund, political party, and ~~political contributing entity~~ electioneering communication committee with written instructions and explanations in order to ensure compliance with sections 3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, and 3599.031 of the

Revised Code. 5395

Sec. 3517.992. This section establishes penalties only with 5396
respect to acts or failures to act that occur on and after August 5397
24, 1995. 5398

(A)(1) A candidate whose campaign committee violates division 5399
(A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, 5400
or a treasurer of a campaign committee who violates any of those 5401
divisions, shall be fined not more than one hundred dollars for 5402
each day of violation. 5403

(2) Whoever violates division (E) or (X)(5) of section 5404
3517.13 of the Revised Code shall be fined not more than one 5405
hundred dollars for each day of violation. 5406

(B) A political party that violates division (F)(1) of 5407
section 3517.101 of the Revised Code shall be fined not more than 5408
one hundred dollars for each day of violation. 5409

(C) Whoever violates division (F)(2) of section 3517.101 or 5410
division (G) of section 3517.13 of the Revised Code shall be fined 5411
not more than ten thousand dollars or, if the offender is a person 5412
who was nominated or elected to public office, shall forfeit the 5413
nomination or the office to which the offender was elected, or 5414
both. 5415

(D) Whoever violates division (F) of section 3517.13 of the 5416
Revised Code shall be fined not more than three times the amount 5417
contributed. 5418

(E) Whoever violates division (H) of section 3517.13 of the 5419
Revised Code shall be fined not more than one hundred dollars. 5420

(F) Whoever violates division (O), (P), or (Q) of section 5421
3517.13 of the Revised Code is guilty of a misdemeanor of the 5422
first degree. 5423

(G) A state or county committee of a political party that 5424

violates division (B)(1) of section 3517.18 of the Revised Code	5425
shall be fined not more than twice the amount of the improper	5426
expenditure.	5427
(H) A state or county political party that violates division	5428
(G) of section 3517.101 of the Revised Code shall be fined not	5429
more than twice the amount of the improper expenditure or use.	5430
(I)(1) Any individual who violates division (B)(1) of section	5431
3517.102 of the Revised Code and knows that the contribution the	5432
individual makes violates that division shall be fined an amount	5433
equal to three times the amount contributed in excess of the	5434
amount permitted by that division.	5435
(2) Any political action committee that violates division	5436
(B)(2) of section 3517.102 of the Revised Code shall be fined an	5437
amount equal to three times the amount contributed in excess of	5438
the amount permitted by that division.	5439
(3) Any campaign committee that violates division (B)(3) or	5440
(5) of section 3517.102 of the Revised Code shall be fined an	5441
amount equal to three times the amount contributed in excess of	5442
the amount permitted by that division.	5443
(4)(a) Any legislative campaign fund that violates division	5444
(B)(6) of section 3517.102 of the Revised Code shall be fined an	5445
amount equal to three times the amount transferred or contributed	5446
in excess of the amount permitted by that division, as applicable.	5447
(b) Any state political party, county political party, or	5448
state candidate fund of a state political party or county	5449
political party that violates division (B)(6) of section 3517.102	5450
of the Revised Code shall be fined an amount equal to three times	5451
the amount transferred or contributed in excess of the amount	5452
permitted by that division, as applicable.	5453
(c) Any political contributing entity that violates division	5454

~~(B)(7) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.~~

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

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

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

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

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

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~~(2)(a) Any ~~state or~~ county political party that violates division (C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code shall be fined an amount ~~from its state candidate fund~~ equal to three times the amount accepted.~~

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(b) Any county political party that violates division (C)(4)(a)(i) of section 3517.102 of the Revised Code shall be

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fined an amount from its state candidate fund equal to three times 5485
the amount accepted in excess of the amount permitted by that 5486
division. 5487

(c) Any state political party that violates division 5488
(C)(4)(b) of section 3517.102 of the Revised Code shall be fined 5489
an amount from its state candidate fund equal to three times the 5490
amount accepted in excess of the amount permitted by that 5491
division. 5492

(3) Any legislative campaign fund that violates division 5493
(C)(5) of section 3517.102 of the Revised Code shall be fined an 5494
amount equal to three times the amount accepted in excess of the 5495
amount permitted by that division. 5496

(4) Any political action committee ~~or political contributing~~ 5497
~~entity~~ that violates division (C)(7) of section 3517.102 of the 5498
Revised Code shall be fined an amount equal to three times the 5499
amount accepted in excess of the amount permitted by that 5500
division. 5501

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 5502
this section, no violation of division (C) of section 3517.102 of 5503
the Revised Code occurs, and the secretary of state shall not 5504
refer parties to the Ohio elections commission, if the amount 5505
transferred or contributed in excess of the amount permitted to be 5506
accepted by that division meets either of the following 5507
conditions: 5508

(a) It is completely refunded within five business days after 5509
its acceptance. 5510

(b) It is completely refunded on or before the tenth business 5511
day after notification to the recipient of the excess transfer or 5512
contribution by the board of elections or the secretary of state 5513
that a transfer or contribution in excess of the permitted amount 5514
has been received. 5515

(K)(1) Any legislative campaign fund that violates division 5516
(F)(1) of section 3517.102 of the Revised Code shall be fined 5517
twenty-five dollars for each day of violation. 5518

(2) Any legislative campaign fund that violates division 5519
(F)(2) of section 3517.102 of the Revised Code shall give to the 5520
treasurer of state for deposit into the state treasury to the 5521
credit of the Ohio elections commission fund all excess 5522
contributions not disposed of as required by division (E) of 5523
section 3517.102 of the Revised Code. 5524

(L) Whoever violates section 3517.105 of the Revised Code 5525
shall be fined one thousand dollars. 5526

(M)(1) Whoever solicits a contribution in violation of 5527
section 3517.092 or violates division (B) of section 3517.09 of 5528
the Revised Code is guilty of a misdemeanor of the first degree. 5529

(2) Whoever knowingly accepts a contribution in violation of 5530
division (B) or (C) of section 3517.092 of the Revised Code shall 5531
be fined an amount equal to three times the amount accepted in 5532
violation of either of those divisions and shall return to the 5533
contributor any amount so accepted. Whoever unknowingly accepts a 5534
contribution in violation of division (B) or (C) of section 5535
3517.092 of the Revised Code shall return to the contributor any 5536
amount so accepted. 5537

(N) Whoever violates division (S) of section 3517.13 of the 5538
Revised Code shall be fined an amount equal to three times the 5539
amount of funds transferred or three times the value of the assets 5540
transferred in violation of that division. 5541

(O) Any campaign committee that accepts a contribution or 5542
contributions in violation of section 3517.108 of the Revised 5543
Code, uses a contribution in violation of that section, or fails 5544
to dispose of excess contributions in violation of that section 5545
shall be fined an amount equal to three times the amount accepted, 5546

used, or kept in violation of that section. 5547

(P) Any political party, state candidate fund, legislative 5548
candidate fund, or campaign committee that violates division (T) 5549
of section 3517.13 of the Revised Code shall be fined an amount 5550
equal to three times the amount contributed or accepted in 5551
violation of that section. 5552

(Q) A treasurer of a committee or another person who violates 5553
division (U) of section 3517.13 of the Revised Code shall be fined 5554
not more than two hundred fifty dollars. 5555

(R) Whoever violates division (I) or (J) of section 3517.13 5556
of the Revised Code shall be fined not more than one thousand 5557
dollars. Whenever a person is found guilty of violating division 5558
(I) or (J) of section 3517.13 of the Revised Code, the contract 5559
awarded in violation of either of those divisions shall be 5560
rescinded if its terms have not yet been performed. 5561

(S) A candidate whose campaign committee violates or a 5562
treasurer of a campaign committee who violates section 3517.081 of 5563
the Revised Code, and a candidate whose campaign committee 5564
violates₇ or a treasurer of a campaign committee₇ or another 5565
person who violates₇ division (C) of section 3517.10 of the 5566
Revised Code, shall be fined not more than five hundred dollars. 5567

(T) A candidate whose campaign committee violates or a 5568
treasurer of a committee who violates division (B) of section 5569
3517.09 of the Revised Code, or a candidate whose campaign 5570
committee violates₇ or a treasurer of a campaign committee₇ or 5571
another person who violates division (C)₇ of section 3517.09 of 5572
the Revised Code shall be fined not more than one thousand 5573
dollars. 5574

(U) Whoever violates section 3517.20 of the Revised Code 5575
shall be fined not more than five hundred dollars. 5576

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

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

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

(Y) Any campaign committee that fails to dispose of excess funds or excess aggregate contributions under division (B) of section 3517.109 of the Revised Code in the manner required by division (C) of that section or under division (B) of section 3517.1010 of the Revised Code in the manner required by division (C) of that section shall give to the treasurer of state for deposit into the Ohio elections commission fund created under division ~~(E)(2)(b)(I)~~ of section ~~3517.102~~ 3517.152 of the Revised Code all funds not disposed of pursuant to those divisions.

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

(AA)(1) Whoever knowingly violates division (W)(1) of section

3517.13 of the Revised Code shall be fined an amount equal to 5608
three times the amount contributed, expended, or promised in 5609
violation of that division or ten thousand dollars, whichever 5610
amount is greater. 5611

(2) Whoever knowingly violates division (W)(2) of section 5612
3517.13 of the Revised Code shall be fined an amount equal to 5613
three times the amount solicited or accepted in violation of that 5614
division or ten thousand dollars, whichever amount is greater. 5615

(BB) Whoever knowingly violates division (C) or (D) of 5616
section 3517.1011 of the Revised Code shall be fined not more than 5617
ten thousand dollars plus not more than one thousand dollars for 5618
each day of violation. 5619

(CC)(1) Subject to division (CC)(2) of this section, whoever 5620
violates division (H) of section 3517.1011 of the Revised Code 5621
shall be fined an amount up to three times the amount disbursed 5622
for the direct costs of airing the communication made in violation 5623
of that division. 5624

(2) Whoever has been ordered by the Ohio elections commission 5625
to cease making communications in violation of division (H) of 5626
section 3517.1011 of the Revised Code who again violates that 5627
division shall be fined an amount equal to three times the amount 5628
disbursed for the direct costs of airing the communication made in 5629
violation of that division. 5630

(DD)(1) Any corporation or labor organization that violates 5631
division (X)(3)(a) of section 3517.13 of the Revised Code shall be 5632
fined an amount equal to three times the amount given in excess of 5633
the amount permitted by that division. 5634

(2) Any state or county political party that violates 5635
division (X)(3)(b) of section 3517.13 of the Revised Code shall be 5636
fined an amount equal to three times the amount accepted in excess 5637
of the amount permitted by that division. 5638

Sec. 3599.03. (A)(1) Except to carry on activities specified 5639
in sections 3517.082 and 3517.1011, division (A)(2) of section 5640
3517.1012, and section 3599.031 of the Revised Code and except as 5641
provided in divisions (D), (E), and (F) of this section, no 5642
corporation, no nonprofit corporation, and no labor organization, 5643
directly or indirectly, shall pay or use, or offer, advise, 5644
consent, or agree to pay or use, the corporation's money or 5645
property, or the labor organization's money, including dues, 5646
initiation fees, or other assessments paid by members, or 5647
property, for or in aid of or opposition to a political party, a 5648
candidate for election or nomination to public office, a political 5649
action committee including a political action committee of the 5650
corporation or labor organization, a legislative campaign fund, or 5651
any organization that supports or opposes any such candidate, or 5652
for any partisan political purpose, shall violate any law 5653
requiring the filing of an affidavit or statement respecting such 5654
use of those funds, or shall pay or use the corporation's or labor 5655
organization's money for the expenses of a social fund-raising 5656
event for its political action committee if an employee's or labor 5657
organization member's right to attend such an event is predicated 5658
on the employee's or member's contribution to the corporation's or 5659
labor organization's political action committee. 5660

(2) Whoever violates division (A)(1) of this section shall be 5661
fined not less than five hundred nor more than five thousand 5662
dollars. 5663

(B)(1) No officer, stockholder, attorney, or agent of a 5664
corporation or nonprofit corporation, no member, including an 5665
officer, attorney, or agent, of a labor organization, and no 5666
candidate, political party official, or other individual shall 5667
knowingly aid, advise, solicit, or receive money or other property 5668
in violation of division (A)(1) of this section. 5669

(2) Whoever violates division (B)(1) of this section shall be 5670
fined not more than one thousand dollars, or imprisoned not more 5671
than one year, or both. 5672

(C) A corporation, a nonprofit corporation, or a labor 5673
organization may use its funds or property for or in aid of or 5674
opposition to a proposed or certified ballot issue. Such use of 5675
funds or property shall be reported on a form prescribed by the 5676
secretary of state. Reports of contributions in connection with 5677
statewide ballot issues shall be filed with the secretary of 5678
state. Reports of contributions in connection with local issues 5679
shall be filed with the board of elections of the most populous 5680
county of the district in which the issue is submitted or to be 5681
submitted to the electors. Reports made pursuant to this division 5682
shall be filed by the times specified in divisions (A)(1) and (2) 5683
of section 3517.10 of the Revised Code. 5684

(D)(1) Any gift made pursuant to section 3517.101 of the 5685
Revised Code does not constitute a violation of this section or of 5686
any other section of the Revised Code. 5687

(2) Any gift made pursuant to division (A)(2) of section 5688
3517.1012 of the Revised Code does not constitute a violation of 5689
this section. 5690

(E) Any compensation or fees paid by a financial institution 5691
to a state political party for services rendered pursuant to 5692
division (B) of section 3517.19 of the Revised Code do not 5693
constitute a violation of this section or of any other section of 5694
the Revised Code. 5695

(F) The use by a nonprofit corporation of its money or 5696
property for communicating information for a purpose specified in 5697
division (A) of this section is not a violation of that division 5698
if the stockholders, members, donors, trustees, or officers of the 5699
nonprofit corporation are the predominant recipients of the 5700

communication. 5701

(G) In addition to the laws listed in division (A) of section 4117.10 of the Revised Code that prevail over conflicting agreements between employee organizations and public employers, this section prevails over any conflicting provisions of agreements between labor organizations and public employers that are entered into on or after the effective date of this section pursuant to Chapter 4117. of the Revised Code. 5702
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(H) Divisions (A) and (B) of this section do not apply to a continuing association that is not involved in express advocacy. 5709
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(I) As used in this section, "continuing association," "express advocacy," and "labor organization" have the same meanings as in section 3517.01 of the Revised Code. 5711
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Sec. 3599.031. (A) Notwithstanding any ~~section~~ provision of the Revised Code to the contrary and subject to ~~divisions (C) and (H)~~ division (C) of section 3517.09 of the Revised Code and division (B) of this section, any employer may deduct from the wages and salaries of its employees amounts for an account described in division ~~(C)~~(B) of this section, a separate segregated fund, a political action committee of the employer, a political action committee of a labor organization of the employer's employees, a political action committee of an association of which the employer is a member, a political party, electioneering communication committee, or a ballot issue that the employee by written authorization may designate and shall transmit any amounts so deducted as a separate written authorization described in division ~~(C)~~(B) of this section shall direct. Any authorization authorizing a deduction from an employee's wages or salary may be on a form that is used to apply for or authorize membership in or authorize payment of dues or fees to any organization, but the authorization for a deduction shall be 5714
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stated and signed separately from the application for membership 5732
or the authorization for the payment of dues or fees. The employer 5733
either may deduct from the amount to be so transmitted a uniform 5734
amount determined by the employer to be necessary to defray the 5735
actual cost of making such deduction and transmittal, or may 5736
utilize its own funds in an amount it determines is necessary to 5737
defray the actual administrative cost, including making the 5738
deduction and transmittal. 5739

~~(B) Any person who solicits an employee to authorize a 5740
deduction from his wages or salary pursuant to division (A) of 5741
this section shall inform the employee at the time of the 5742
solicitation that he may refuse to authorize a deduction, and that 5743
he may at any time revoke his authorization, without suffering any 5744
reprisal. 5745~~

~~(C)~~ If an employer establishes a separate account in the name 5746
of an employee for the purpose of depositing into the account 5747
amounts deducted from the wages and salary of the employee 5748
pursuant to division (A) of this section or amounts directly given 5749
by the employee to the employer for the support of a candidate, a 5750
separate segregated fund, a political action committee of the 5751
employer, a political action committee of a labor organization of 5752
the employer's employees, a political action committee of an 5753
association of which the employer is a member, a political party, 5754
a legislative campaign fund, an electioneering communication 5755
committee, or a ballot issue, the employee shall sign a written 5756
authorization designating the recipient of a disbursement from 5757
that account. The written authorization required under this 5758
division is separate and distinct from a written authorization 5759
required under division (A) of this section. The authorization 5760
required under this division shall clearly identify and designate 5761
the candidate, separate segregated fund, political action 5762
committee of the employer, political action committee of a labor 5763

organization of the employer's employees, political action 5764
committee of an association of which the employer is a member, 5765
political party, a legislative campaign fund, electioneering 5766
communication committee, or ballot issue that is to receive any 5767
disbursement from the account established pursuant to this 5768
division. No person shall designate the recipient of a 5769
disbursement from the account except the employee from whose 5770
account the disbursement is made. No employer shall make a 5771
disbursement from the account of an employee established under 5772
this division unless the employer has received the written 5773
authorization required under this division. 5774

~~(D)~~(C) An employer shall furnish the recipient of any amount 5775
transmitted pursuant to this section with the employer's full name 5776
and the full name of the labor organization of which the employee 5777
whose amount is being transmitted is a member, if any. An employer 5778
shall keep and maintain the authorization forms of all its 5779
employees from whose wages and salaries any amounts were deducted 5780
pursuant to division (A) of this section and the authorizations of 5781
disbursements from accounts established under division ~~(C)~~(B) of 5782
this section for a period of at least six years after the year in 5783
which the deductions and disbursements were made. 5784

~~(E)~~(D) An employee who has made an authorization pursuant to 5785
division (A) or ~~(C)~~(B) of this section may revoke that 5786
authorization at any time. A revocation of the authorization does 5787
not affect any deduction already made from an employee's wages and 5788
salary or any amounts already transmitted or disbursed under this 5789
section. 5790

~~(F)~~(E) For purposes of this section and for the purpose of 5791
the information required to be filed under division (B)(4)(b)(iii) 5792
of section 3517.10 of the Revised Code: 5793

(1) If an employer is a corporation, each subsidiary of a 5794
parent corporation shall be considered an entity separate and 5795

distinct from any other subsidiary and separate and distinct from
the parent corporation. 5796
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(2) Each national, regional, state, and local affiliate of a
labor organization shall be considered a distinct entity. 5798
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~~(G)~~(F) Whoever violates division ~~(C)~~(B) of this section shall
be fined not less than fifty nor more than five hundred dollars
for each disbursement made in violation of that division. 5800
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~~(H) No public employer shall deduct from the wages and
salaries of its employees any amounts for the support of any
candidate, separate segregated fund, political action committee,
legislative campaign fund, political party, or ballot issue.~~ 5803
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~~(I) In addition to the laws listed in division (A) of section
4117.10 of the Revised Code that prevail over conflicting
agreements between employee organizations and public employers,
this section prevails over any conflicting provisions of
agreements between labor organizations and public employers
entered into pursuant to Chapter 4117. of the Revised Code.~~ 5807
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~~(J)~~(G) In addition to the laws listed in division (A) of
section 4117.10 of the Revised Code that prevail over conflicting
agreements between employee organizations and public employers,
this section prevails over any conflicting provisions of
agreements between labor organizations and public employers that
are entered into on or after the effective date of this amendment
pursuant to Chapter 4117. of the Revised Code. 5813
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(H) As used in this section: 5820

(1) "~~Labor~~ Electioneering communication committee,
legislative campaign fund, "labor organization," "political
action committee," and "separate segregated fund" have the same
meanings as in section 3517.01 of the Revised Code. 5821
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(2) "Public employer" means an employer that is the state or 5825

a state agency, authority, commission, or board, a political
subdivision of the state, a school district or state institution
of higher learning, a public or special district, or any other
public employer.

(3) "Employee" includes only an employee who is a resident of
or is employed in this state.

Sec. 3599.111. (A) As used in this section, "registering a
voter" or "registering voters" includes any effort, for
compensation, to provide voter registration forms or to assist
persons in completing those forms or returning them to the board
of elections, the office of the secretary of state, or other
appropriate public office.

(B) No person shall receive compensation on a fee per
signature or fee per volume basis for circulating any declaration
of candidacy, nominating petition, declaration of intent to be a
write-in candidate, initiative petition, referendum petition,
recall petition, or any other election-related petition that is
filed with or transmitted to a board of elections, the office of
the secretary of state, or other appropriate public office.

(C) No person shall receive compensation on a fee per
registration or fee per volume basis for registering a voter.

(D) Compensation for collecting signatures on
election-related petitions and for registering voters shall be
paid solely on the basis of time worked.

(E)(1) Whoever violates division (B) or (C) of this section
is guilty of election falsification under section 3599.36 of the
Revised Code.

(2) Whoever violates division (D) of this section is guilty
of a felony of the fifth degree.

Section 2. That existing sections 102.03, 2921.01, 2921.43, 5855
3501.38, 3503.14, 3513.07, 3513.10, 3513.261, 3517.01, 3517.08, 5856
3517.082, 3517.09, 3517.092, 3517.10, 3517.102, 3517.103, 5857
3517.104, 3517.105, 3517.106, 3517.108, 3517.109, 3517.11, 5858
3517.13, 3517.151, 3517.152, 3517.154, 3517.155, 3517.16, 3517.17, 5859
3517.20, 3517.23, 3517.992, and 3599.031 and section 3599.03 of 5860
the Revised Code are hereby repealed. 5861

Section 3. (A) Except as otherwise provided in division (B) 5862
of this section, no person intending to make a disbursement or 5863
disbursements for the direct costs of producing or airing 5864
electioneering communications under this act shall make those 5865
disbursements using any contributions that the person received 5866
before the effective date of this act. 5867

(B) Any person intending to make a disbursement or 5868
disbursements for the direct costs of producing or airing 5869
electioneering communications under this act who wishes to make 5870
those disbursements using contributions that the person received 5871
before the effective date of this act shall, in the first 5872
disclosure of electioneering communications statement that the 5873
person is required to file, report the contributor information 5874
specified in division (D)(1)(e) or (f) of section 3517.1011 of the 5875
Revised Code for each contribution that was received before the 5876
effective date of this act and that the person uses to make a 5877
disbursement that is included in that statement. 5878

(C) As used in this section, "contribution," "electioneering 5879
communication," and "person" have the same meanings as in section 5880
3517.1011 of the Revised Code. 5881

Section 4. (A) A state or county political party that has a 5882
state candidate fund, established under division (D)(3)(c) of 5883
section 3517.10 of the Revised Code as it existed prior to the 5884

effective date of this act, in existence on that effective date 5885
shall, not later than 4 p.m. on that effective date, disburse any 5886
moneys in the fund in accordance with the versions of sections 5887
3517.08 to 3517.13 of the Revised Code that were in effect prior 5888
to that effective date. Any state candidate fund in existence on 5889
the effective date of this act shall be abolished not later than 4 5890
p.m. on that effective date. 5891

(B) No state or county political party that establishes a 5892
state candidate fund under division (D)(3)(c) of section 3517.10 5893
of the Revised Code as amended by this act shall transfer into 5894
that fund any moneys that were in a state candidate fund 5895
established under that section as it existed prior to the 5896
effective date of this act. 5897

Section 5. No moneys in any fund or account of a political 5898
party that was not subject to disclosure under the version of 5899
Chapter 3517. of the Revised Code that was in effect prior to the 5900
effective date of this act shall be disbursed, transferred into 5901
another fund or account of the political party, or otherwise used 5902
by that political party on or after the effective date of this act 5903
unless the contributors of those moneys are disclosed prior to 5904
that effective date in accordance with section 3517.10 of the 5905
Revised Code. 5906

Section 6. Section 3513.10 of the Revised Code is presented 5907
in this act as a composite of the section as amended by both Am. 5908
Sub. H.B. 117 and Am. Sub. S.B. 9 of the 121st General Assembly. 5909
The General Assembly, applying the principle stated in division 5910
(B) of section 1.52 of the Revised Code that amendments are to be 5911
harmonized if reasonably capable of simultaneous operation, finds 5912
that the composite is the resulting version of the section in 5913
effect prior to the effective date of the section as presented in 5914
this act. 5915