

As Passed by the Senate

**126th General Assembly
Regular Session
2005-2006**

Am. Sub. S. B. No. 115

Senator Jacobson

—

A BILL

To amend sections 102.03, 2921.01, 2921.43, 3517.01, 1
3517.08, 3517.09, 3517.092, 3517.10, 3517.102, 2
3517.105, 3517.106, 3517.108, 3517.109, 3517.11, 3
3517.13, 3517.152, 3517.155, 3517.20, 3517.23, and 4
3517.992 of the Revised Code to establish 5
political contributing entities for the purpose of 6
the Campaign Finance Law and to declare an 7
emergency. 8

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

Section 1. That sections 102.03, 2921.01, 2921.43, 3517.01, 9
3517.08, 3517.09, 3517.092, 3517.10, 3517.102, 3517.105, 3517.106, 10
3517.108, 3517.109, 3517.11, 3517.13, 3517.152, 3517.155, 3517.20, 11
3517.23, and 3517.992 of the Revised Code be amended to read as 12
follows: 13

Sec. 102.03. (A)(1) No present or former public official or 14
employee shall, during public employment or service or for twelve 15
months thereafter, represent a client or act in a representative 16
capacity for any person on any matter in which the public official 17
or employee personally participated as a public official or 18
employee through decision, approval, disapproval, recommendation, 19
the rendering of advice, investigation, or other substantial 20

exercise of administrative discretion. 21

(2) For twenty-four months after the conclusion of service, 22
no former commissioner or attorney examiner of the public 23
utilities commission shall represent a public utility, as defined 24
in section 4905.02 of the Revised Code, or act in a representative 25
capacity on behalf of such a utility before any state board, 26
commission, or agency. 27

(3) For twenty-four months after the conclusion of employment 28
or service, no former public official or employee who personally 29
participated as a public official or employee through decision, 30
approval, disapproval, recommendation, the rendering of advice, 31
the development or adoption of solid waste management plans, 32
investigation, inspection, or other substantial exercise of 33
administrative discretion under Chapter 343. or 3734. of the 34
Revised Code shall represent a person who is the owner or operator 35
of a facility, as defined in section 3734.01 of the Revised Code, 36
or who is an applicant for a permit or license for a facility 37
under that chapter, on any matter in which the public official or 38
employee personally participated as a public official or employee. 39

(4) For a period of one year after the conclusion of 40
employment or service as a member or employee of the general 41
assembly, no former member or employee of the general assembly 42
shall represent, or act in a representative capacity for, any 43
person on any matter before the general assembly, any committee of 44
the general assembly, or the controlling board. Division (A)(4) of 45
this section does not apply to or affect a person who separates 46
from service with the general assembly on or before December 31, 47
1995. As used in division (A)(4) of this section "person" does not 48
include any state agency or political subdivision of the state. 49

(5) As used in divisions (A)(1), (2), and (3) of this 50
section, "matter" includes any case, proceeding, application, 51
determination, issue, or question, but does not include the 52

proposal, consideration, or enactment of statutes, rules, 53
ordinances, resolutions, or charter or constitutional amendments. 54
As used in division (A)(4) of this section, "matter" includes the 55
proposal, consideration, or enactment of statutes, resolutions, or 56
constitutional amendments. As used in division (A) of this 57
section, "represent" includes any formal or informal appearance 58
before, or any written or oral communication with, any public 59
agency on behalf of any person. 60

(6) Nothing contained in division (A) of this section shall 61
prohibit, during such period, a former public official or employee 62
from being retained or employed to represent, assist, or act in a 63
representative capacity for the public agency by which the public 64
official or employee was employed or on which the public official 65
or employee served. 66

(7) Division (A) of this section shall not be construed to 67
prohibit the performance of ministerial functions, including, but 68
not limited to, the filing or amendment of tax returns, 69
applications for permits and licenses, incorporation papers, and 70
other similar documents. 71

(B) No present or former public official or employee shall 72
disclose or use, without appropriate authorization, any 73
information acquired by the public official or employee in the 74
course of the public official's or employee's official duties that 75
is confidential because of statutory provisions, or that has been 76
clearly designated to the public official or employee as 77
confidential when that confidential designation is warranted 78
because of the status of the proceedings or the circumstances 79
under which the information was received and preserving its 80
confidentiality is necessary to the proper conduct of government 81
business. 82

(C) No public official or employee shall participate within 83

the scope of duties as a public official or employee, except 84
through ministerial functions as defined in division (A) of this 85
section, in any license or rate-making proceeding that directly 86
affects the license or rates of any person, partnership, trust, 87
business trust, corporation, or association in which the public 88
official or employee or immediate family owns or controls more 89
than five per cent. No public official or employee shall 90
participate within the scope of duties as a public official or 91
employee, except through ministerial functions as defined in 92
division (A) of this section, in any license or rate-making 93
proceeding that directly affects the license or rates of any 94
person to whom the public official or employee or immediate 95
family, or a partnership, trust, business trust, corporation, or 96
association of which the public official or employee or the public 97
official's or employee's immediate family owns or controls more 98
than five per cent, has sold goods or services totaling more than 99
one thousand dollars during the preceding year, unless the public 100
official or employee has filed a written statement acknowledging 101
that sale with the clerk or secretary of the public agency and the 102
statement is entered in any public record of the agency's 103
proceedings. This division shall not be construed to require the 104
disclosure of clients of attorneys or persons licensed under 105
section 4732.12 or 4732.15 of the Revised Code, or patients of 106
persons certified under section 4731.14 of the Revised Code. 107

(D) No public official or employee shall use or authorize the 108
use of the authority or influence of office or employment to 109
secure anything of value or the promise or offer of anything of 110
value that is of such a character as to manifest a substantial and 111
improper influence upon the public official or employee with 112
respect to that person's duties. 113

(E) No public official or employee shall solicit or accept 114
anything of value that is of such a character as to manifest a 115

substantial and improper influence upon the public official or 116
employee with respect to that person's duties. 117

(F) No person shall promise or give to a public official or 118
employee anything of value that is of such a character as to 119
manifest a substantial and improper influence upon the public 120
official or employee with respect to that person's duties. 121

(G) In the absence of bribery or another offense under the 122
Revised Code or a purpose to defraud, contributions made to a 123
campaign committee, political party, legislative campaign fund, ~~or~~ 124
political action committee, or political contributing entity on 125
behalf of an elected public officer or other public official or 126
employee who seeks elective office shall be considered to accrue 127
ordinarily to the public official or employee for the purposes of 128
divisions (D), (E), and (F) of this section. 129

As used in this division, "contributions," "campaign 130
committee," "political party," "legislative campaign fund," ~~and~~ 131
"political action committee," and "political contributing entity" 132
have the same meanings as in section 3517.01 of the Revised Code. 133

(H)(1) No public official or employee, except for the 134
president or other chief administrative officer of or a member of 135
a board of trustees of a state institution of higher education as 136
defined in section 3345.011 of the Revised Code, who is required 137
to file a financial disclosure statement under section 102.02 of 138
the Revised Code shall solicit or accept, and no person shall give 139
to that public official or employee, an honorarium. Except as 140
provided in division (H)(2) of this section, this division and 141
divisions (D), (E), and (F) of this section do not prohibit a 142
public official or employee who is required to file a financial 143
disclosure statement under section 102.02 of the Revised Code from 144
accepting and do not prohibit a person from giving to that public 145
official or employee the payment of actual travel expenses, 146

including any expenses incurred in connection with the travel for
lodging, and meals, food, and beverages provided to the public
official or employee at a meeting at which the public official or
employee participates in a panel, seminar, or speaking engagement
or provided to the public official or employee at a meeting or
convention of a national organization to which any state agency,
including, but not limited to, any state legislative agency or
state institution of higher education as defined in section
3345.011 of the Revised Code, pays membership dues. Except as
provided in division (H)(2) of this section, this division and
divisions (D), (E), and (F) of this section do not prohibit a
public official or employee who is not required to file a
financial disclosure statement under section 102.02 of the Revised
Code from accepting and do not prohibit a person from promising or
giving to that public official or employee an honorarium or the
payment of travel, meal, and lodging expenses if the honorarium,
expenses, or both were paid in recognition of demonstrable
business, professional, or esthetic interests of the public
official or employee that exist apart from public office or
employment, including, but not limited to, such a demonstrable
interest in public speaking and were not paid by any person or
other entity, or by any representative or association of those
persons or entities, that is regulated by, doing business with, or
seeking to do business with the department, division, institution,
board, commission, authority, bureau, or other instrumentality of
the governmental entity with which the public official or employee
serves.

(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, 179
payment of actual travel expenses, including expenses incurred 180
with the travel for lodging, meals, food, and beverages. 181

(I) A public official or employee may accept travel, meals, 182
and lodging or expenses or reimbursement of expenses for travel, 183
meals, and lodging in connection with conferences, seminars, and 184
similar events related to official duties if the travel, meals, 185
and lodging, expenses, or reimbursement is not of such a character 186
as to manifest a substantial and improper influence upon the 187
public official or employee with respect to that person's duties. 188
The house of representatives and senate, in their code of ethics, 189
and the Ohio ethics commission, under section 111.15 of the 190
Revised Code, may adopt rules setting standards and conditions for 191
the furnishing and acceptance of such travel, meals, and lodging, 192
expenses, or reimbursement. 193

A person who acts in compliance with this division and any 194
applicable rules adopted under it, or any applicable, similar 195
rules adopted by the supreme court governing judicial officers and 196
employees, does not violate division (D), (E), or (F) of this 197
section. This division does not preclude any person from seeking 198
an advisory opinion from the appropriate ethics commission under 199
section 102.08 of the Revised Code. 200

(J) For purposes of divisions (D), (E), and (F) of this 201
section, the membership of a public official or employee in an 202
organization shall not be considered, in and of itself, to be of 203
such a character as to manifest a substantial and improper 204
influence on the public official or employee with respect to that 205
person's duties. As used in this division, "organization" means a 206
church or a religious, benevolent, fraternal, or professional 207
organization that is tax exempt under subsection 501(a) and 208
described in subsection 501(c)(3), (4), (8), (10), or (19) of the 209
"Internal Revenue Code of 1986." This division does not apply to a 210

public official or employee who is an employee of an organization, 211
serves as a trustee, director, or officer of an organization, or 212
otherwise holds a fiduciary relationship with an organization. 213
This division does not allow a public official or employee who is 214
a member of an organization to participate, formally or 215
informally, in deliberations, discussions, or voting on a matter 216
or to use his official position with regard to the interests of 217
the organization on the matter if the public official or employee 218
has assumed a particular responsibility in the organization with 219
respect to the matter or if the matter would affect that person's 220
personal, pecuniary interests. 221

(K) It is not a violation of this section for a prosecuting 222
attorney to appoint assistants and employees in accordance with 223
division (B) of section 309.06 and section 2921.421 of the Revised 224
Code, for a chief legal officer of a municipal corporation or an 225
official designated as prosecutor in a municipal corporation to 226
appoint assistants and employees in accordance with sections 227
733.621 and 2921.421 of the Revised Code, for a township law 228
director appointed under section 504.15 of the Revised Code to 229
appoint assistants and employees in accordance with sections 230
504.151 and 2921.421 of the Revised Code, or for a coroner to 231
appoint assistants and employees in accordance with division (B) 232
of section 313.05 of the Revised Code. 233

As used in this division, "chief legal officer" has the same 234
meaning as in section 733.621 of the Revised Code. 235

Sec. 2921.01. As used in sections 2921.01 to 2921.45 of the 236
Revised Code: 237

(A) "Public official" means any elected or appointed officer, 238
or employee, or agent of the state or any political subdivision, 239
whether in a temporary or permanent capacity, and includes, but is 240
not limited to, legislators, judges, and law enforcement officers. 241

(B) "Public servant" means any of the following:	242
(1) Any public official;	243
(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;	244 245 246
(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.	247 248 249 250 251 252 253 254 255
(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.	256 257 258 259 260
(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.	261 262 263 264 265 266
(E) "Detention" means arrest; confinement in any vehicle subsequent to an arrest; confinement in any public or private facility for custody of persons charged with or convicted of crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the	267 268 269 270 271 272

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

(F) "Detention facility" means any public or private place 294
used for the confinement of a person charged with or convicted of 295
any crime in this state or another state or under the laws of the 296
United States or alleged or found to be a delinquent child or 297
unruly child in this state or another state or under the laws of 298
the United States. 299

(G) "Valuable thing or valuable benefit" includes, but is not 300
limited to, a contribution. This inclusion does not indicate or 301
imply that a contribution was not included in those terms before 302
September 17, 1986. 303

(H) "Campaign committee," "contribution," "political action 304

committee," "legislative campaign fund," ~~and~~ "political party,"
and "political contributing entity" have the same meanings as in
section 3517.01 of the Revised Code.

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

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

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

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

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

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

(2) Preferring, or maintaining the status of, any public
employee with respect to compensation, duties, placement,
location, promotion, or other material aspects of employment.

(C) No person for the benefit of a political party, campaign
committee, legislative campaign fund, ~~or~~ political action

committee, or political contributing entity shall coerce any 335
contribution in consideration of either of the following: 336

(1) Appointing or securing, maintaining, or renewing the 337
appointment of any person to any public office, employment, or 338
agency; 339

(2) Preferring, or maintaining the status of, any public 340
employee with respect to compensation, duties, placement, 341
location, promotion, or other material aspects of employment. 342

(D) Whoever violates this section is guilty of soliciting 343
improper compensation, a misdemeanor of the first degree. 344

(E) A public servant who is convicted of a violation of this 345
section is disqualified from holding any public office, 346
employment, or position of trust in this state for a period of 347
seven years from the date of conviction. 348

(F) Divisions (A), (B), and (C) of this section do not 349
prohibit a person from making voluntary contributions to a 350
political party, campaign committee, legislative campaign fund, ~~or~~ 351
political action committee, or political contributing entity or 352
prohibit a political party, campaign committee, legislative 353
campaign fund, ~~or~~ political action committee, or political 354
contributing entity from accepting voluntary contributions. 355

Sec. 3517.01. (A)(1) A political party within the meaning of 356
Title XXXV of the Revised Code is any group of voters that, at the 357
most recent regular state election, polled for its candidate for 358
governor in the state or nominees for presidential electors at 359
least five per cent of the entire vote cast for that office or 360
that filed with the secretary of state, subsequent to any election 361
in which it received less than five per cent of that vote, a 362
petition signed by qualified electors equal in number to at least 363
one per cent of the total vote for governor or nominees for 364

presidential electors at the most recent election, declaring their 365
intention of organizing a political party, the name of which shall 366
be stated in the declaration, and of participating in the 367
succeeding primary election, held in even-numbered years, that 368
occurs more than one hundred twenty days after the date of filing. 369
No such group of electors shall assume a name or designation that 370
is similar, in the opinion of the secretary of state, to that of 371
an existing political party as to confuse or mislead the voters at 372
an election. If any political party fails to cast five per cent of 373
the total vote cast at an election for the office of governor or 374
president, it shall cease to be a political party. 375

(2) A campaign committee shall be legally liable for any 376
debts, contracts, or expenditures incurred or executed in its 377
name. 378

(B) Notwithstanding the definitions found in section 3501.01 379
of the Revised Code, as used in this section and sections 3517.08 380
to 3517.14, 3517.99, and 3517.992 of the Revised Code: 381

(1) "Campaign committee" means an entity that is formed by a 382
candidate or a combination of two or more persons authorized by a 383
candidate under section 3517.081 of the Revised Code to receive 384
contributions and make expenditures and that is legally liable for 385
any debts, contracts, or expenditures incurred or executed in its 386
name. 387

(2) "Campaign treasurer" means an individual appointed by a 388
candidate under section 3517.081 of the Revised Code. 389

(3) "Candidate" has the same meaning as in division (H) of 390
section 3501.01 of the Revised Code and also includes any person 391
who, at any time before or after an election, receives 392
contributions or makes expenditures or other use of contributions, 393
has given consent for another to receive contributions or make 394
expenditures or other use of contributions, or appoints a campaign 395

treasurer, for the purpose of bringing about the person's 396
nomination or election to public office. When two persons jointly 397
seek the offices of governor and lieutenant governor, "candidate" 398
means the pair of candidates jointly. "Candidate" does not include 399
candidates for election to the offices of member of a county or 400
state central committee, presidential elector, and delegate to a 401
national convention or conference of a political party. 402

(4) "Continuing association" means an association, other than 403
a campaign committee, political party, legislative campaign fund, 404
political contributing entity, or labor organization, that is 405
intended to be a permanent organization that has a primary purpose 406
other than supporting or opposing specific candidates, political 407
parties, or ballot issues, and that functions on a regular basis 408
throughout the year. "Continuing association" includes 409
organizations that are determined to be not organized for profit 410
under subsection 501 and that are described in subsection 411
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 412

(5) "Contribution" means a loan, gift, deposit, forgiveness 413
of indebtedness, donation, advance, payment, or transfer of funds 414
or anything of value, including a transfer of funds from an inter 415
vivos or testamentary trust or decedent's estate, and the payment 416
by any person other than the person to whom the services are 417
rendered for the personal services of another person, which 418
contribution is made, received, or used for the purpose of 419
influencing the results of an election. Any loan, gift, deposit, 420
forgiveness of indebtedness, donation, advance, payment, or 421
transfer of funds or of anything of value, including a transfer of 422
funds from an inter vivos or testamentary trust or decedent's 423
estate, and the payment by any campaign committee, political 424
action committee, legislative campaign fund, political party, 425
political contributing entity, or person other than the person to 426
whom the services are rendered for the personal services of 427

another person, that is made, received, or used by a state or 428
county political party, other than moneys a state or county 429
political party receives from the Ohio political party fund 430
pursuant to section 3517.17 of the Revised Code and the moneys a 431
state or county political party may receive under sections 432
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 433
considered to be a "contribution" for the purpose of section 434
3517.10 of the Revised Code and shall be included on a statement 435
of contributions filed under that section. 436

"Contribution" does not include any of the following: 437

(a) Services provided without compensation by individuals 438
volunteering a portion or all of their time on behalf of a person; 439

(b) Ordinary home hospitality; 440

(c) The personal expenses of a volunteer paid for by that 441
volunteer campaign worker; 442

(d) Any gift given to a state or county political party 443
pursuant to section 3517.101 of the Revised Code. As used in 444
division (B)(5)(d) of this section, "political party" means only a 445
major political party; 446

(e) Any contribution as defined in section 3517.1011 of the 447
Revised Code that is made, received, or used to pay the direct 448
costs of producing or airing an electioneering communication; 449

(f) Any gift given to a state or county political party for 450
the party's restricted fund under division (A)(2) of section 451
3517.1012 of the Revised Code; 452

(g) Any gift given to a state political party for deposit in 453
a ~~levin~~ Levin account pursuant to section 3517.1013 of the Revised 454
Code. As used in this division, "~~levin~~ Levin account" has the same 455
meaning as in that section. 456

(6) "Expenditure" means the disbursement or use of a 457

contribution for the purpose of influencing the results of an
election or of making a charitable donation under division (G) of
section 3517.08 of the Revised Code. Any disbursement or use of a
contribution by a state or county political party is an
expenditure and shall be considered either to be made for the
purpose of influencing the results of an election or to be made as
a charitable donation under division (G) of section 3517.08 of the
Revised Code and shall be reported on a statement of expenditures
filed under section 3517.10 of the Revised Code. During the thirty
days preceding a primary or general election, any disbursement to
pay the direct costs of producing or airing a broadcast, cable, or
satellite communication that refers to a clearly identified
candidate shall be considered to be made for the purpose of
influencing the results of that election and shall be reported as
an expenditure or as an independent expenditure under section
3517.10 or 3517.105 of the Revised Code, as applicable, except
that the information required to be reported regarding
contributors for those expenditures or independent expenditures
shall be the same as the information required to be reported under
~~division~~ divisions (D)(1) and (2) of section 3517.1011 of the
Revised Code.

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

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

(8) "Political action committee" means a combination of two
or more persons, the primary or major purpose of which is to
support or oppose any candidate, political party, or issue, or to
influence the result of any election through express advocacy, and
that is not a political party, a campaign committee, a political

contributing entity, or a legislative campaign fund. "Political
action committee" does not include a continuing association that
makes disbursements for the direct costs of producing or airing
electioneering communications and that does not engage in express
advocacy.

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

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

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

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

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

(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.

(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.

(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 520
contributing entity and that is made with the consent of, in 521
coordination, cooperation, or consultation with, or at the request 522
or suggestion of the benefited candidate, committee, fund, ~~or~~ 523
party, or entity. The financing of the dissemination, 524
distribution, or republication, in whole or part, of any broadcast 525
or of any written, graphic, or other form of campaign materials 526
prepared by the candidate, the candidate's campaign committee, or 527
their authorized agents is an in-kind contribution to the 528
candidate and an expenditure by the candidate. 529

(17) "Independent expenditure" means an expenditure by a 530
person advocating the election or defeat of an identified 531
candidate or candidates, that is not made with the consent of, in 532
coordination, cooperation, or consultation with, or at the request 533
or suggestion of any candidate or candidates or of the campaign 534
committee or agent of the candidate or candidates. As used in 535
division (B)(17) of this section: 536

(a) "Person" means an individual, partnership, unincorporated 537
business organization or association, political action committee, 538
political contributing entity, separate segregated fund, 539
association, or other organization or group of persons, but not a 540
labor organization or a corporation unless the labor organization 541
or corporation is a political contributing entity. 542

(b) "Advocating" means any communication containing a message 543
advocating election or defeat. 544

(c) "Identified candidate" means that the name of the 545
candidate appears, a photograph or drawing of the candidate 546
appears, or the identity of the candidate is otherwise apparent by 547
unambiguous reference. 548

(d) "Made in coordination, cooperation, or consultation with, 549
or at the request or suggestion of, any candidate or the campaign 550

committee or agent of the candidate" means made pursuant to any 551
arrangement, coordination, or direction by the candidate, the 552
candidate's campaign committee, or the candidate's agent prior to 553
the publication, distribution, display, or broadcast of the 554
communication. An expenditure is presumed to be so made when it is 555
any of the following: 556

(i) Based on information about the candidate's plans, 557
projects, or needs provided to the person making the expenditure 558
by the candidate, or by the candidate's campaign committee or 559
agent, with a view toward having an expenditure made; 560

(ii) Made by or through any person who is, or has been, 561
authorized to raise or expend funds, who is, or has been, an 562
officer of the candidate's campaign committee, or who is, or has 563
been, receiving any form of compensation or reimbursement from the 564
candidate or the candidate's campaign committee or agent; 565

(iii) Except as otherwise provided in division (D) of section 566
3517.105 of the Revised Code, made by a political party in support 567
of a candidate, unless the expenditure is made by a political 568
party to conduct voter registration or voter education efforts. 569

(e) "Agent" means any person who has actual oral or written 570
authority, either express or implied, to make or to authorize the 571
making of expenditures on behalf of a candidate, or means any 572
person who has been placed in a position with the candidate's 573
campaign committee or organization such that it would reasonably 574
appear that in the ordinary course of campaign-related activities 575
the person may authorize expenditures. 576

(18) "Labor organization" means a labor union; an employee 577
organization; a federation of labor unions, groups, locals, or 578
other employee organizations; an auxiliary of a labor union, 579
employee organization, or federation of labor unions, groups, 580
locals, or other employee organizations; or any other bona fide 581

organization in which employees participate and that exists for 582
the purpose, in whole or in part, of dealing with employers 583
concerning grievances, labor disputes, wages, hours, and other 584
terms and conditions of employment. 585

(19) "Separate segregated fund" means a separate segregated 586
fund established pursuant to the Federal Election Campaign Act. 587

(20) "Federal Election Campaign Act" means the "Federal 588
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 589
seq., as amended. 590

(21) "Restricted fund" means the fund a state or county 591
political party must establish under division (A)(1) of section 592
3517.1012 of the Revised Code. 593

(22) "Electioneering communication" has the same meaning as 594
in section 3517.1011 of the Revised Code. 595

(23) "Express advocacy" means a communication that contains 596
express words advocating the nomination, election, or defeat of a 597
candidate or that contains express words advocating the adoption 598
or defeat of a question or issue, as determined by a final 599
judgment of a court of competent jurisdiction. 600

(24) "Political committee" has the same meaning as in section 601
3517.1011 of the Revised Code. 602

(25) "Political contributing entity" means any entity, 603
including a corporation or labor organization, that may lawfully 604
make contributions and expenditures and that is not an individual 605
or a political action committee, continuing association, campaign 606
committee, political party, legislative campaign fund, designated 607
state campaign committee, or state candidate fund. For purposes of 608
this division, "lawfully" means not prohibited by any section of 609
the Revised Code, or authorized by a final judgment of a court of 610
competent jurisdiction. 611

Sec. 3517.08. (A) The personal expenses of a candidate paid 612
for by the candidate, from the candidate's personal funds, shall 613
not be considered as a contribution by or an expenditure by the 614
candidate and shall not be reported under section 3517.10 of the 615
Revised Code. 616

(B)(1) An expenditure by a political action committee or a 617
political contributing entity shall not be considered a 618
contribution by the political action committee or the political 619
contributing entity or an expenditure by or on behalf of the 620
candidate if the purpose of the expenditure is to inform only its 621
members by means of mailed publications of its activities or 622
endorsements. 623

(2) An expenditure by a political party shall not be 624
considered a contribution by the political party or an expenditure 625
by or on behalf of the candidate if the purpose of the expenditure 626
is to inform predominantly the party's members by means of mailed 627
publications or other direct communication of its activities or 628
endorsements, or for voter contact such as sample ballots, absent 629
voter's ballots application mailings, voter registration, or 630
get-out-the-vote activities. 631

(C) An expenditure by a continuing association, political 632
contributing entity, or political party shall not be considered a 633
contribution to any campaign committee or an expenditure by or on 634
behalf of any campaign committee if the purpose of the expenditure 635
is for the staff and maintenance of the continuing association's, 636
political contributing entity's, or political party's 637
headquarters, or for a political poll, survey, index, or other 638
type of measurement not on behalf of a specific candidate. 639

(D) The expenses of maintaining a constituent office paid 640
for, from the candidate's personal funds, by a candidate who is a 641
member of the general assembly at the time of the election shall 642

not be considered a contribution by or an expenditure by or on 643
behalf of the candidate, and shall not be reported, if the 644
constituent office is not used for any candidate's campaign 645
activities. 646

(E) The net contribution of each social or fund-raising 647
activity shall be calculated by totaling all contributions to the 648
activity minus the expenditures made for the activity. 649

(F) An expenditure that purchases goods or services shall be 650
attributed to an election when the disbursement of funds is made, 651
rather than at the time the goods or services are used. The 652
secretary of state, under the procedures of Chapter 119. of the 653
Revised Code, shall establish rules for the attribution of 654
expenditures to a candidate when the candidate is a candidate for 655
more than one office during a reporting period and for 656
expenditures made in a year in which no election is held. The 657
secretary of state shall further define by rule those expenditures 658
that are or are not by or on behalf of a candidate. 659

(G) An expenditure for the purpose of a charitable donation 660
may be made if it is made to an organization that is exempt from 661
federal income taxation under subsection 501(a) and described in 662
subsection 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10), or 663
501(c)(19) of the Internal Revenue Code or is approved by advisory 664
opinion of the Ohio elections commission as a legitimate 665
charitable organization. Each expenditure under this division 666
shall be separately itemized on statements made pursuant to 667
section 3517.10 of the Revised Code. 668

Sec. 3517.09. (A) No person or committee shall solicit, ask, 669
invite, or demand, directly or indirectly, orally or in writing, a 670
contribution, subscription, or payment from a candidate for 671
nomination or election or from the campaign committee of that 672
candidate, and no person shall solicit, ask, invite, or demand 673

that a candidate for nomination or election or the campaign 674
committee of that candidate subscribe to the support of a club or 675
organization, buy tickets to an entertainment, ball, supper, or 676
other meeting, or pay for space in a book, program, or 677
publication. This division does not apply to any of the following: 678

(1) Regular advertisements in periodicals having an 679
established circulation; 680

(2) Regular payments to civic, political, fraternal, social, 681
charitable, or religious organizations of which the candidate was 682
a member or contributor six months before the candidate's 683
candidacy; 684

(3) Regular party assessments made by a party against its own 685
candidates. 686

(B) No person shall coerce, intimidate, or cause harm to 687
another person by an act or failure to act, or shall threaten to 688
coerce, intimidate, or cause harm to another person, because that 689
other person makes or does not make a contribution to a candidate, 690
campaign committee, political party, legislative campaign fund, 691
political action committee, political contributing entity, or 692
person making disbursements to pay the direct costs of producing 693
or airing electioneering communications. 694

(C) An employer or labor organization, directly or through 695
another person, may obtain contributions for a candidate, campaign 696
committee, political action committee, legislative campaign fund, 697
political party, or person making disbursements to pay the direct 698
costs of producing or airing electioneering communications from an 699
employee or member from whom the employer or labor organization 700
was not obtaining contributions for that candidate, campaign 701
committee, political action committee, legislative campaign fund, 702
political party, or person making disbursements to pay the direct 703
costs of producing or airing electioneering communications before 704

~~the effective date of this amendment~~ March 31, 2005, on an 705
automatic basis pursuant to a payroll deduction plan only if the 706
employee or member who is contributing to that candidate, campaign 707
committee, political action committee, legislative campaign fund, 708
political party, or person making disbursements to pay the direct 709
costs of producing or airing electioneering communications 710
affirmatively consents to the contribution in writing. 711

(D) In addition to the laws listed in division (A) of section 713
4117.10 of the Revised Code that prevail over conflicting 714
agreements between employee organizations and public employers, 715
this section prevails over any conflicting provisions of 716
agreements between labor organizations and public employers that 717
are entered into on or after ~~the effective date of this amendment~~ 718
March 31, 2005, pursuant to Chapter 4117. of the Revised Code. 719

Sec. 3517.092. (A) As used in this section: 720

(1) "Appointing authority" has the same meaning as in section 721
124.01 of the Revised Code. 722

(2) "State elected officer" means any person appointed or 723
elected to a state elective office. 724

(3) "State elective office" means any of the offices of 725
governor, lieutenant governor, secretary of state, auditor of 726
state, treasurer of state, attorney general, member of the state 727
board of education, member of the general assembly, and justice 728
and chief justice of the supreme court. 729

(4) "County elected officer" means any person appointed or 730
elected to a county elective office. 731

(5) "County elective office" means any of the offices of 732
county auditor, county treasurer, clerk of the court of common 733
pleas, sheriff, county recorder, county engineer, county 734

commissioner, prosecuting attorney, and coroner. 735

(6) "Contribution" includes a contribution to any political 736
party, campaign committee, political action committee, political 737
contributing entity, or legislative campaign fund. 738

(B) No state elected officer, no campaign committee of such 739
an officer, and no other person or entity shall knowingly solicit 740
or accept a contribution on behalf of that officer or that 741
officer's campaign committee from any of the following: 742

(1) A state employee whose appointing authority is the state 743
elected officer; 744

(2) A state employee whose appointing authority is authorized 745
or required by law to be appointed by the state elected officer; 746

(3) A state employee who functions in or is employed in or by 747
the same public agency, department, division, or office as the 748
state elected officer. 749

(C) No candidate for a state elective office, no campaign 750
committee of such a candidate, and no other person or entity shall 751
knowingly solicit or accept a contribution on behalf of that 752
candidate or that candidate's campaign committee from any of the 753
following: 754

(1) A state employee at the time of the solicitation, whose 755
appointing authority will be the candidate, if elected; 756

(2) A state employee at the time of the solicitation, whose 757
appointing authority will be appointed by the candidate, if 758
elected, as authorized or required by law; 759

(3) A state employee at the time of the solicitation, who 760
will function in or be employed in or by the same public agency, 761
department, division, or office as the candidate, if elected. 762

(D) No county elected officer, no campaign committee of such 763
an officer, and no other person or entity shall knowingly solicit 764

a contribution on behalf of that officer or that officer's
campaign committee from any of the following:

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

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

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

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

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

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

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

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

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

(3) As used in division (F) of this section, "public 795
employee" does not include any person holding an elective office. 796

(G) The prohibitions in divisions (B), (C), (D), (E), and (F) 797
of this section are in addition to the prohibitions in sections 798
124.57, 3304.22, and 4503.032 of the Revised Code. 799

Sec. 3517.10. (A) Except as otherwise provided in this 800
division, every campaign committee, political action committee, 801
legislative campaign fund, ~~and~~ political party, and political 802
contributing entity that made or received a contribution or made 803
an expenditure in connection with the nomination or election of 804
any candidate or in connection with any ballot issue or question 805
at any election held or to be held in this state shall file, on a 806
form prescribed under this section or by electronic means of 807
transmission as provided in this section and section 3517.106 of 808
the Revised Code, a full, true, and itemized statement, made under 809
penalty of election falsification, setting forth in detail the 810
contributions and expenditures, not later than four p.m. of the 811
following dates: 812

(1) The twelfth day before the election to reflect 813
contributions received and expenditures made from the close of 814
business on the last day reflected in the last previously filed 815
statement, if any, to the close of business on the twentieth day 816
before the election; 817

(2) The thirty-eighth day after the election to reflect the 818
contributions received and expenditures made from the close of 819
business on the last day reflected in the last previously filed 820
statement, if any, to the close of business on the seventh day 821
before the filing of the statement; 822

(3) The last business day of January of every year to reflect 823
the contributions received and expenditures made from the close of 824

business on the last day reflected in the last previously filed 825
statement, if any, to the close of business on the last day of 826
December of the previous year; 827

(4) The last business day of July of every year to reflect 828
the contributions received and expenditures made from the close of 829
business on the last day reflected in the last previously filed 830
statement, if any, to the close of business on the last day of 831
June of that year. 832

A campaign committee shall only be required to file the 833
statements prescribed under divisions (A)(1) and (2) of this 834
section in connection with the nomination or election of the 835
committee's candidate. 836

The statement required under division (A)(1) of this section 837
shall not be required of any campaign committee, political action 838
committee, legislative campaign fund, ~~or~~ political party, or 839
political contributing entity that has received contributions of 840
less than one thousand dollars and has made expenditures of less 841
than one thousand dollars at the close of business on the 842
twentieth day before the election. Those contributions and 843
expenditures shall be reported in the statement required under 844
division (A)(2) of this section. 845

If an election to select candidates to appear on the general 846
election ballot is held within sixty days before a general 847
election, the campaign committee of a successful candidate in the 848
earlier election may file the statement required by division 849
(A)(1) of this section for the general election instead of the 850
statement required by division (A)(2) of this section for the 851
earlier election if the pregeneral election statement reflects the 852
status of contributions and expenditures for the period twenty 853
days before the earlier election to twenty days before the general 854
election. 855

If a person becomes a candidate less than twenty days before 856
an election, the candidate's campaign committee is not required to 857
file the statement required by division (A)(1) of this section. 858

No statement under division (A)(3) or (4) of this section 859
shall be required for any year in which a campaign committee, 860
political action committee, legislative campaign fund, ~~or~~ 861
political party, or political contributing entity is required to 862
file a postgeneral election statement under division (A)(2) of 863
this section. However, such a statement may be filed, at the 864
option of the campaign committee, political action committee, 865
legislative campaign fund, ~~or~~ political party, or political 866
contributing entity. 867

No statement under division (A)(3) or (4) of this section 868
shall be required if the campaign committee, political action 869
committee, legislative campaign fund, ~~or~~ political party, or 870
political contributing entity has no contributions that it has 871
received and no expenditures that it has made since the last date 872
reflected in its last previously filed statement. However, the 873
campaign committee, political action committee, legislative 874
campaign fund, ~~or~~ political party, or political contributing 875
entity shall file a statement to that effect, on a form prescribed 876
under this section and made under penalty of election 877
falsification, on the date required in division (A)(3) or (4) of 878
this section, as applicable. 879

The campaign committee of a statewide candidate shall file a 880
monthly statement of contributions received during each of the 881
months of July, August, and September in the year of the general 882
election in which the candidate seeks office. The campaign 883
committee of a statewide candidate shall file the monthly 884
statement not later than three business days after the last day of 885
the month covered by the statement. During the period beginning on 886
the nineteenth day before the general election in which a 887

statewide candidate seeks election to office and extending through 888
the day of that general election, each time the campaign committee 889
of the joint candidates for the offices of governor and lieutenant 890
governor or of a candidate for the office of secretary of state, 891
auditor of state, treasurer of state, or attorney general receives 892
a contribution from a contributor that causes the aggregate amount 893
of contributions received from that contributor during that period 894
to equal or exceed ten thousand dollars and each time the campaign 895
committee of a candidate for the office of chief justice or 896
justice of the supreme court receives a contribution from a 897
contributor that causes the aggregate amount of contributions 898
received from that contributor during that period to exceed ten 899
thousand dollars, the campaign committee shall file a 900
two-business-day statement reflecting that contribution. During 901
the period beginning on the nineteenth day before a primary 902
election in which a candidate for statewide office seeks 903
nomination to office and extending through the day of that primary 904
election, each time either the campaign committee of a statewide 905
candidate in that primary election that files a notice under 906
division (C)(1) of section 3517.103 of the Revised Code or the 907
campaign committee of a statewide candidate in that primary 908
election to which, in accordance with division (D) of section 909
3517.103 of the Revised Code, the contribution limitations 910
prescribed in section 3517.102 of the Revised Code no longer apply 911
receives a contribution from a contributor that causes the 912
aggregate amount of contributions received from that contributor 913
during that period to exceed ten thousand dollars, the campaign 914
committee shall file a two-business-day statement reflecting that 915
contribution. Contributions reported on a two-business-day 916
statement required to be filed by a campaign committee of a 917
statewide candidate in a primary election shall also be included 918
in the postprimary election statement required to be filed by that 919
campaign committee under division (A)(2) of this section. A 920

two-business-day statement required by this paragraph shall be 921
filed not later than two business days after receipt of the 922
contribution. The statements required by this paragraph shall be 923
filed in addition to any other statements required by this 924
section. 925

Subject to the secretary of state having implemented, tested, 926
and verified the successful operation of any system the secretary 927
of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of 928
this section and division (H)(1) of section 3517.106 of the 929
Revised Code for the filing of campaign finance statements by 930
electronic means of transmission, a campaign committee of a 931
statewide candidate shall file a two-business-day statement under 932
the preceding paragraph by electronic means of transmission if the 933
campaign committee is required to file a pre-election, 934
postelection, or monthly statement of contributions and 935
expenditures by electronic means of transmission under this 936
section or section 3517.106 of the Revised Code. 937

If a campaign committee or political action committee has no 938
balance on hand and no outstanding obligations and desires to 939
terminate itself, it shall file a statement to that effect, on a 940
form prescribed under this section and made under penalty of 941
election falsification, with the official with whom it files a 942
statement under division (A) of this section after filing a final 943
statement of contributions and a final statement of expenditures, 944
if contributions have been received or expenditures made since the 945
period reflected in its last previously filed statement. 946

(B) Except as otherwise provided in division (C)(7) of this 947
section, each statement required by division (A) of this section 948
shall contain the following information: 949

(1) The full name and address of each campaign committee, 950
political action committee, legislative campaign fund, ~~or~~ 951

political party, or political contributing entity, including any 952
treasurer of the committee, fund, ~~or~~ party, or entity, filing a 953
contribution and expenditure statement; 954

(2)(a) In the case of a campaign committee, the candidate's 955
full name and address; 956

(b) In the case of a political action committee, the 957
registration number assigned to the committee under division 958
(D)(1) of this section. 959

(3) The date of the election and whether it was or will be a 960
general, primary, or special election; 961

(4) A statement of contributions received, which shall 962
include the following information: 963

(a) The month, day, and year of the contribution; 964

(b)(i) The full name and address of each person, political 965
party, campaign committee, legislative campaign fund, ~~or~~ political 966
action committee, or political contributing entity from whom 967
contributions are received and the registration number assigned to 968
the political action committee under division (D)(1) of this 969
section. The requirement of filing the full address does not apply 970
to any statement filed by a state or local committee of a 971
political party, to a finance committee of such committee, or to a 972
committee recognized by a state or local committee as its 973
fund-raising auxiliary. Notwithstanding division (F) of this 974
section, the requirement of filing the full address shall be 975
considered as being met if the address filed is the same address 976
the contributor provided under division (E)(1) of this section. 977

(ii) If a political action committee, political contributing 978
entity, legislative campaign fund, or political party that is 979
required to file campaign finance statements by electronic means 980
of transmission under section 3517.106 of the Revised Code or a 981
campaign committee of a statewide candidate or candidate for the 982

office of member of the general assembly receives a contribution 983
from an individual that exceeds one hundred dollars, the name of 984
the individual's current employer, if any, or, if the individual 985
is self-employed, the individual's occupation and the name of the 986
individual's business, if any; 987

(iii) If a campaign committee of a statewide candidate or 988
candidate for the office of member of the general assembly 989
receives a contribution transmitted pursuant to section 3599.031 990
of the Revised Code from amounts deducted from the wages and 991
salaries of two or more employees that exceeds in the aggregate 992
one hundred dollars during any one filing period under division 993
(A)(1), (2), (3), or (4) of this section, the full name of the 994
employees' employer and the full name of the labor organization of 995
which the employees are members, if any. 996

(c) A description of the contribution received, if other than 997
money; 998

(d) The value in dollars and cents of the contribution; 999

(e) A separately itemized account of all contributions and 1000
expenditures regardless of the amount, except a receipt of a 1001
contribution from a person in the sum of twenty-five dollars or 1002
less at one social or fund-raising activity and a receipt of a 1003
contribution transmitted pursuant to section 3599.031 of the 1004
Revised Code from amounts deducted from the wages and salaries of 1005
employees if the contribution from the amount deducted from the 1006
wages and salary of any one employee is twenty-five dollars or 1007
less aggregated in a calendar year. An account of the total 1008
contributions from each social or fund-raising activity shall 1009
include a description of and the value of each in-kind 1010
contribution received at that activity from any person who made 1011
one or more such contributions whose aggregate value exceeded two 1012
hundred fifty dollars and shall be listed separately, together 1013
with the expenses incurred and paid in connection with that 1014

activity. A campaign committee, political action committee, 1015
legislative campaign fund, ~~or~~ political party, or political 1016
contributing entity shall keep records of contributions from each 1017
person in the amount of twenty-five dollars or less at one social 1018
or fund-raising activity and contributions from amounts deducted 1019
under section 3599.031 of the Revised Code from the wages and 1020
salary of each employee in the amount of twenty-five dollars or 1021
less aggregated in a calendar year. No continuing association that 1022
is recognized by a state or local committee of a political party 1023
as an auxiliary of the party and that makes a contribution from 1024
funds derived solely from regular dues paid by members of the 1025
auxiliary shall be required to list the name or address of any 1026
members who paid those dues. 1027

Contributions that are other income shall be itemized 1028
separately from all other contributions. The information required 1029
under division (B)(4) of this section shall be provided for all 1030
other income itemized. As used in this paragraph, "other income" 1031
means a loan, investment income, or interest income. 1032

(f) In the case of a campaign committee of a state elected 1033
officer, if a person doing business with the state elected officer 1034
in the officer's official capacity makes a contribution to the 1035
campaign committee of that officer, the information required under 1036
division (B)(4) of this section in regard to that contribution, 1037
which shall be filed together with and considered a part of the 1038
committee's statement of contributions as required under division 1039
(A) of this section but shall be filed on a separate form provided 1040
by the secretary of state. As used in this division: 1041

(i) "State elected officer" has the same meaning as in 1042
section 3517.092 of the Revised Code. 1043

(ii) "Person doing business" means a person or an officer of 1044
an entity who enters into one or more contracts with a state 1045

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elected officer or anyone authorized to enter into contracts on
behalf of that officer to receive payments for goods or services,
if the payments total, in the aggregate, more than five thousand
dollars during a calendar year.

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

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

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

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

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(d) The amount of each expenditure.

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

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

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

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

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

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

(b) The secretary of state shall prescribe the form for all 1108
statements required to be filed under this section and shall 1109
furnish the forms to the boards of elections in the several 1110
counties. The boards of elections shall supply printed copies of 1111
those forms without charge. The secretary of state shall prescribe 1112
the appropriate methodology, protocol, and data file structure for 1113
statements required or permitted to be filed by electronic means 1114
of transmission under division (A) of this section, divisions (E), 1115
(F), and (G) of section 3517.106, division (D) of section 1116
3517.1011, division (B) of section 3517.1012, and division (C) of 1117
section 3517.1013 of the Revised Code. Subject to division (A) of 1118
this section, divisions (E), (F), and (G) of section 3517.106, 1119
division (D) of section 3517.1011, division (B) of section 1120
3517.1012, and division (C) of section 3517.1013 of the Revised 1121
Code, the statements required to be stored on computer by the 1122
secretary of state under division (B) of section 3517.106 of the 1123
Revised Code shall be filed in whatever format the secretary of 1124
state considers necessary to enable the secretary of state to 1125
store the information contained in the statements on computer. Any 1126
such format shall be of a type and nature that is readily 1127
available to whoever is required to file the statements in that 1128
format. 1129

(c) The secretary of state shall assess the need for training 1130
regarding the filing of campaign finance statements by electronic 1131
means of transmission and regarding associated technologies for 1132
candidates, campaign committees, political action committees, 1133
legislative campaign funds, ~~or~~ political parties, or political 1134
contributing entities, for individuals, partnerships, or other 1135
entities, or for persons making disbursements to pay the direct 1136
costs of producing or airing electioneering communications, 1137
required or permitted to file statements by electronic means of 1138
transmission under this section or section 3517.105, 3517.106, 1139

3517.1011, 3517.1012, or 3517.1013 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, or political contributing entities,
for individuals, partnerships, and other entities, or for persons
making disbursements to pay the direct costs of producing or
airing electioneering communications, as appropriate.

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

(D)(1) Prior to receiving a contribution or making an
expenditure, every campaign committee, political action committee,
legislative campaign fund, ~~or~~ political party, or political
contributing entity shall appoint a treasurer and shall file, on a
form prescribed by the secretary of state, a designation of that
appointment, including the full name and address of the treasurer
and of the campaign committee, political action committee,
legislative campaign fund, ~~or~~ political party, or political
contributing entity. That designation shall be filed with the
official with whom the campaign committee, political action
committee, legislative campaign fund, ~~or~~ political party, or
political contributing entity is required to file statements under
section 3517.11 of the Revised Code. The name of a campaign
committee shall include at least the last name of the campaign
committee's candidate. The secretary of state shall assign a
registration number to each political action committee that files
a designation of the appointment of a treasurer under this
division if the political action committee is required by division

(A)(1) of section 3517.11 of the Revised Code to file the 1172
statements prescribed by this section with the secretary of state. 1173

(2) The treasurer appointed under division (D)(1) of this 1174
section shall keep a strict account of all contributions, from 1175
whom received and the purpose for which they were disbursed. 1176

(3)(a) Except as otherwise provided in section 3517.108 of 1177
the Revised Code, a campaign committee shall deposit all monetary 1178
contributions received by the committee into an account separate 1179
from a personal or business account of the candidate or campaign 1180
committee. 1181

(b) A political action committee shall deposit all monetary 1182
contributions received by the committee into an account separate 1183
from all other funds. 1184

(c) A state or county political party may establish a state 1185
candidate fund that is separate from an account that contains the 1186
public moneys received from the Ohio political party fund under 1187
section 3517.17 of the Revised Code and from all other funds. A 1188
state or county political party may deposit into its state 1189
candidate fund any amounts of monetary contributions that are made 1190
to or accepted by the political party subject to the applicable 1191
limitations, if any, prescribed in section 3517.102 of the Revised 1192
Code. A state or county political party shall deposit all other 1193
monetary contributions received by the party into one or more 1194
accounts that are separate from its state candidate fund and from 1195
its account that contains the public moneys received from the Ohio 1196
political party fund under section 3517.17 of the Revised Code. 1197

(d) Each state political party shall have only one 1198
legislative campaign fund for each house of the general assembly. 1199
Each such fund shall be separate from any other funds or accounts 1200
of that state party. A legislative campaign fund is authorized to 1201
receive contributions and make expenditures for the primary 1202

purpose of furthering the election of candidates who are members 1203
of that political party to the house of the general assembly with 1204
which that legislative campaign fund is associated. Each 1205
legislative campaign fund shall be administered and controlled in 1206
a manner designated by the caucus. As used in this division, 1207
"caucus" has the same meaning as in section 3517.01 of the Revised 1208
Code and includes, as an ex officio member, the chairperson of the 1209
state political party with which the caucus is associated or that 1210
chairperson's designee. 1211

(4) Every expenditure in excess of twenty-five dollars shall 1212
be vouched for by a receipted bill, stating the purpose of the 1213
expenditure, that shall be filed with the statement of 1214
expenditures. A canceled check with a notation of the purpose of 1215
the expenditure is a receipted bill for purposes of division 1216
(D)(4) of this section. 1217

(5) The secretary of state or the board of elections, as the 1218
case may be, shall issue a receipt for each statement filed under 1219
this section and shall preserve a copy of the receipt for a period 1220
of at least six years. All statements filed under this section 1221
shall be open to public inspection in the office where they are 1222
filed and shall be carefully preserved for a period of at least 1223
six years after the year in which they are filed. 1224

(6) The secretary of state, by rule adopted pursuant to 1225
section 3517.23 of the Revised Code, shall prescribe both of the 1226
following: 1227

(a) The manner of immediately acknowledging, with date and 1228
time received, and preserving the receipt of statements that are 1229
transmitted by electronic means of transmission to the secretary 1230
of state pursuant to this section or section 3517.106, 3517.1011, 1231
3517.1012, or 3517.1013 of the Revised Code; 1232

(b) The manner of preserving the contribution and 1233

expenditure, contribution and disbursement, deposit and 1234
disbursement, or gift and disbursement information in the 1235
statements described in division (D)(6)(a) of this section. The 1236
secretary of state shall preserve the contribution and 1237
expenditure, contribution and disbursement, deposit and 1238
disbursement, or gift and disbursement information in those 1239
statements for at least ten years after the year in which they are 1240
filed by electronic means of transmission. 1241

(7) The secretary of state, pursuant to division (I) of 1242
section 3517.106 of the Revised Code, shall make available online 1243
to the public through the internet the contribution and 1244
expenditure, contribution and disbursement, deposit and 1245
disbursement, or gift and disbursement information in all 1246
statements, all addenda, amendments, or other corrections to 1247
statements, and all amended statements filed with the secretary of 1248
state by electronic or other means of transmission under this 1249
section, division (B)(2)(b) or (C)(2)(b) of section 3517.105, or 1250
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.11 of 1251
the Revised Code. The secretary of state may remove the 1252
information from the internet after a reasonable period of time. 1253

(E)(1) Any person, political party, campaign committee, 1254
legislative campaign fund, ~~or~~ political action committee, or 1255
political contributing entity that makes a contribution in 1256
connection with the nomination or election of any candidate or in 1257
connection with any ballot issue or question at any election held 1258
or to be held in this state shall provide its full name and 1259
address to the recipient of the contribution at the time the 1260
contribution is made. The political action committee also shall 1261
provide the registration number assigned to the committee under 1262
division (D)(1) of this section to the recipient of the 1263
contribution at the time the contribution is made. 1264

(2) Any individual who makes a contribution that exceeds one 1265

hundred dollars to a political action committee, political 1266
contributing entity, legislative campaign fund, or political party 1267
or to a campaign committee of a statewide candidate or candidate 1268
for the office of member of the general assembly shall provide the 1269
name of the individual's current employer, if any, or, if the 1270
individual is self-employed, the individual's occupation and the 1271
name of the individual's business, if any, to the recipient of the 1272
contribution at the time the contribution is made. Sections 1273
3599.39 and 3599.40 of the Revised Code do not apply to division 1274
(E)(2) of this section. 1275

(3) If a campaign committee shows that it has exercised its 1276
best efforts to obtain, maintain, and submit the information 1277
required under divisions (B)(4)(b)(ii) and (iii) of this section, 1278
that committee is considered to have met the requirements of those 1279
divisions. A campaign committee shall not be considered to have 1280
exercised its best efforts unless, in connection with written 1281
solicitations, it regularly includes a written request for the 1282
information required under division (B)(4)(b)(ii) of this section 1283
from the contributor or the information required under division 1284
(B)(4)(b)(iii) of this section from whoever transmits the 1285
contribution. 1286

(4) Any check that a political action committee uses to make 1287
a contribution or an expenditure shall contain the full name and 1288
address of the committee and the registration number assigned to 1289
the committee under division (D)(1) of this section. 1290

(F) As used in this section: 1291

(1)(a) Except as otherwise provided in division (F)(1) of 1292
this section, "address" means all of the following if they exist: 1293
apartment number, street, road, or highway name and number, rural 1294
delivery route number, city or village, state, and zip code as 1295
used in a person's post-office address, but not post-office box. 1296

(b) Except as otherwise provided in division (F)(1) of this section, if an address is required in this section, a post-office box and office, room, or suite number may be included in addition to, but not in lieu of, an apartment, street, road, or highway name and number.

(c) If an address is required in this section, a campaign committee, political action committee, legislative campaign fund, ~~or~~ political party, or political contributing entity may use the business or residence address of its treasurer or deputy treasurer. The post-office box number of the campaign committee, political action committee, legislative campaign fund, ~~or~~ political party, or political contributing entity may be used in addition to that address.

(d) For the sole purpose of a campaign committee's reporting of contributions on a statement of contributions received under division (B)(4) of this section, "address" has one of the following meanings at the option of the campaign committee:

(i) The same meaning as in division (F)(1)(a) of this section;

(ii) All of the following, if they exist: the contributor's post-office box number and city or village, state, and zip code as used in the contributor's post-office address.

(e) As used with regard to the reporting under this section of any expenditure, "address" means all of the following if they exist: apartment number, street, road, or highway name and number, rural delivery route number, city or village, state, and zip code as used in a person's post-office address, or post-office box. If an address concerning any expenditure is required in this section, a campaign committee, political action committee, legislative campaign fund, ~~or~~ political party, or political contributing entity may use the business or residence address of its treasurer

or deputy treasurer or its post-office box number. 1328

(2) "Statewide candidate" means the joint candidates for the 1329
offices of governor and lieutenant governor or a candidate for the 1330
office of secretary of state, auditor of state, treasurer of 1331
state, attorney general, member of the state board of education, 1332
chief justice of the supreme court, or justice of the supreme 1333
court. 1334

(G) An independent expenditure shall be reported whenever and 1335
in the same manner that an expenditure is required to be reported 1336
under this section and shall be reported pursuant to division 1337
(B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code. 1338

(H)(1) Except as otherwise provided in division (H)(2) of 1339
this section, if, during the combined pre-election and 1340
postelection reporting periods for an election, a campaign 1341
committee has received contributions of five hundred dollars or 1342
less and has made expenditures in the total amount of five hundred 1343
dollars or less, it may file a statement to that effect, under 1344
penalty of election falsification, in lieu of the statement 1345
required by division (A)(2) of this section. The statement shall 1346
indicate the total amount of contributions received and the total 1347
amount of expenditures made during those combined reporting 1348
periods. 1349

(2) In the case of a successful candidate at a primary 1350
election, if either the total contributions received by or the 1351
total expenditures made by the candidate's campaign committee 1352
during the preprimary, postprimary, pregeneral, and postgeneral 1353
election periods combined equal more than five hundred dollars, 1354
the campaign committee may file the statement under division 1355
(H)(1) of this section only for the primary election. The first 1356
statement that the campaign committee files in regard to the 1357
general election shall reflect all contributions received and all 1358
expenditures made during the preprimary and postprimary election 1359

periods. 1360

(3) Divisions (H)(1) and (2) of this section do not apply if 1361
a campaign committee receives contributions or makes expenditures 1362
prior to the first day of January of the year of the election at 1363
which the candidate seeks nomination or election to office or if 1364
the campaign committee does not file a termination statement with 1365
its postprimary election statement in the case of an unsuccessful 1366
primary election candidate or with its postgeneral election 1367
statement in the case of other candidates. 1368

(I) In the case of a contribution made by a partner of a 1369
partnership or an owner or a member of another unincorporated 1370
business from any funds of the partnership or other unincorporated 1371
business, all of the following apply: 1372

(1) The recipient of the contribution shall report the 1373
contribution by listing both the partnership or other 1374
unincorporated business and the name of the partner, owner, or 1375
member making the contribution. 1376

(2) For purposes of section 3517.102 of the Revised Code, the 1377
contribution shall be considered to have been made by the partner, 1378
owner, or member reported under division (I)(1) of this section. 1379

(3) No contribution from a partner of a partnership or an 1380
owner or a member of another unincorporated business shall be 1381
accepted from any funds of the partnership or other unincorporated 1382
business unless the recipient reports the contribution under 1383
division (I)(1) of this section. 1384

(4) No partnership or other unincorporated business shall 1385
make a contribution or contributions solely in the name of the 1386
partnership or other unincorporated business. 1387

(5) As used in division (I) of this section, "partnership or 1388
other unincorporated business" includes, but is not limited to, a 1389

cooperative, a sole proprietorship, a general partnership, a 1390
limited partnership, a limited partnership association, a limited 1391
liability partnership, and a limited liability company. 1392

(J) A candidate shall have only one campaign committee at any 1393
given time for all of the offices for which the person is a 1394
candidate or holds office. 1395

(K)(1) In addition to filing a designation of appointment of 1396
a treasurer under division (D)(1) of this section, the campaign 1397
committee of any candidate for an elected municipal office that 1398
pays an annual amount of compensation of five thousand dollars or 1399
less, the campaign committee of any candidate for member of a 1400
board of education except member of the state board of education, 1401
or the campaign committee of any candidate for township trustee or 1402
township clerk may sign, under penalty of election falsification, 1403
a certificate attesting that the committee will not accept 1404
contributions during an election period that exceed in the 1405
aggregate two thousand dollars from all contributors and one 1406
hundred dollars from any one individual, and that the campaign 1407
committee will not make expenditures during an election period 1408
that exceed in the aggregate two thousand dollars. 1409

The certificate shall be on a form prescribed by the 1410
secretary of state and shall be filed not later than ten days 1411
after the candidate files a declaration of candidacy and petition, 1412
a nominating petition, or a declaration of intent to be a write-in 1413
candidate. 1414

(2) Except as otherwise provided in division (K)(3) of this 1415
section, a campaign committee that files a certificate under 1416
division (K)(1) of this section is not required to file the 1417
statements required by division (A) of this section. 1418

(3) If, after filing a certificate under division (K)(1) of 1419
this section, a campaign committee exceeds any of the limitations 1420

described in that division during an election period, the
certificate is void and thereafter the campaign committee shall
file the statements required by division (A) of this section. If
the campaign committee has not previously filed a statement, then
on the first statement the campaign committee is required to file
under division (A) of this section after the committee's
certificate is void, the committee shall report all contributions
received and expenditures made from the time the candidate filed
the candidate's declaration of candidacy and petition, nominating
petition, or declaration of intent to be a write-in candidate.

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

(L) A political contributing entity that receives
contributions from the dues, membership fees, or other assessments
of its members or from its officers, shareholders, and employees
may report the aggregate amount of contributions received from
those contributors and the number of individuals making those
contributions, for each filing period under divisions (A)(1), (2),
(3), and (4) of this section, rather than reporting information as
required under division (B)(4) of this section, including, when
applicable, the name of the current employer, if any, of a
contributor whose contribution exceeds one hundred dollars or, if
such a contributor is self-employed, the contributor's occupation
and the name of the contributor's business, if any. Division
(B)(4) of this section applies to a political contributing entity
with regard to contributions it receives from all other

<u>contributors.</u>	1453
Sec. 3517.102. (A) Except as otherwise provided in section	1454
3517.103 of the Revised Code, as used in this section and sections	1455
3517.103 and 3517.104 of the Revised Code:	1456
(1) "Candidate" has the same meaning as in section 3517.01 of	1457
the Revised Code but includes only candidates for the offices of	1458
governor, lieutenant governor, secretary of state, auditor of	1459
state, treasurer of state, attorney general, member of the state	1460
board of education, member of the general assembly, chief justice	1461
of the supreme court, and justice of the supreme court.	1462
(2) "Statewide candidate" or "any one statewide candidate"	1463
means the joint candidates for the offices of governor and	1464
lieutenant governor or a candidate for the office of secretary of	1465
state, auditor of state, treasurer of state, attorney general,	1466
member of the state board of education, chief justice of the	1467
supreme court, or justice of the supreme court.	1468
(3) "Senate candidate" means a candidate for the office of	1469
state senator.	1470
(4) "House candidate" means a candidate for the office of	1471
state representative.	1472
(5)(a) "Primary election period" for a candidate begins on	1473
the beginning date of the candidate's pre-filing period specified	1474
in division (A)(9) of section 3517.109 of the Revised Code and	1475
ends on the day of the primary election.	1476
(b) In regard to any candidate, the "general election period"	1477
begins on the day after the primary election immediately preceding	1478
the general election at which the candidate seeks an office	1479
specified in division (A)(1) of this section and ends on the	1480
thirty-first day of December following that general election.	1481
(6) "State candidate fund" means the state candidate fund	1482

established by a state or county political party under division 1483
(D)(3)(c) of section 3517.10 of the Revised Code. 1484

(7) "Postgeneral election statement" means the statement 1485
filed under division (A)(2) of section 3517.10 of the Revised Code 1486
by the campaign committee of a candidate after the general 1487
election in which the candidate ran for office or filed by 1488
legislative campaign fund after the general election in an 1489
even-numbered year. 1490

(8) "Contribution" means any contribution that is required to 1491
be reported in the statement of contributions under section 1492
3517.10 of the Revised Code. 1493

(9)(a) Except as otherwise provided in division (A)(9)(b) of 1494
this section and in division (F) of section 3517.103 and division 1495
(B)(3)(b) of section 3517.1010 of the Revised Code, "designated 1496
state campaign committee" means: 1497

(i) In the case of contributions to or from a state political 1498
party, a campaign committee of a statewide candidate, statewide 1499
officeholder, senate candidate, house candidate, or member of the 1500
general assembly. 1501

(ii) In the case of contributions to or from a county 1502
political party, a campaign committee of a senate candidate or 1503
house candidate whose candidacy is to be submitted to some or all 1504
of the electors in that county, or member of the general assembly 1505
whose district contains all or part of that county. 1506

(iii) In the case of contributions to or from a legislative 1507
campaign fund, a campaign committee of any of the following: 1508

(I) A senate or house candidate who, if elected, will be a 1509
member of the same party that established the legislative campaign 1510
fund and the same house with which the legislative campaign fund 1511
is associated; 1512

(II) A state senator or state representative who is a member 1513
of the same party that established the legislative campaign fund 1514
and the same house with which the legislative campaign fund is 1515
associated. 1516

(b) A campaign committee is no longer a "designated state 1517
campaign committee" after the campaign committee's candidate 1518
changes the designation of treasurer required to be filed under 1519
division (D)(1) of section 3517.10 of the Revised Code to indicate 1520
that the person intends to be a candidate for, or becomes a 1521
candidate for nomination or election to, any office that, if 1522
elected, would not qualify that candidate's campaign committee as 1523
a "designated state campaign committee" under division (A)(9)(a) 1524
of this section. 1525

(B)(1)(a) No individual who is seven years of age or older 1526
shall make a contribution or contributions aggregating more than: 1527

(i) Ten thousand dollars to the campaign committee of any one 1528
statewide candidate in a primary election period or in a general 1529
election period; 1530

(ii) Ten thousand dollars to the campaign committee of any 1531
one senate candidate in a primary election period or in a general 1532
election period; 1533

(iii) Ten thousand dollars to the campaign committee of any 1534
one house candidate in a primary election period or in a general 1535
election period; 1536

(iv) Ten thousand dollars to a county political party of the 1537
county in which the individual's designated Ohio residence is 1538
located for the party's state candidate fund in a calendar year; 1539

(v) Fifteen thousand dollars to any one legislative campaign 1540
fund in a calendar year; 1541

(vi) Thirty thousand dollars to any one state political party 1542

for the party's state candidate fund in a calendar year;	1543
(vii) Ten thousand dollars to any one political action committee in a calendar year;	1544
<u>(viii) Ten thousand dollars to any one political contributing entity in a calendar year.</u>	1545
	1546
(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's designated Ohio residence is located.	1547
	1548
(c) No individual who is under seven years of age shall make any contribution.	1549
	1550
(2)(a) Subject to division (D)(1) of this section, no political action committee shall make a contribution or contributions aggregating more than:	1551
	1552
(i) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;	1553
	1554
(ii) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;	1555
	1556
(iii) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;	1557
	1558
(iv) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;	1559
	1560
(v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;	1561
	1562
(vi) Ten thousand dollars to another political action committee <u>or to a political contributing entity</u> in a calendar	1563
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year. This division does not apply to a political action committee 1572
that makes a contribution to a political action committee or a 1573
political contributing entity affiliated with it. For purposes of 1574
this division, a political action committee is affiliated with 1575
another political action committee or with a political 1576
contributing entity if they are both established, financed, 1577
maintained, or controlled by, or if they are, the same 1578
corporation, organization, labor organization, continuing 1579
association, or other person, including any parent, subsidiary, 1580
division, or department of that corporation, organization, labor 1581
organization, continuing association, or other person. 1582

(b) No political action committee shall make a contribution 1583
or contributions to a county political party for the party's state 1584
candidate fund. 1585

(3) No campaign committee shall make a contribution or 1586
contributions aggregating more than: 1587

(a) Ten thousand dollars to the campaign committee of any one 1588
statewide candidate in a primary election period or in a general 1589
election period; 1590

(b) Ten thousand dollars to the campaign committee of any one 1591
senate candidate in a primary election period or in a general 1592
election period; 1593

(c) Ten thousand dollars to the campaign committee of any one 1594
house candidate in a primary election period or in a general 1595
election period; 1596

(d) Ten thousand dollars to any one political action 1597
committee in a calendar year; 1598

(e) Ten thousand dollars to any one political contributing 1599
entity in a calendar year. 1600

(4)(a) Subject to division (D)(3) of this section, no 1601

political party shall make a contribution or contributions 1602
aggregating more than ten thousand dollars to any one political 1603
action committee or to any one political contributing entity in a 1604
calendar year. 1605

(b) No county political party shall make a contribution or 1606
contributions to another county political party. 1607

(5)(a) Subject to division (B)(5)(b) of this section, no 1608
campaign committee, other than a designated state campaign 1609
committee, shall make a contribution or contributions aggregating 1610
in a calendar year more than: 1611

(i) Thirty thousand dollars to any one state political party 1612
for the party's state candidate fund; 1613

(ii) Fifteen thousand dollars to any one legislative campaign 1614
fund; 1615

(iii) Ten thousand dollars to any one county political party 1616
for the party's state candidate fund. 1617

(b) No campaign committee shall make a contribution or 1618
contributions to a county political party for the party's state 1619
candidate fund unless one of the following applies: 1620

(i) The campaign committee's candidate will appear on a 1621
ballot in that county. 1622

(ii) The campaign committee's candidate is the holder of an 1623
elected public office that represents all or part of the 1624
population of that county at the time the contribution is made. 1625

(6)(a) No state candidate fund of a county political party 1626
shall make a contribution or contributions, except a contribution 1627
or contributions to a designated state campaign committee, in a 1628
primary election period or a general election period, aggregating 1629
more than: 1630

(i) Two hundred fifty thousand dollars to the campaign 1631

committee of any one statewide candidate; 1632

(ii) Ten thousand dollars to the campaign committee of any 1633
one senate candidate; 1634

(iii) Ten thousand dollars to the campaign committee of any 1635
one house candidate. 1636

(b)(i) No state candidate fund of a state or county political 1637
party shall make a transfer or a contribution or transfers or 1638
contributions of cash or cash equivalents to a designated state 1639
campaign committee in a primary election period or in a general 1640
election period aggregating more than: 1641

(I) Five hundred thousand dollars to the campaign committee 1642
of any one statewide candidate; 1643

(II) One hundred thousand dollars to the campaign committee 1644
of any one senate candidate; 1645

(III) Fifty thousand dollars to the campaign committee of any 1646
one house candidate. 1647

(ii) No legislative campaign fund shall make a transfer or a 1648
contribution or transfers or contributions of cash or cash 1649
equivalents to a designated state campaign committee aggregating 1650
more than: 1651

(I) Fifty thousand dollars in a primary election period or 1652
one hundred thousand dollars in a general election period to the 1653
campaign committee of any one senate candidate; 1654

(II) Twenty-five thousand dollars in a primary election 1655
period or fifty thousand dollars in a general election period to 1656
the campaign committee of any one house candidate. 1657

(iii) As used in divisions (B)(6)(b) and (C)(6) of this 1658
section, "transfer or contribution of cash or cash equivalents" 1659
does not include any in-kind contributions. 1660

(c) A county political party that has no state candidate fund 1661
and that is located in a county having a population of less than 1662
one hundred fifty thousand may make one or more contributions from 1663
other accounts to any one statewide candidate or to any one 1664
designated state campaign committee that do not exceed, in the 1665
aggregate, two thousand five hundred dollars in any primary 1666
election period or general election period. As used in this 1667
division, "other accounts" does not include an account that 1668
contains the public moneys received from the Ohio political party 1669
fund under section 3517.17 of the Revised Code. 1670

(d) No legislative campaign fund shall make a contribution, 1671
other than to a designated state campaign committee or to the 1672
state candidate fund of a political party. 1673

(7)(a) Subject to division (D)(1) of this section, no 1674
political contributing entity shall make a contribution or 1675
contributions aggregating more than: 1676

(i) Ten thousand dollars to the campaign committee of any one 1677
statewide candidate in a primary election period or in a general 1678
election period; 1679

(ii) Ten thousand dollars to the campaign committee of any 1680
one senate candidate in a primary election period or in a general 1681
election period; 1682

(iii) Ten thousand dollars to the campaign committee of any 1683
one house candidate in a primary election period or in a general 1684
election period; 1685

(iv) Fifteen thousand dollars to any one legislative campaign 1686
fund in a calendar year; 1687

(v) Thirty thousand dollars to any one state political party 1688
for the party's state candidate fund in a calendar year; 1689

(vi) Ten thousand dollars to another political contributing 1690

entity or to a political action committee in a calendar year. This 1691
division does not apply to a political contributing entity that 1692
makes a contribution to a political contributing entity or a 1693
political action committee affiliated with it. For purposes of 1694
this division, a political contributing entity is affiliated with 1695
another political contributing entity or with a political action 1696
committee if they are both established, financed, maintained, or 1697
controlled by, or if they are, the same corporation, organization, 1698
labor organization, continuing association, or other person, 1699
including any parent, subsidiary, division, or department of that 1700
corporation, organization, labor organization, continuing 1701
association, or other person. 1702

(b) No political contributing entity shall make a 1703
contribution or contributions to a county political party for the 1704
party's state candidate fund. 1705

(C)(1)(a) Subject to division (D)(1) of this section, no 1706
campaign committee of a statewide candidate shall do any of the 1707
following: 1708

(i) Knowingly accept a contribution or contributions from any 1709
individual who is under seven years of age; 1710

(ii) Accept a contribution or contributions aggregating more 1711
than ten thousand dollars from any one individual who is seven 1712
years of age or older, from any one political action committee, 1713
from any one political contributing entity, or from any one other 1714
campaign committee in a primary election period or in a general 1715
election period; 1716

(iii) Accept a contribution or contributions aggregating more 1717
than two hundred fifty thousand dollars from any one or 1718
combination of state candidate funds of county political parties 1719
in a primary election period or in a general election period. 1720

(b) No campaign committee of a statewide candidate shall 1721

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 do either of the following:

(i) Knowingly accept a contribution or contributions from any
individual who is under seven years of age;

(ii) Accept a contribution or contributions aggregating more
than ten thousand dollars from any one individual who is seven
years of age or older, 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 do either of the following:

(i) Knowingly accept a contribution or contributions from any
individual who is under seven years of age;

(ii) Accept a contribution or contributions aggregating more
than ten thousand dollars from any one individual who is seven

years of age or older, from any one political action committee, 1752
from any one political contributing entity, from any one state 1753
candidate fund of a county political party, or from any one other 1754
campaign committee in a primary election period or in a general 1755
election period. 1756

(b) No campaign committee of a house candidate shall accept a 1757
contribution or contributions aggregating more than two thousand 1758
five hundred dollars in a primary election period or in a general 1759
election period from a county political party that has no state 1760
candidate fund and that is located in a county having a population 1761
of less than one hundred fifty thousand. 1762

(4)(a)(i) Subject to division (C)(4)(a)(ii) of this section 1763
and except for a designated state campaign committee, no county 1764
political party shall knowingly accept a contribution or 1765
contributions from any individual who is under seven years of age, 1766
or accept a contribution or contributions for the party's state 1767
candidate fund aggregating more than ten thousand dollars from any 1768
one individual whose designated Ohio residence is located within 1769
that county and who is seven years of age or older or from any one 1770
campaign committee in a calendar year. 1771

(ii) Subject to division (D)(1) of this section, no county 1772
political party shall accept a contribution or contributions for 1773
the party's state candidate fund from any individual whose 1774
designated Ohio residence is located outside of that county and 1775
who is seven years of age or older, from any campaign committee 1776
unless the campaign committee's candidate will appear on a ballot 1777
in that county or unless the campaign committee's candidate is the 1778
holder of an elected public office that represents all or part of 1779
the population of that county at the time the contribution is 1780
accepted, or from any political action committee or any political 1781
contributing entity. 1782

(iii) No county political party shall accept a contribution	1783
or contributions from any other county political party.	1784
(b) Subject to division (D)(1) of this section, no state	1785
political party shall do either of the following:	1786
(i) Knowingly accept a contribution or contributions from any	1787
individual who is under seven years of age;	1788
(ii) Accept a contribution or contributions for the party's	1789
state candidate fund aggregating more than thirty thousand dollars	1790
from any one individual who is seven years of age or older, from	1791
any one political action committee, <u>from any one political</u>	1792
<u>contributing entity</u> , or from any one campaign committee, other	1793
than a designated state campaign committee, in a calendar year.	1794
(5) Subject to division (D)(1) of this section, no	1795
legislative campaign fund shall do either of the following:	1796
(a) Knowingly accept a contribution or contributions from any	1797
individual who is under seven years of age;	1798
(b) Accept a contribution or contributions aggregating more	1799
than fifteen thousand dollars from any one individual who is seven	1800
years of age or older, from any one political action committee,	1801
<u>from any one political contributing entity</u> , or from any one	1802
campaign committee, other than a designated state campaign	1803
committee, in a calendar year.	1804
(6)(a) No designated state campaign committee shall accept a	1805
transfer or contribution of cash or cash equivalents from a state	1806
candidate fund of a state political party aggregating in a primary	1807
election period or a general election period more than:	1808
(i) Five hundred thousand dollars, in the case of a campaign	1809
committee of a statewide candidate;	1810
(ii) One hundred thousand dollars, in the case of a campaign	1811
committee of a senate candidate;	1812

(iii) Fifty thousand dollars, in the case of a campaign committee of a house candidate.	1813 1814
(b) No designated state campaign committee shall accept a transfer or contribution of cash or cash equivalents from a legislative campaign fund aggregating more than:	1815 1816 1817
(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;	1818 1819 1820
(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.	1821 1822 1823
(c) No campaign committee of a candidate for the office of member of the general assembly, including a designated state campaign committee, shall accept a transfer or contribution of cash or cash equivalents from any one or combination of state candidate funds of county political parties aggregating in a primary election period or a general election period more than:	1824 1825 1826 1827 1828 1829
(i) One hundred thousand dollars, in the case of a campaign committee of a senate candidate;	1830 1831
(ii) Fifty thousand dollars, in the case of a campaign committee of a house candidate.	1832 1833
(7)(a) Subject to division (D)(3) of this section, no political action committee <u>and no political contributing entity</u> shall do either of the following:	1834 1835 1836
(i) Knowingly accept a contribution or contributions from any individual who is under seven years of age;	1837 1838
(ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one campaign committee, or from any one political party in a calendar year.	1839 1840 1841 1842

(b) Subject to division (D)(1) of this section, no political action committee shall accept a contribution or contributions aggregating more than ten thousand 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 ten thousand dollars from another political contributing entity or from a political action committee in a calendar year. This division does not apply to a political action committee or political contributing entity that accepts a contribution from a political action committee or 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 political contributing entity if they are both established, financed, maintained, or controlled by 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.

(D)(1)(a) For purposes of the limitations prescribed in division (B)(2) of this section and the limitations prescribed in divisions (C)(1), (2), (3), (4), (5), and (7)(b) of this section, whichever is applicable, all contributions made by and all contributions accepted from political action committees that are established, financed, maintained, or controlled by, or that 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, are considered to have been made by or accepted from a single political action committee.

(b) For purposes of the limitations prescribed in division (B)(7) of this section and the limitations prescribed in divisions (C)(1), (2), (3), (4), (5), and (7)(b) of this section, whichever is applicable, all contributions made by and all contributions accepted from political contributing entities that are established, financed, maintained, or controlled by, or that 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, are considered to have been made by or accepted from a single political contributing entity.

(2) As used in divisions (B)(1)(a)(vii), (B)(3)(d), (B)(4)(a), and (C)(7) of this section, "political action committee" does not include a political action committee that is organized to support or oppose a ballot issue or question and that makes no contributions to or expenditures on behalf of a political party, campaign committee, legislative campaign fund, ~~or~~ political action committee, or political contributing entity. As used in divisions (B)(1)(a)(viii), (B)(3)(e), (B)(4)(a), and (C)(7) of this section, "political contributing entity" does not include a political contributing entity that is organized to support or oppose a ballot issue or question and that makes no contributions to or expenditures on behalf of a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity.

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

limitations have been exceeded.

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

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(2)(a) Any legislative campaign fund that has kept a total amount of contributions in excess of the amount specified in division (E)(1) of this section at the close of business on the seventh day before the postgeneral election statement is required to be filed under section 3517.10 of the Revised Code shall dispose of the excess amount in the manner prescribed in division (E)(2)(b)(i), (ii), or (iii) of this section not later than ninety days after the day the postgeneral election statement is required to be filed under section 3517.10 of the Revised Code. Any legislative campaign fund that is required to dispose of an excess amount of contributions under this division shall file a statement on the ninetieth day after the postgeneral election statement is required to be filed under section 3517.10 of the Revised Code indicating the total amount of contributions the fund has at the close of business on the seventh day before the postgeneral election statement is required to be filed under section 3517.10 of the Revised Code and that the excess contributions were disposed of pursuant to this division and division (E)(2)(b) of this section. The statement shall be on a form prescribed by the secretary of state and shall contain any additional information the secretary of state considers necessary.

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

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(i) Giving the amount to the treasurer of state for deposit 1939
into the state treasury to the credit of the Ohio elections 1940
commission fund created by division (I) of section 3517.152 of the 1941
Revised Code; 1942

(ii) Giving the amount to individuals who made contributions 1943
to that legislative campaign fund as a refund of all or part of 1944
their contributions; 1945

(iii) Giving the amount to a corporation that is exempt from 1946
federal income taxation under subsection 501(a) and described in 1947
subsection 501(c) of the Internal Revenue Code. 1948

(F)(1) No legislative campaign fund shall fail to file a 1949
statement required by division (E) of this section. 1950

(2) No legislative campaign fund shall fail to dispose of 1951
excess contributions as required by division (E) of this section. 1952

(G) Nothing in this section shall affect, be used in 1953
determining, or supersede a limitation on campaign contributions 1954
as provided for in the Federal Election Campaign Act. 1955

Sec. 3517.105. (A)(1) As used in this section, "public 1956
political advertising" means advertising to the general public 1957
through a broadcasting station, newspaper, magazine, poster, yard 1958
sign, or outdoor advertising facility, by direct mail, or by any 1959
other means of advertising to the general public. 1960

(2) For purposes of this section and section 3517.20 of the 1961
Revised Code, a person is a member of a political action committee 1962
if the person makes one or more contributions to that political 1963
action committee, and a person is a member of a political 1964
contributing entity if the person makes one or more contributions 1965
to, or pays dues, membership fees, or other assessments to, that 1966
political contributing entity. 1967

(B)(1) Whenever a candidate, a campaign committee, a 1968

political action committee or political contributing entity with 1969
ten or more members, or a legislative campaign fund makes an 1970
independent expenditure, or whenever a political action committee 1971
or political contributing entity with fewer than ten members makes 1972
an independent expenditure in excess of one hundred dollars for a 1973
local candidate, in excess of two hundred fifty dollars for a 1974
candidate for the office of member of the general assembly, or in 1975
excess of five hundred dollars for a statewide candidate, for the 1976
purpose of financing communications advocating the election or 1977
defeat of an identified candidate or solicits without the 1978
candidate's express consent a contribution for or against an 1979
identified candidate through public political advertising, a 1980
statement shall appear or be presented in a clear and conspicuous 1981
manner in the advertising that does both of the following: 1982

(a) Clearly indicates that the communication or public 1983
political advertising is not authorized by the candidate or the 1984
candidate's campaign committee; 1985

(b) Clearly identifies the candidate, campaign committee, 1986
political action committee, political contributing entity, or 1987
legislative campaign fund that has paid for the communication or 1988
public political advertising in accordance with section 3517.20 of 1989
the Revised Code. 1990

(2)(a) Whenever any campaign committee, legislative campaign 1991
fund, political action committee, political contributing entity, 1992
or political party makes an independent expenditure in support of 1993
or opposition to any candidate, the committee, entity, fund, or 1994
party shall report the independent expenditure and identify the 1995
candidate on a statement prescribed by the secretary of state and 1996
filed by the committee, entity, fund, or party as part of its 1997
statement of contributions and expenditures pursuant to division 1998
(A) of section 3517.10 and division (A) of section 3517.11 of the 1999
Revised Code. 2000

(b) Whenever any individual, partnership, or other entity, 2001
except a corporation, labor organization, campaign committee, 2002
legislative campaign fund, political action committee, political 2003
contributing entity, or political party, makes one or more 2004
independent expenditures in support of or opposition to any 2005
candidate, the individual, partnership, or other entity shall file 2006
with the secretary of state in the case of a statewide candidate, 2007
or with the board of elections in the county in which the 2008
candidate files the candidate's petitions for nomination or 2009
election for district or local office, not later than the dates 2010
specified in divisions (A)(1), (2), (3), and (4) of section 2011
3517.10 of the Revised Code, and, except as otherwise provided in 2012
that section, a statement itemizing all independent expenditures 2013
made during the period since the close of business on the last day 2014
reflected in the last previously filed such statement, if any. The 2015
statement shall be made on a form prescribed by the secretary of 2016
state or shall be filed by electronic means of transmission 2017
pursuant to division (G) of section 3517.106 of the Revised Code 2018
as authorized or required by that division. The statement shall 2019
indicate the date and the amount of each independent expenditure 2020
and the candidate on whose behalf it was made and shall be made 2021
under penalty of election falsification. 2022

(C)(1) Whenever a corporation, labor organization, campaign 2023
committee, political action committee with ten or more members, or 2024
legislative campaign fund makes an independent expenditure, or 2025
whenever a political action committee with fewer than ten members 2026
makes an independent expenditure in excess of one hundred dollars 2027
for a local ballot issue or question, or in excess of five hundred 2028
dollars for a statewide ballot issue or question, for the purpose 2029
of financing communications advocating support of or opposition to 2030
an identified ballot issue or question or solicits without the 2031
express consent of the ballot issue committee a contribution for 2032

or against an identified ballot issue or question through public
political advertising, a statement shall appear or be presented in
a clear and conspicuous manner in the advertising that does both
of the following:

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

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

(2)(a) Whenever any corporation, labor organization, campaign
committee, legislative campaign fund, political party, or
political action committee makes an independent expenditure in
support of or opposition to any ballot issue or question, the
corporation or labor organization shall report the independent
expenditure in accordance with division (C) of section 3599.03 of
the Revised Code, and the campaign committee, legislative campaign
fund, political party, or political action committee shall report
the independent expenditure and identify the ballot issue or
question on a statement prescribed by the secretary of state and
filed by the ~~campaign~~ committee, fund, or party, ~~or political~~
~~action committee~~ as part of its statement of contributions and
expenditures pursuant to division (A) of section 3517.10 and
division (A) of section 3517.11 of the Revised Code.

(b) Whenever any individual, partnership, or other entity,
except a corporation, labor organization, campaign committee,
legislative campaign fund, political action committee, or
political party, makes one or more independent expenditures in
excess of one hundred dollars in support of or opposition to any

ballot issue or question, the individual, partnership, or other
entity shall file with the secretary of state in the case of a
statewide ballot issue or question, or with the board of elections
in the county that certifies the issue or question for placement
on the ballot in the case of a district or local issue or
question, not later than the dates specified in divisions (A)(1),
(2), (3), and (4) of section 3517.10 of the Revised Code, and,
except as otherwise provided in that section, a statement
itemizing all independent expenditures made during the period
since the close of business on the last day reflected in the last
previously filed such statement, if any. The statement shall be
made on a form prescribed by the secretary of state or shall be
filed by electronic means of transmission pursuant to division (G)
of section 3517.106 of the Revised Code as authorized or required
by that division. The statement shall indicate the date and the
amount of each independent expenditure and the ballot issue or
question in support of or opposition to which it was made and
shall be made under penalty of election falsification.

(3) No person, campaign committee, legislative campaign fund,
political action committee, corporation, labor organization, or
other organization or association shall use or cause to be used a
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	2096
to do so by division (D)(1) of section 3517.10 of the Revised	2097
Code.	2098
(D) Any expenditure by a political party for the purpose of	2099
financing communications advocating the election or defeat of a	2100
candidate for judicial office shall be deemed to be an independent	2101
expenditure subject to the provisions of this section.	2102
Sec. 3517.106. (A) As used in this section:	2103
(1) "Statewide office" means any of the offices of governor,	2104
lieutenant governor, secretary of state, auditor of state,	2105
treasurer of state, attorney general, chief justice of the supreme	2106
court, and justice of the supreme court.	2107
(2) "Addendum to a statement" includes an amendment or other	2108
correction to that statement.	2109
(B)(1) The secretary of state shall store on computer the	2110
information contained in statements of contributions and	2111
expenditures and monthly statements required to be filed under	2112
section 3517.10 of the Revised Code and in statements of	2113
independent expenditures required to be filed under section	2114
3517.105 of the Revised Code by any of the following:	2115
(a) The campaign committees of candidates for statewide	2116
office;	2117
(b) The political action committees <u>and political</u>	2118
<u>contributing entities</u> described in division (A)(1) of section	2119
3517.11 of the Revised Code;	2120
(c) Legislative campaign funds;	2121
(d) State political parties;	2122
(e) Individuals, partnerships, corporations, labor	2123
organizations, or other entities that make independent	2124

expenditures in support of or opposition to a statewide candidate	2125
or a statewide ballot issue or question;	2126
(f) The campaign committees of candidates for the office of	2127
member of the general assembly;	2128
(g) County political parties, with respect to their state	2129
candidate funds.	2130
(2) The secretary of state shall store on computer the	2131
information contained in disclosure of electioneering	2132
communications statements required to be filed under section	2133
3517.1011 of the Revised Code.	2134
(3) The secretary of state shall store on computer the	2135
information contained in deposit and disbursement statements	2136
required to be filed with the office of the secretary of state	2137
under section 3517.1012 of the Revised Code.	2138
(4) The secretary of state shall store on computer the gift	2139
and disbursement information contained in statements required to	2140
be filed with the office of the secretary of state under section	2141
3517.1013 of the Revised Code.	2142
(C)(1) The secretary of state shall make available to the	2143
campaign committees, political action committees, <u>political</u>	2144
<u>contributing entities</u> , legislative campaign funds, political	2145
parties, individuals, partnerships, corporations, labor	2146
organizations, and other entities described in division (B) of	2147
this section, and to members of the news media and other	2148
interested persons, for a reasonable fee, computer programs that	2149
are compatible with the secretary of state's method of storing the	2150
information contained in the statements.	2151
(2) The secretary of state shall make the information	2152
required to be stored under division (B) of this section available	2153
on computer at the secretary of state's office so that, to the	2154

maximum extent feasible, individuals may obtain at the secretary
of state's office any part or all of that information for any
given year, subject to the limitation expressed in division (D) of
this section.

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

(E)(1) Subject to division (L) of this section and subject to
the secretary of state having implemented, tested, and verified
the successful operation of any system the secretary of state
prescribes pursuant to division (H)(1) of this section and
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised
Code for the filing of campaign finance statements by electronic
means of transmission, the campaign committee of each candidate
for statewide office may file the statements prescribed by section
3517.10 of the Revised Code by electronic means of transmission
or, if the total amount of the contributions received or the total
amount of the expenditures made 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,
shall file those statements by electronic means of transmission.

Except as otherwise provided in this division, within five
business days after a statement filed by a campaign committee of a
candidate for statewide office 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 2187
candidates for a particular office, or until the applicable filing 2188
deadline for that statement has passed, whichever is sooner. As 2189
soon as the secretary of state has available all of the 2190
contribution and expenditure information for all candidates for a 2191
particular office, or as soon as the applicable filing deadline 2192
for a statement has passed, whichever is sooner, the secretary of 2193
state shall simultaneously make available online to the public 2194
through the internet the information for all candidates for that 2195
office. 2196

If a statement filed by electronic means of transmission is 2197
found to be incomplete or inaccurate after the examination of the 2198
statement for completeness and accuracy pursuant to division 2199
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 2200
committee shall file by electronic means of transmission any 2201
addendum to the statement that provides the information necessary 2202
to complete or correct the statement or, if required by the 2203
secretary of state under that division, an amended statement. 2204

Within five business days after the secretary of state 2205
receives from a campaign committee of a candidate for statewide 2206
office an addendum to the statement or an amended statement by 2207
electronic or other means of transmission under this division or 2208
division (B)(3)(a) of section 3517.11 of the Revised Code, the 2209
secretary of state shall make the contribution and expenditure 2210
information in the addendum or amended statement available online 2211
to the public through the internet as provided in division (I) of 2212
this section. 2213

(2) Subject to the secretary of state having implemented, 2214
tested, and verified the successful operation of any system the 2215
secretary of state prescribes pursuant to division (H)(1) of this 2216
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 2217
the Revised Code for the filing of campaign finance statements by 2218

electronic means of transmission, a political action committee and 2219
a political contributing entity described in division (B)(1)(b) of 2220
this section, a legislative campaign fund, and a state political 2221
party may file the statements prescribed by section 3517.10 of the 2222
Revised Code by electronic means of transmission or, if the total 2223
amount of the contributions received or the total amount of the 2224
expenditures made by the political action committee, political 2225
contributing entity, legislative campaign fund, or state political 2226
party for the applicable reporting period as specified in division 2227
(A) of section 3517.10 of the Revised Code exceeds ten thousand 2228
dollars, shall file those statements by electronic means of 2229
transmission. 2230

Within five business days after a statement filed by a 2231
political action committee or a political contributing entity 2232
described in division (B)(1)(b) of this section, a legislative 2233
campaign fund, or a state political party is received by the 2234
secretary of state by electronic or other means of transmission, 2235
the secretary of state shall make available online to the public 2236
through the internet, as provided in division (I) of this section, 2237
the contribution and expenditure information in that statement. 2238

If a statement filed by electronic means of transmission is 2239
found to be incomplete or inaccurate after the examination of the 2240
statement for completeness and accuracy pursuant to division 2241
(B)(3)(a) of section 3517.11 of the Revised Code, the political 2242
action committee, political contributing entity, legislative 2243
campaign fund, or state political party shall file by electronic 2244
means of transmission any addendum to the statement that provides 2245
the information necessary to complete or correct the statement or, 2246
if required by the secretary of state under that division, an 2247
amended statement. 2248

Within five business days after the secretary of state 2249
receives from a political action committee or a political 2250

contributing entity described in division (B)(1)(b) of this 2251
section, a legislative campaign fund, or a state political party 2252
an addendum to the statement or an amended statement by electronic 2253
or other means of transmission under this division or division 2254
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 2255
state shall make the contribution and expenditure information in 2256
the addendum or amended statement available online to the public 2257
through the internet as provided in division (I) of this section. 2258

(3) Subject to the secretary of state having implemented, 2259
tested, and verified the successful operation of any system the 2260
secretary of state prescribes pursuant to division (H)(1) of this 2261
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 2262
the Revised Code for the filing of campaign finance statements by 2263
electronic means of transmission, a county political party shall 2264
file the statements prescribed by section 3517.10 of the Revised 2265
Code with respect to its state candidate fund by electronic means 2266
of transmission to the office of the secretary of state. 2267

Within five business days after a statement filed by a county 2268
political party with respect to its state candidate fund is 2269
received by the secretary of state by electronic means of 2270
transmission, the secretary of state shall make available online 2271
to the public through the internet, as provided in division (I) of 2272
this section, the contribution and expenditure information in that 2273
statement. 2274

If a statement is found to be incomplete or inaccurate after 2275
the examination of the statement for completeness and accuracy 2276
pursuant to division (B)(3)(a) of section 3517.11 of the Revised 2277
Code, a county political party shall file by electronic means of 2278
transmission any addendum to the statement that provides the 2279
information necessary to complete or correct the statement or, if 2280
required by the secretary of state under that division, an amended 2281
statement. 2282

Within five business days after the secretary of state 2283
receives from a county political party an addendum to the 2284
statement or an amended statement by electronic means of 2285
transmission under this division or division (B)(3)(a) of section 2286
3517.11 of the Revised Code, the secretary of state shall make the 2287
contribution and expenditure information in the addendum or 2288
amended statement available online to the public through the 2289
internet as provided in division (I) of this section. 2290

(F)(1) Subject to division (L) of this section and subject to 2291
the secretary of state having implemented, tested, and verified 2292
the successful operation of any system the secretary of state 2293
prescribes pursuant to division (H)(1) of this section and 2294
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 2295
Code for the filing of campaign finance statements by electronic 2296
means of transmission, a campaign committee of a candidate for the 2297
office of member of the general assembly or a campaign committee 2298
of a candidate for the office of judge of a court of appeals may 2299
file the statements prescribed by section 3517.10 of the Revised 2300
Code in accordance with division (A)(2) of section 3517.11 of the 2301
Revised Code or by electronic means of transmission to the office 2302
of the secretary of state or, if the total amount of the 2303
contributions received by the campaign committee for the 2304
applicable reporting period as specified in division (A) of 2305
section 3517.10 of the Revised Code exceeds ten thousand dollars, 2306
shall file those statements by electronic means of transmission to 2307
the office of the secretary of state. 2308

Except as otherwise provided in this division, within five 2309
business days after a statement filed by a campaign committee of a 2310
candidate for the office of member of the general assembly or a 2311
campaign committee of a candidate for the office of judge of a 2312
court of appeals is received by the secretary of state by 2313
electronic or other means of transmission, the secretary of state 2314

shall make available online to the public through the internet, as 2315
provided in division (I) of this section, the contribution and 2316
expenditure information in that statement. The secretary of state 2317
shall not make available online to the public through the internet 2318
any contribution or expenditure information contained in a 2319
statement for any candidate until the secretary of state is able 2320
to make available online to the public through the internet the 2321
contribution and expenditure information for all candidates for a 2322
particular office, or until the applicable filing deadline for 2323
that statement has passed, whichever is sooner. As soon as the 2324
secretary of state has available all of the contribution and 2325
expenditure information for all candidates for a particular 2326
office, or as soon as the applicable filing deadline for a 2327
statement has passed, whichever is sooner, the secretary of state 2328
shall simultaneously make available online to the public through 2329
the internet the information for all candidates for that office. 2330

If a statement filed by electronic means of transmission is 2331
found to be incomplete or inaccurate after the examination of the 2332
statement for completeness and accuracy pursuant to division 2333
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 2334
committee shall file by electronic means of transmission to the 2335
office of the secretary of state any addendum to the statement 2336
that provides the information necessary to complete or correct the 2337
statement or, if required by the secretary of state under that 2338
division, an amended statement. 2339

Within five business days after the secretary of state 2340
receives from a campaign committee of a candidate for the office 2341
of member of the general assembly or a campaign committee of a 2342
candidate for the office of judge of a court of appeals an 2343
addendum to the statement or an amended statement by electronic or 2344
other means of transmission under this division or division 2345
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 2346

state shall make the contribution and expenditure information in 2347
the addendum or amended statement available online to the public 2348
through the internet as provided in division (I) of this section. 2349

(2) If a statement, addendum, or amended statement is not 2350
filed by electronic means of transmission to the office of the 2351
secretary of state but is filed by printed version only under 2352
division (A)(2) of section 3517.11 of the Revised Code with the 2353
appropriate board of elections, the campaign committee of a 2354
candidate for the office of member of the general assembly or a 2355
campaign committee of a candidate for the office of judge of a 2356
court of appeals shall file two copies of the printed version of 2357
the statement, addendum, or amended statement with the board of 2358
elections. The board of elections shall send one of those copies 2359
by overnight delivery service to the secretary of state before the 2360
close of business on the day the board of elections receives the 2361
statement, addendum, or amended statement. 2362

(G) Subject to the secretary of state having implemented, 2363
tested, and verified the successful operation of any system the 2364
secretary of state prescribes pursuant to division (H)(1) of this 2365
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 2366
the Revised Code for the filing of campaign finance statements by 2367
electronic means of transmission, any individual, partnership, or 2368
other entity that makes independent expenditures in support of or 2369
opposition to a statewide candidate or a statewide ballot issue or 2370
question as provided in division (B)(2)(b) or (C)(2)(b) of section 2371
3517.105 of the Revised Code may file the statement specified in 2372
that division by electronic means of transmission or, if the total 2373
amount of independent expenditures made during the reporting 2374
period under that division exceeds ten thousand dollars, shall 2375
file the statement specified in that division by electronic means 2376
of transmission. 2377

Within five business days after a statement filed by an 2378

individual, partnership, or other entity is received by the 2379
secretary of state by electronic or other means of transmission, 2380
the secretary of state shall make available online to the public 2381
through the internet, as provided in division (I) of this section, 2382
the expenditure information in that statement. 2383

If a statement filed by electronic means of transmission is 2384
found to be incomplete or inaccurate after the examination of the 2385
statement for completeness and accuracy pursuant to division 2386
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 2387
partnership, or other entity shall file by electronic means of 2388
transmission any addendum to the statement that provides the 2389
information necessary to complete or correct the statement or, if 2390
required by the secretary of state under that division, an amended 2391
statement. 2392

Within five business days after the secretary of state 2393
receives from an individual, partnership, or other entity 2394
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 2395
of the Revised Code an addendum to the statement or an amended 2396
statement by electronic or other means of transmission under this 2397
division or division (B)(3)(a) of section 3517.11 of the Revised 2398
Code, the secretary of state shall make the expenditure 2399
information in the addendum or amended statement available online 2400
to the public through the internet as provided in division (I) of 2401
this section. 2402

(H)(1) The secretary of state, by rule adopted pursuant to 2403
section 3517.23 of the Revised Code, shall prescribe one or more 2404
techniques by which a person who executes and transmits by 2405
electronic means a statement of contributions and expenditures, a 2406
statement of independent expenditures, a disclosure of 2407
electioneering communications statement, a deposit and 2408
disbursement statement, or a gift and disbursement statement, an 2409
addendum to any of those statements, an amended statement of 2410

contributions and expenditures, an amended statement of 2411
independent expenditures, an amended disclosure of electioneering 2412
communications statement, an amended deposit and disbursement 2413
statement, or an amended gift and disbursement statement, under 2414
this section or section 3517.10, 3517.105, 3517.1011, 3517.1012, 2415
or 3517.1013 of the Revised Code shall electronically sign the 2416
statement, addendum, or amended statement. Any technique 2417
prescribed by the secretary of state pursuant to this division 2418
shall create an electronic signature that satisfies all of the 2419
following: 2420

(a) It is unique to the signer. 2421

(b) It objectively identifies the signer. 2422

(c) It involves the use of a signature device or other means 2423
or method that is under the sole control of the signer and that 2424
cannot be readily duplicated or compromised. 2425

(d) It is created and linked to the electronic record to 2426
which it relates in a manner that, if the record or signature is 2427
intentionally or unintentionally changed after signing, the 2428
electronic signature is invalidated. 2429

(2) An electronic signature prescribed by the secretary of 2430
state under division (H)(1) of this section shall be attached to 2431
or associated with the statement of contributions and 2432
expenditures, the statement of independent expenditures, the 2433
disclosure of electioneering communications statement, the deposit 2434
and disbursement statement, or the gift and disbursement 2435
statement, the addendum to any of those statements, the amended 2436
statement of contributions and expenditures, the amended statement 2437
of independent expenditures, the amended disclosure of 2438
electioneering communications statement, the amended deposit and 2439
disbursement statement, or the amended gift and disbursement 2440
statement that is executed and transmitted by electronic means by 2441

the person to whom the electronic signature is attributed. The 2442
electronic signature that is attached to or associated with the 2443
statement, addendum, or amended statement under this division 2444
shall be binding on all persons and for all purposes under the 2445
campaign finance reporting law as if the signature had been 2446
handwritten in ink on a printed form. 2447

(I) The secretary of state shall make the contribution and 2448
expenditure, the contribution and disbursement, the deposit and 2449
disbursement, or the gift and disbursement information in all 2450
statements, all addenda to the statements, and all amended 2451
statements that are filed with the secretary of state by 2452
electronic or other means of transmission under this section or 2453
section 3517.10, 3517.105, 3517.1011, 3517.1012, 3517.1013, or 2454
3517.11 of the Revised Code available online to the public by any 2455
means that are searchable, viewable, and accessible through the 2456
internet. 2457

(J)(1) As used in this division, "library" means a library 2458
that is open to the public and that is one of the following: 2459

(a) A library that is maintained and regulated under section 2460
715.13 of the Revised Code; 2461

(b) A library that is created, maintained, and regulated 2462
under Chapter 3375. of the Revised Code. 2463

(2) The secretary of state shall notify all libraries of the 2464
location on the internet at which the contribution and 2465
expenditure, contribution and disbursement, deposit and 2466
disbursement, or gift and disbursement information in campaign 2467
finance statements required to be made available online to the 2468
public through the internet pursuant to division (I) of this 2469
section may be accessed. 2470

If that location is part of the world wide web and if the 2471
secretary of state has notified a library of that world wide web 2472

location as required by this division, the library shall include a 2473
link to that world wide web location on each internet-connected 2474
computer it maintains that is accessible to the public. 2475

(3) If the system the secretary of state prescribes for the 2476
filing of campaign finance statements by electronic means of 2477
transmission pursuant to division (H)(1) of this section and 2478
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 2479
Code includes filing those statements through the internet via the 2480
world wide web, the secretary of state shall notify all libraries 2481
of the world wide web location at which those statements may be 2482
filed. 2483

If those statements may be filed through the internet via the 2484
world wide web and if the secretary of state has notified a 2485
library of that world wide web location as required by this 2486
division, the library shall include a link to that world wide web 2487
location on each internet-connected computer it maintains that is 2488
accessible to the public. 2489

(K) It is an affirmative defense to a complaint or charge 2490
brought against any campaign committee, political action 2491
committee, political contributing entity, legislative campaign 2492
fund, or political party, any individual, partnership, or other 2493
entity, or any person making disbursements to pay the direct costs 2494
of producing or airing electioneering communications, for the 2495
failure to file by electronic means of transmission a campaign 2496
finance statement as required by this section or section 3517.10, 2497
3517.105, 3517.1011, 3517.1012, or 3517.1013 of the Revised Code 2498
that all of the following apply to the campaign committee, 2499
political action committee, political contributing entity, 2500
legislative campaign fund, or political party, the individual, 2501
partnership, or other entity, or the person making disbursements 2502
to pay the direct costs of producing or airing electioneering 2503
communications, that failed to so file: 2504

(1) The campaign committee, political action committee, 2505
political contributing entity, legislative campaign fund, or 2506
political party, the individual, partnership, or other entity, or 2507
the person making disbursements to pay the direct costs of 2508
producing or airing electioneering communications attempted to 2509
file by electronic means of transmission the required statement 2510
prior to the deadline set forth in the applicable section. 2511

(2) The campaign committee, political action committee, 2512
political contributing entity, legislative campaign fund, or 2513
political party, the individual, partnership, or other entity, or 2514
the person making disbursements to pay the direct costs of 2515
producing or airing electioneering communications was unable to 2516
file by electronic means of transmission due to an expected or 2517
unexpected shutdown of the whole or part of the electronic 2518
campaign finance statement-filing system, such as for maintenance 2519
or because of hardware, software, or network connection failure. 2520

(3) The campaign committee, political action committee, 2521
political contributing entity, legislative campaign fund, or 2522
political party, the individual, partnership, or other entity, or 2523
the person making disbursements to pay the direct costs of 2524
producing or airing electioneering communications filed by 2525
electronic means of transmission the required statement within a 2526
reasonable period of time after being unable to so file it under 2527
the circumstance described in division (K)(2) of this section. 2528

(L)(1) The secretary of state shall adopt rules pursuant to 2529
Chapter 119. of the Revised Code to permit a campaign committee of 2530
a candidate for statewide office that makes expenditures of less 2531
than twenty-five thousand dollars during the filing period or a 2532
campaign committee for the office of member of the general 2533
assembly or the office of judge of a court of appeals that would 2534
otherwise be required to file campaign finance statements by 2535
electronic means of transmission under division (E) or (F) of this 2536

section to file those statements by paper with the office of the 2537
secretary of state. Those rules shall provide for all of the 2538
following: 2539

(a) An eligible campaign committee that wishes to file a 2540
campaign finance statement by paper instead of by electronic means 2541
of transmission shall file the statement on paper with the office 2542
of the secretary of state not sooner than twenty-four hours after 2543
the end of the filing period set forth in section 3517.10 of the 2544
Revised Code that is covered by the applicable statement. 2545

(b) The statement shall be accompanied by a fee, the amount 2546
of which the secretary of state shall determine by rule. The 2547
amount of the fee established under this division shall not exceed 2548
the data entry and data verification costs the secretary of state 2549
will incur to convert the information on the statement to an 2550
electronic format as required under division (I) of this section. 2551

(c) The secretary of state shall arrange for the information 2552
in campaign finance statements filed pursuant to division (L) of 2553
this section to be made available online to the public through the 2554
internet in the same manner, and at the same times, as information 2555
is made available under divisions (E), (F), and (I) of this 2556
section for candidates whose campaign committees file those 2557
statements by electronic means of transmission. 2558

(d) The candidate of an eligible campaign committee that 2559
intends to file a campaign finance statement pursuant to division 2560
(L) of this section shall file an affidavit indicating that the 2561
candidate's campaign committee intends to so file and stating that 2562
filing the statement by electronic means of transmission would 2563
constitute a hardship for the candidate or for the eligible 2564
campaign committee. 2565

(e) An eligible campaign committee that files a campaign 2566
finance statement on paper pursuant to division (L) of this 2567

section shall review the contribution and information made 2568
available online by the secretary of state with respect to that 2569
paper filing and shall notify the secretary of state of any errors 2570
with respect to that filing that appear in the data made available 2571
on that web site. 2572

(f) If an eligible campaign committee whose candidate has 2573
filed an affidavit in accordance with rules adopted under division 2574
(L)(1)(d) of this section subsequently fails to file that 2575
statement on paper by the applicable deadline established in rules 2576
adopted under division (L)(1)(a) of this section, penalties for 2577
the late filing of the campaign finance statement shall apply to 2578
that campaign committee for each day after that paper filing 2579
deadline, as if the campaign committee had filed the statement 2580
after the applicable deadline set forth in division (A) of section 2581
3517.10 of the Revised Code. 2582

(2) The process for permitting campaign committees that would 2583
otherwise be required to file campaign finance statements by 2584
electronic means of transmission to file those statements on paper 2585
with the office of the secretary of state that is required to be 2586
developed under division (L)(1) of this section shall be in effect 2587
and available for use by eligible campaign committees for all 2588
campaign finance statements that are required to be filed on or 2589
after June 30, 2005. Notwithstanding any provision of the Revised 2590
Code to the contrary, if the process the secretary of state is 2591
required to develop under division (L)(1) of this section is not 2592
in effect and available for use on and after June 30, 2005, all 2593
penalties for the failure of campaign committees to file campaign 2594
finance statements by electronic means of transmission shall be 2595
suspended until such time as that process is in effect and 2596
available for use. 2597

(3) Notwithstanding any provision of the Revised Code to the 2598
contrary, any eligible campaign committee that files campaign 2599

finance statements on paper with the office of the secretary of 2600
state pursuant to division (L)(1) of this section shall be deemed 2601
to have filed those campaign finance statements by electronic 2602
means of transmission to the office of the secretary of state. 2603

Sec. 3517.108. (A) As used in divisions (A) and (B) of this 2604
section: 2605

(1) "Candidate" has the same meaning as in section 3517.01 of 2606
the Revised Code but includes only candidates for the offices of 2607
governor, lieutenant governor, secretary of state, auditor of 2608
state, treasurer of state, attorney general, member of the state 2609
board of education, member of the general assembly, chief justice 2610
of the supreme court, and justice of the supreme court. 2611

(2) A "general election period" begins on the day after the 2612
primary election immediately preceding the general election at 2613
which a candidate seeks an office specified in division (A)(1) of 2614
this section and ends on the thirty-first day of December 2615
following that general election. 2616

(3) A "primary election period" begins on the first day of 2617
January of the year following the year in which the general 2618
election was held for the office that the candidate seeks, 2619
including any mid-term election, and ends on the day of the 2620
primary election. 2621

(B) Whenever the campaign committee of a candidate has unpaid 2622
debt at the end of a primary election period or at the end of a 2623
general election period, the committee may accept additional 2624
contributions during the immediately following election period up 2625
to the applicable limitation prescribed under section 3517.102 of 2626
the Revised Code from any individual, political action committee, 2627
political contributing entity, or other campaign committee who, 2628
during the primary or general election period for which debt 2629

remains unpaid, has contributed less than the contribution 2630
limitations prescribed under section 3517.102 of the Revised Code 2631
applicable to that individual, political action committee, 2632
political contributing entity, or other campaign committee. Any 2633
additional contribution that a campaign committee accepts under 2634
this division shall count toward the applicable limitations 2635
prescribed under section 3517.102 of the Revised Code for that 2636
primary or general election period at the end of which the debt 2637
remains unpaid, and shall not count toward the applicable 2638
limitations for any other primary or general election period if 2639
all of the following conditions apply: 2640

(1) The campaign committee reports, on the statement required 2641
to be filed under division (A)(2) of section 3517.10 of the 2642
Revised Code, all debt remaining unpaid at the end of the election 2643
period. The committee shall also file a separate statement, on a 2644
form prescribed by the secretary of state, at the same time that 2645
the committee is required to file a statement of contributions and 2646
expenditures under section 3517.10 of the Revised Code. The 2647
separate statement shall include the name and address of each 2648
contributor who makes an additional contribution under division 2649
(B) of this section, how the contribution was applied to pay the 2650
unpaid debt as required by division (B)(3) of this section, and 2651
the balance of the unpaid debt after each contribution was applied 2652
to it. 2653

(2) The additional contributions are accepted only during the 2654
primary or general election period, whichever is applicable, 2655
immediately following the election period covered in the statement 2656
filed under division (B)(1) of this section. 2657

(3) All additional contributions made under division (B) of 2658
this section are used by the campaign committee that receives them 2659
only to pay the debt of the committee reported under division 2660
(B)(1) of this section. 2661

(4) The campaign committee maintains a separate account for 2662
all additional contributions made under division (B) of this 2663
section and uses moneys in that account only to pay the unpaid 2664
debt reported under division (B)(1) of this section and to 2665
administer the account. 2666

(5) The campaign committee stops accepting additional 2667
contributions after funds sufficient to repay the unpaid debt 2668
reported under division (B)(1) of this section have been raised 2669
and promptly disposes of any contributions received that exceed 2670
the amount of the unpaid debt by returning the excess 2671
contributions to the contributors or by giving the excess 2672
contributions to an organization that is exempt from federal 2673
income taxation under subsection 501(a) and described in 2674
subsection 501(c)(3), (4), (8), (10), or (19) of the Internal 2675
Revenue Code. 2676

Sec. 3517.109. (A) As used in this section: 2677

(1) "Candidate" has the same meaning as in section 3517.01 of 2678
the Revised Code but includes only candidates for the offices of 2679
governor, lieutenant governor, secretary of state, auditor of 2680
state, treasurer of state, attorney general, member of the state 2681
board of education, and member of the general assembly. 2682

(2) "Statewide candidate" means the joint candidates for the 2683
offices of governor and lieutenant governor or a candidate for the 2684
office of secretary of state, auditor of state, treasurer of 2685
state, attorney general, and member of the state board of 2686
education. 2687

(3) "Senate candidate" means a candidate for the office of 2688
state senator. 2689

(4) "House candidate" means a candidate for the office of 2690
state representative. 2691

(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;

(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.

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

(9) "Pre-filing period" means the period of time ending on

the day that the candidacy petitions are due for the state office	2722
for which the candidate has filed and beginning on the latest date	2723
of the following:	2724
(a) The first day of January of the year following the	2725
general election in which that state office was last on the	2726
ballot;	2727
(b) The first day of January of the year following the	2728
general election in which the candidate was last a candidate for	2729
any office;	2730
(c) The first day of the month following the primary election	2731
in which the candidate was last a candidate for any office.	2732
(10) "Filing date" means the last date on which a candidacy	2733
petition may be filed for an office.	2734
(11) "Applicable carry-in limit" means thirty-five thousand	2735
dollars if the candidate is a house candidate or a candidate for	2736
the state board of education, one hundred thousand dollars if the	2737
candidate is a senate candidate, and two hundred thousand dollars	2738
if the candidate is a statewide candidate other than a candidate	2739
for the state board of education.	2740
(12) "Campaign asset" means prepaid, purchased, or donated	2741
assets available to the candidate on the date of the filing	2742
deadline for the office the candidate is seeking that will be	2743
consumed or depleted in the course of the candidate's election	2744
campaign, including, but not limited to, postage, prepaid rent for	2745
campaign headquarters, prepaid radio, television, and newspaper	2746
advertising, and other prepaid consulting and personal services.	2747
(13) "Permitted funds" means the sum of the following:	2748
(a) The total of the allowable aggregate contribution of each	2749
contributor;	2750
(b) The applicable carry-in limit.	2751

(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 2782
federal income taxation under subsection 501(a) and described in 2783
subsection 501(c) of the Internal Revenue Code. 2784

(D)(1) Subject to division (D)(2) of this section, no 2785
candidate or covered candidate shall appear on the ballot, even if 2786
certified to appear on the ballot, unless the candidate's or 2787
covered candidate's campaign committee has disposed of excess 2788
funds, excess aggregate contributions, or both as required by 2789
divisions (B) and (C) of this section. 2790

(2) If the excess aggregate contributions accepted by a 2791
covered candidate or a covered candidate's campaign committee 2792
aggregate a total of less than five thousand dollars from all 2793
contributors, that candidate shall not be prohibited from 2794
appearing on the ballot under division (D)(1) of this section. 2795

(E)(1) The campaign committee of each candidate required to 2796
dispose of excess funds under this section shall file a report, on 2797
a form prescribed by the secretary of state, with the official or 2798
board with which the candidate is required to file statements 2799
under section 3517.11 of the Revised Code. The report shall be 2800
filed by the seventh day following the filing deadline for the 2801
office the candidate is seeking, shall indicate the amount of 2802
excess funds disposed of, and shall describe the manner in which 2803
the campaign committee disposed of the excess amount. 2804

(2) In addition to the information required to be included in 2805
a report filed under division (E)(1) of this section, the campaign 2806
committee of each covered candidate required to dispose of excess 2807
aggregate contributions under this section shall include in that 2808
report the source and amount of each excess aggregate contribution 2809
disposed of and shall describe the manner in which the campaign 2810
committee disposed of the excess amount. 2811

(F)(1) Each campaign committee of a candidate who has filed a 2812

declaration of candidacy or a nominating petition for a state office, not later than seven days after the filing date for the office the candidate is seeking, shall file a declaration of filing-day finances, 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. 2813
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(2) A declaration of filing-day finances shall list all of the following: 2820
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(a) The amount of cash on hand in the candidate's campaign fund on the filing date for the office the candidate is seeking. 2822
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(b) The value and description of all campaign assets worth five hundred dollars or more available to the candidate on the filing date. Assets purchased by the campaign shall be valued at actual cost, and in-kind contributions shall be valued at market value. 2824
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(c) The total of all aggregate contributions; 2829

(d) The total of all allowable aggregate contributions; 2830

(e) The applicable carry-in limit, if any. 2831

(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: 2832
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2835

(a) The total of all excess aggregate contributions; 2836

(b) For each contributor, if any, for whom there is an excess aggregate contribution, the name, address, aggregate contribution, and excess aggregate contribution. 2837
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(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: 2840
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(1) The campaign committee has not accepted, during the 2843
pre-filing period, any aggregate contribution greater than the 2844
applicable amount. 2845

(2) The campaign committee had less than the carry-in amount 2846
in cash on hand at the beginning of the pre-filing period. 2847

(3) The candidate files a declaration, on a form prescribed 2848
by the secretary of state, with the official or board with which 2849
the candidate is required to file statements under section 3517.11 2850
of the Revised Code not later than seven days after the filing 2851
date for the office that candidate is seeking, stating that the 2852
candidate's campaign committee has not accepted aggregate 2853
contributions as described in division (G)(1) of this section and 2854
has less than the carry-in amount in cash on hand as described in 2855
division (G)(2) of this section. 2856

Sec. 3517.11. (A)(1) Campaign committees of candidates for 2857
statewide office or the state board of education, political action 2858
committees or political contributing entities that make 2859
contributions to campaign committees of candidates that are 2860
required to file the statements prescribed by section 3517.10 of 2861
the Revised Code with the secretary of state, political action 2862
committees or political contributing entities that make 2863
contributions to campaign committees of candidates for member of 2864
the general assembly, political action committees or political 2865
contributing entities that make contributions to state and 2866
national political parties and to legislative campaign funds, 2867
political action committees or political contributing entities 2868
that receive contributions or make expenditures in connection with 2869
a statewide ballot issue, political action committees or political 2870
contributing entities that make contributions to other political 2871
action committees or political contributing entities, political 2872
parties, and campaign committees, except as set forth in division 2873

(A)(3) of this section, legislative campaign funds, and state and national political parties shall file the statements prescribed by section 3517.10 of the Revised Code with the secretary of state.

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

(b) A campaign committee of a candidate for office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals shall file two copies of the printed version of any statement, addendum, or amended statement if the committee does not file pursuant to division (F)(1) or (L) of section 3517.106 of the Revised Code but files by printed version only with the appropriate board of elections. The board of elections shall send one of those copies by overnight delivery service to the secretary of state before the close of business on the day the board of elections receives the statement, addendum, or amended statement.

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

contained in whole or part within that subdivision or district, as 2906
the case may be. 2907

(4) Except as otherwise provided in division (E)(3) of 2908
section 3517.106 of the Revised Code with respect to state 2909
candidate funds, county political parties shall file the 2910
statements prescribed by section 3517.10 of the Revised Code with 2911
the board of elections of their respective counties. 2912

(B)(1) The official with whom petitions and other papers for 2913
nomination or election to public office are filed shall furnish 2914
each candidate at the time of that filing a copy of sections 2915
3517.01, 3517.08 to 3517.11, 3517.13 to 3517.993, 3599.03, and 2916
3599.031 of the Revised Code and any other materials that the 2917
secretary of state may require. Each candidate receiving the 2918
materials shall acknowledge their receipt in writing. 2919

(2) On or before the tenth day before the dates on which 2920
statements are required to be filed by section 3517.10 of the 2921
Revised Code, every candidate subject to the provisions of this 2922
section and sections 3517.10 and 3517.106 of the Revised Code 2923
shall be notified of the requirements and applicable penalties of 2924
those sections. The secretary of state, by certified mail, return 2925
receipt requested, shall notify all candidates required to file 2926
those statements with the secretary of state's office. The board 2927
of elections of every county shall notify by first class mail any 2928
candidate who has personally appeared at the office of the board 2929
on or before the tenth day before the statements are required to 2930
be filed and signed a form, to be provided by the secretary of 2931
state, attesting that the candidate has been notified of the 2932
candidate's obligations under the campaign finance law. The board 2933
shall forward the completed form to the secretary of state. The 2934
board shall use certified mail, return receipt requested, to 2935
notify all other candidates required to file those statements with 2936
it. 2937

(3)(a) Any statement required to be filed under sections 2938
3517.081 to 3517.17 of the Revised Code that is found to be 2939
incomplete or inaccurate by the officer to whom it is submitted 2940
shall be accepted on a conditional basis, and the person who filed 2941
it shall be notified by certified mail as to the incomplete or 2942
inaccurate nature of the statement. The secretary of state may 2943
examine statements filed for candidates for the office of member 2944
of the general assembly and candidates for the office of judge of 2945
a court of appeals for completeness and accuracy. The secretary of 2946
state shall examine for completeness and accuracy statements that 2947
campaign committees of candidates for the office of member of the 2948
general assembly and campaign committees of candidates for the 2949
office of judge of a court of appeals file pursuant to division 2950
(F) or (L) of section 3517.106 of the Revised Code. If an officer 2951
at the board of elections where a statement filed for a candidate 2952
for the office of member of the general assembly or for a 2953
candidate for the office of judge of a court of appeals was 2954
submitted finds the statement to be incomplete or inaccurate, the 2955
officer shall immediately notify the secretary of state of its 2956
incomplete or inaccurate nature. If either an officer at the board 2957
of elections or the secretary of state finds a statement filed for 2958
a candidate for the office of member of the general assembly or 2959
for a candidate for the office of judge of a court of appeals to 2960
be incomplete or inaccurate, only the secretary of state shall 2961
send the notification as to the incomplete or inaccurate nature of 2962
the statement. 2963

Within twenty-one days after receipt of the notice, in the 2964
case of a pre-election statement, a postelection statement, a 2965
monthly statement, an annual statement, or a semiannual statement 2966
prescribed by section 3517.10, an annual statement prescribed by 2967
section 3517.101, or a statement prescribed by division (B)(2)(b) 2968
or (C)(2)(b) of section 3517.105 or section 3517.107 of the 2969

Revised Code, the recipient shall file an addendum, amendment, or
other correction to the statement providing the information
necessary to complete or correct the statement. The secretary of
state may require that, in lieu of filing an addendum, amendment,
or other correction to a statement that is filed by electronic
means of transmission to the office of the secretary of state
pursuant to section 3517.106 of the Revised Code, the recipient of
the notice described in this division file by electronic means of
transmission an amended statement that incorporates the
information necessary to complete or correct the statement.

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

(i) A two-business-day statement prescribed by section
3517.10 of the Revised Code;

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

(iii) A deposit and disbursement statement prescribed under
division (B) of section 3517.1012 of the Revised Code;

(iv) A gift and disbursement statement prescribed under
section 3517.1013 of the Revised Code.

An addendum, amendment, or other correction to a statement
that is filed by electronic means of transmission pursuant to
section 3517.106 of the Revised Code shall be filed in the same
manner as the statement.

The provisions of sections 3517.10, 3517.106, 3517.1011,
3517.1012, and 3517.1013 of the Revised Code pertaining to the
filing of statements of contributions and expenditures, statements

of independent expenditures, disclosure of electioneering 3000
communications statements, deposit and disbursement statements, 3001
and gift and disbursement statements by electronic means of 3002
transmission apply to the filing of addenda, amendments, or other 3003
corrections to those statements by electronic means of 3004
transmission and the filing of amended statements by electronic 3005
means of transmission. 3006

(b) Within five business days after the secretary of state 3007
receives, by electronic or other means of transmission, an 3008
addendum, amendment, or other correction to a statement or an 3009
amended statement under division (B)(3)(a) of this section, the 3010
secretary of state, pursuant to divisions (E), (F), (G), and (I) 3011
of section 3517.106 or division (D) of section 3517.1011 of the 3012
Revised Code, shall make the contribution and expenditure, 3013
contribution and disbursement, deposit and disbursement, or gift 3014
and disbursement information in that addendum, amendment, 3015
correction, or amended statement available online to the public 3016
through the internet. 3017

(4)(a) The secretary of state or the board of elections shall 3018
examine all statements for compliance with sections 3517.08 to 3019
3517.17 of the Revised Code. 3020

(b) The secretary of state may contract with an individual or 3021
entity not associated with the secretary of state and experienced 3022
in interpreting the campaign finance law of this state to conduct 3023
examinations of statements filed by any statewide candidate, as 3024
defined in section 3517.103 of the Revised Code. 3025

(c) The examination shall be conducted by a person or entity 3026
qualified to conduct it. The results of the examination shall be 3027
available to the public, and, when the examination is conducted by 3028
an individual or entity not associated with the secretary of 3029
state, the results of the examination shall be reported to the 3030

secretary of state.

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(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 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
is one over which the commission has jurisdiction to hear
complaints, or the official shall promptly report the failure or
violation to the board of elections and the board shall promptly
report it to the prosecuting attorney in accordance with division
(J) of section 3501.11 of the Revised Code. If the official files
a complaint with the commission, the commission shall proceed in
accordance with sections 3517.154 to 3517.157 of the Revised Code.

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(2) For purposes of division (C)(1) of this section, a
statement or an addendum, amendment, or other correction to a
statement or an amended statement required to be filed under
sections 3517.081 to 3517.17 of the Revised Code is incomplete or
inaccurate under this section if the statement, addendum,
amendment, other correction, or amended statement fails to
disclose substantially all contributions or gifts that are
received or deposits that are made that are required to be
reported under sections 3517.10, 3517.107, 3517.108, 3517.1011,
3517.1012, and 3517.1013 of the Revised Code or if the statement,
addendum, amendment, other correction, or amended statement fails
to disclose at least ninety per cent of the total contributions or
gifts received or deposits made or of the total expenditures or
disbursements made during the reporting period.

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(D) No certificate of nomination or election shall be issued 3063
to a person, and no person elected to an office shall enter upon 3064
the performance of the duties of that office, until that person or 3065
that person's campaign committee, as appropriate, has fully 3066
complied with this section and sections 3517.08, 3517.081, 3067
3517.10, and 3517.13 of the Revised Code. 3068

Sec. 3517.13. (A)(1) No campaign committee of a statewide 3069
candidate shall fail to file a complete and accurate statement 3070
required under division (A)(1) of section 3517.10 of the Revised 3071
Code. 3072

(2) No campaign committee of a statewide candidate shall fail 3073
to file a complete and accurate monthly statement, and no campaign 3074
committee of a statewide candidate or a candidate for the office 3075
of chief justice or justice of the supreme court shall fail to 3076
file a complete and accurate two-business-day statement, as 3077
required under section 3517.10 of the Revised Code. 3078

As used in this division, "statewide candidate" has the same 3079
meaning as in division (F)(2) of section 3517.10 of the Revised 3080
Code. 3081

(B) No campaign committee shall fail to file a complete and 3082
accurate statement required under division (A)(1) of section 3083
3517.10 of the Revised Code. 3084

(C) No campaign committee shall fail to file a complete and 3085
accurate statement required under division (A)(2) of section 3086
3517.10 of the Revised Code. 3087

(D) No campaign committee shall fail to file a complete and 3088
accurate statement required under division (A)(3) or (4) of 3089
section 3517.10 of the Revised Code. 3090

(E) No person other than a campaign committee shall knowingly 3091
fail to file a statement required under section 3517.10 or 3092

3517.107 of the Revised Code.	3093
(F) No person shall make cash contributions to any person	3094
totaling more than one hundred dollars in each primary, special,	3095
or general election.	3096
(G)(1) No person shall knowingly conceal or misrepresent	3097
contributions given or received, expenditures made, or any other	3098
information required to be reported by a provision in sections	3099
3517.08 to 3517.13 and 3517.17 of the Revised Code.	3100
(2)(a) No person shall make a contribution to a campaign	3101
committee, political action committee, <u>political contributing</u>	3102
<u>entity</u> , legislative campaign fund, political party, or person	3103
making disbursements to pay the direct costs of producing or	3104
airing electioneering communications in the name of another	3105
person.	3106
(b) A person does not make a contribution in the name of	3107
another when either of the following applies:	3108
(i) An individual makes a contribution from a partnership or	3109
other unincorporated business account, if the contribution is	3110
reported by listing both the name of the partnership or other	3111
unincorporated business and the name of the partner or owner	3112
making the contribution as required under division (I) of section	3113
3517.10 of the Revised Code.	3114
(ii) A person makes a contribution in that person's spouse's	3115
name or in both of their names.	3116
(H) No person within this state, publishing a newspaper or	3117
other periodical, shall charge a campaign committee for political	3118
advertising a rate in excess of the rate such person would charge	3119
if the campaign committee were a general rate advertiser whose	3120
advertising was directed to promoting its business within the same	3121
area as that encompassed by the particular office that the	3122

candidate of the campaign committee is seeking. The rate shall 3123
take into account the amount of space used, as well as the type of 3124
advertising copy submitted by or on behalf of the campaign 3125
committee. All discount privileges otherwise offered by a 3126
newspaper or periodical to general rate advertisers shall be 3127
available upon equal terms to all campaign committees. 3128

No person within this state, operating a radio or television 3129
station or network of stations in this state, shall charge a 3130
campaign committee for political broadcasts a rate that exceeds: 3131

(1) During the forty-five days preceding the date of a 3132
primary election and during the sixty days preceding the date of a 3133
general or special election in which the candidate of the campaign 3134
committee is seeking office, the lowest unit charge of the station 3135
for the same class and amount of time for the same period; 3136

(2) At any other time, the charges made for comparable use of 3137
that station by its other users. 3138

(I) Subject to divisions (K), (L), (M), and (N) of this 3139
section, no agency or department of this state or any political 3140
subdivision shall award any contract, other than one let by 3141
competitive bidding or a contract incidental to such contract or 3142
which is by force account, for the purchase of goods costing more 3143
than five hundred dollars or services costing more than five 3144
hundred dollars to any individual, partnership, association, 3145
including, without limitation, a professional association 3146
organized under Chapter 1785. of the Revised Code, estate, or 3147
trust if the individual has made or the individual's spouse has 3148
made, or any partner, shareholder, administrator, executor, or 3149
trustee or the spouse of any of them has made, as an individual, 3150
within the two previous calendar years, one or more contributions 3151
totaling in excess of one thousand dollars to the holder of the 3152
public office having ultimate responsibility for the award of the 3153

contract or to the public officer's campaign committee. 3154

(J) Subject to divisions (K), (L), (M), and (N) of this 3155
section, no agency or department of this state or any political 3156
subdivision shall award any contract, other than one let by 3157
competitive bidding or a contract incidental to such contract or 3158
which is by force account, for the purchase of goods costing more 3159
than five hundred dollars or services costing more than five 3160
hundred dollars to a corporation or business trust, except a 3161
professional association organized under Chapter 1785. of the 3162
Revised Code, if an owner of more than twenty per cent of the 3163
corporation or business trust or the spouse of that person has 3164
made, as an individual, within the two previous calendar years, 3165
taking into consideration only owners for all of that period, one 3166
or more contributions totaling in excess of one thousand dollars 3167
to the holder of a public office having ultimate responsibility 3168
for the award of the contract or to the public officer's campaign 3169
committee. 3170

(K) For purposes of divisions (I) and (J) of this section, if 3171
a public officer who is responsible for the award of a contract is 3172
appointed by the governor, whether or not the appointment is 3173
subject to the advice and consent of the senate, excluding members 3174
of boards, commissions, committees, authorities, councils, boards 3175
of trustees, task forces, and other such entities appointed by the 3176
governor, the office of the governor is considered to have 3177
ultimate responsibility for the award of the contract. 3178

(L) For purposes of divisions (I) and (J) of this section, if 3179
a public officer who is responsible for the award of a contract is 3180
appointed by the elected chief executive officer of a municipal 3181
corporation, or appointed by the elected chief executive officer 3182
of a county operating under an alternative form of county 3183
government or county charter, excluding members of boards, 3184
commissions, committees, authorities, councils, boards of 3185

trustees, task forces, and other such entities appointed by the
chief executive officer, the office of the chief executive officer
is considered to have ultimate responsibility for the award of the
contract.

(M)(1) Divisions (I) and (J) of this section do not apply to
contracts awarded by the board of commissioners of the sinking
fund, municipal legislative authorities, boards of education,
boards of county commissioners, boards of township trustees, or
other boards, commissions, committees, authorities, councils,
boards of trustees, task forces, and other such entities created
by law, by the supreme court or courts of appeals, by county
courts consisting of more than one judge, courts of common pleas
consisting of more than one judge, or municipal courts consisting
of more than one judge, or by a division of any court if the
division consists of more than one judge. This division shall
apply to the specified entity only if the members of the entity
act collectively in the award of a contract for goods or services.

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

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

(2) Divisions (I) and (J) of this section do not apply to
contributions of a partner, shareholder, administrator, executor,
trustee, or owner of more than twenty per cent of a corporation or

business trust made before the person held any of those positions 3217
or after the person ceased to hold any of those positions in the 3218
partnership, association, estate, trust, corporation, or business 3219
trust whose eligibility to be awarded a contract is being 3220
determined, nor to contributions of the person's spouse made 3221
before the person held any of those positions, after the person 3222
ceased to hold any of those positions, before the two were 3223
married, after the granting of a decree of divorce, dissolution of 3224
marriage, or annulment, or after the granting of an order in an 3225
action brought solely for legal separation. Those divisions do not 3226
apply to contributions of the spouse of an individual whose 3227
eligibility to be awarded a contract is being determined made 3228
before the two were married, after the granting of a decree of 3229
divorce, dissolution of marriage, or annulment, or after the 3230
granting of an order in an action brought solely for legal 3231
separation. 3232

(O) No beneficiary of a campaign fund or other person shall 3233
convert for personal use, and no person shall knowingly give to a 3234
beneficiary of a campaign fund or any other person, for the 3235
beneficiary's or any other person's personal use, anything of 3236
value from the beneficiary's campaign fund, including, without 3237
limitation, payments to a beneficiary for services the beneficiary 3238
personally performs, except as reimbursement for any of the 3239
following: 3240

(1) Legitimate and verifiable prior campaign expenses 3241
incurred by the beneficiary; 3242

(2) Legitimate and verifiable ordinary and necessary prior 3243
expenses incurred by the beneficiary in connection with duties as 3244
the holder of a public office, including, without limitation, 3245
expenses incurred through participation in nonpartisan or 3246
bipartisan events if the participation of the holder of a public 3247
office would normally be expected; 3248

(3) Legitimate and verifiable ordinary and necessary prior	3249
expenses incurred by the beneficiary while doing any of the	3250
following:	3251
(a) Engaging in activities in support of or opposition to a	3252
candidate other than the beneficiary, political party, or ballot	3253
issue;	3254
(b) Raising funds for a political party, political action	3255
committee, <u>political contributing entity</u> , legislative campaign	3256
fund, campaign committee, or other candidate;	3257
(c) Participating in the activities of a political party,	3258
political action committee, <u>political contributing entity</u> ,	3259
legislative campaign fund, or campaign committee;	3260
(d) Attending a political party convention or other political	3261
meeting.	3262
For purposes of this division, an expense is incurred	3263
whenever a beneficiary has either made payment or is obligated to	3264
make payment, as by the use of a credit card or other credit	3265
procedure or by the use of goods or services received on account.	3266
(P) No beneficiary of a campaign fund shall knowingly accept,	3267
and no person shall knowingly give to the beneficiary of a	3268
campaign fund, reimbursement for an expense under division (O) of	3269
this section to the extent that the expense previously was	3270
reimbursed or paid from another source of funds. If an expense is	3271
reimbursed under division (O) of this section and is later paid or	3272
reimbursed, wholly or in part, from another source of funds, the	3273
beneficiary shall repay the reimbursement received under division	3274
(O) of this section to the extent of the payment made or	3275
reimbursement received from the other source.	3276
(Q) No candidate or public official or employee shall accept	3277
for personal or business use anything of value from a political	3278

party, political action committee, political contributing entity, 3279
legislative campaign fund, or campaign committee other than the 3280
candidate's or public official's or employee's own campaign 3281
committee, and no person shall knowingly give to a candidate or 3282
public official or employee anything of value from a political 3283
party, political action committee, political contributing entity, 3284
legislative campaign fund, or such a campaign committee, except 3285
for the following: 3286

(1) Reimbursement for legitimate and verifiable ordinary and 3287
necessary prior expenses not otherwise prohibited by law incurred 3288
by the candidate or public official or employee while engaged in 3289
any legitimate activity of the political party, political action 3290
committee, political contributing entity, legislative campaign 3291
fund, or such campaign committee. Without limitation, reimbursable 3292
expenses under this division include those incurred while doing 3293
any of the following: 3294

(a) Engaging in activities in support of or opposition to 3295
another candidate, political party, or ballot issue; 3296

(b) Raising funds for a political party, legislative campaign 3297
fund, campaign committee, or another candidate; 3298

(c) Attending a political party convention or other political 3299
meeting. 3300

(2) Compensation not otherwise prohibited by law for actual 3301
and valuable personal services rendered under a written contract 3302
to the political party, political action committee, political 3303
contributing entity, legislative campaign fund, or such campaign 3304
committee for any legitimate activity of the political party, 3305
political action committee, political contributing entity, 3306
legislative campaign fund, or such campaign committee. 3307

Reimbursable expenses under this division do not include, and 3308
it is a violation of this division for a candidate or public 3309

official or employee to accept, or for any person to knowingly
give to a candidate or public official or employee from a
political party, political action committee, political
contributing entity, legislative campaign fund, or campaign
committee other than the candidate's or public official's or
employee's own campaign committee, anything of value for
activities primarily related to the candidate's or public
official's or employee's own campaign for election, except for
contributions to the candidate's or public official's or
employee's campaign committee.

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

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

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

(3) For purposes of divisions (O), (P), and (Q) of this
section, mileage allowance at a rate not greater than that allowed

by the internal revenue service at the time the travel occurs may 3341
be paid instead of reimbursement for actual travel expenses 3342
allowable. 3343

(S)(1) As used in division (S) of this section: 3344

(a) "State elective office" has the same meaning as in 3345
section 3517.092 of the Revised Code. 3346

(b) "Federal office" means a federal office as defined in the 3347
Federal Election Campaign Act. 3348

(c) "Federal campaign committee" means a principal campaign 3349
committee or authorized committee as defined in the Federal 3350
Election Campaign Act. 3351

(2) No person who is a candidate for state elective office 3352
and who previously sought nomination or election to a federal 3353
office shall transfer any funds or assets from that person's 3354
federal campaign committee for nomination or election to the 3355
federal office to that person's campaign committee as a candidate 3356
for state elective office. 3357

(3) No campaign committee of a person who is a candidate for 3358
state elective office and who previously sought nomination or 3359
election to a federal office shall accept any funds or assets from 3360
that person's federal campaign committee for that person's 3361
nomination or election to the federal office. 3362

(T)(1) Except as otherwise provided in division (B)(6)(c) of 3363
section 3517.102 of the Revised Code, a state or county political 3364
party shall not disburse moneys from any account other than a 3365
state candidate fund to make contributions to any of the 3366
following: 3367

(a) A state candidate fund; 3368

(b) A legislative campaign fund; 3369

(c) A campaign committee of a candidate for the office of 3370

governor, lieutenant governor, secretary of state, auditor of 3371
state, treasurer of state, attorney general, member of the state 3372
board of education, or member of the general assembly. 3373

(2) No state candidate fund, legislative campaign fund, or 3374
campaign committee of a candidate for any office described in 3375
division (T)(1)(c) of this section shall knowingly accept a 3376
contribution in violation of division (T)(1) of this section. 3377

(U) No person shall fail to file the statement required under 3378
section 3517.12 of the Revised Code. 3379

(V) No campaign committee shall fail to file a statement 3380
required under division (K)(3) of section 3517.10 of the Revised 3381
Code. 3382

(W)(1) No foreign national shall, directly or indirectly 3383
through any other person or entity, make a contribution, 3384
expenditure, or independent expenditure or promise, either 3385
expressly or implicitly, to make a contribution, expenditure, or 3386
independent expenditure in support of or opposition to a candidate 3387
for any elective office in this state, including an office of a 3388
political party. 3389

(2) No candidate, campaign committee, political action 3390
committee, political contributing entity, legislative campaign 3391
fund, state candidate fund, political party, or separate 3392
segregated fund shall solicit or accept a contribution, 3393
expenditure, or independent expenditure from a foreign national. 3394
The secretary of state may direct any candidate, committee, 3395
entity, fund, or party that accepts a contribution, expenditure, 3396
or independent expenditure in violation of this division to return 3397
the contribution, expenditure, or independent expenditure or, if 3398
it is not possible to return the contribution, expenditure, or 3399
independent expenditure, then to return instead the value of it, 3400
to the contributor. 3401

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

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

(2)(a) No state or county political party shall deposit a contribution or contributions that it receives into its restricted fund.

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

(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.

(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.

(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.

(5) No state or county political party shall knowingly fail to file a statement required under section 3517.1012 of the Revised Code.

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

Not later than forty-five days after August 24, 1995, the speaker of the house of representatives and the leader in the senate of the political party of which the speaker is a member shall jointly submit to the governor a list of five persons who are affiliated with that political party. Not later than forty-five days after August 24, 1995, the two legislative leaders in the two houses of the general assembly of the major political party of which the speaker is not a member shall jointly submit to the governor a list of five persons who are affiliated with the major political party of which the speaker is not a member. Not 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 3524
section 121.60 of the Revised Code; 3525

(e) Solicit or be involved in soliciting contributions on 3526
behalf of a candidate, campaign committee, political party, ~~or~~ 3527
political action committee, or political contributing entity; 3528

(f) Be in the unclassified service under section 124.11 of 3529
the Revised Code; 3530

(g) Be a person or employee described in divisions (C)(1) to 3531
(15) of section 4117.01 of the Revised Code. 3532

(2) No member or employee of the commission shall make a 3533
contribution to, or for the benefit of, a campaign committee or 3534
committee in support of or opposition to a ballot question or 3535
issue, a political party, a legislative campaign fund, ~~or~~ a 3536
political action committee, or a political contributing entity. 3537

(G)(1) The members of the Ohio elections commission shall 3538
elect a chairperson and a vice-chairperson. At no time shall the 3539
chairperson and vice-chairperson be affiliated with the same 3540
political party. The chairperson shall serve in that capacity for 3541
one year and shall not serve as chairperson more than twice during 3542
a term as a member of the commission. No two successive 3543
chairpersons shall be affiliated with the same political party. 3544

(2) The commission shall meet at the call of the chairperson 3545
or upon the written request of a majority of the members. The 3546
meetings and hearings of the commission or a panel of the 3547
commission under sections 3517.153 to 3517.157 of the Revised Code 3548
are subject to section 121.22 of the Revised Code. 3549

(3) The commission shall adopt rules for its procedures in 3550
accordance with Chapter 119. of the Revised Code. Five of the 3551
seven members constitute a quorum. Except as otherwise provided in 3552
this section and in sections 3517.154 to 3517.157 of the Revised 3553

Code, no action shall be taken without the concurrence of a 3554
majority of the members. 3555

(H)(1) The Ohio elections commission shall employ the 3556
technical, professional, and clerical employees that are necessary 3557
for it to carry out its duties. 3558

(2)(a) Notwithstanding section 109.02 of the Revised Code, 3559
the commission shall employ a full-time attorney, and, as needed, 3560
one or more investigatory attorneys to conduct investigations for 3561
the commission or a panel of the commission. The commission may 3562
employ or contract for the services of additional attorneys, as 3563
needed. The full-time attorney shall do all of the following: 3564

(i) Serve as the commission's attorney in regard to all legal 3565
matters, including representing the commission at appeals from a 3566
final determination of the commission, except that the full-time 3567
attorney shall not perform the duties that an investigatory 3568
attorney is required or requested to perform or that another 3569
attorney the commission employs or contracts with for services is 3570
required or requested to perform, and shall not represent the 3571
commission in any legal proceeding in which the commission is a 3572
named party; 3573

(ii) At the request of the commission or a panel of the 3574
commission, be present at a hearing held under sections 3517.154 3575
to 3517.156 of the Revised Code to rule on the admissibility of 3576
evidence and to advise on the conduct of procedure; 3577

(iii) Perform other duties as required by rule of the 3578
commission. 3579

(b) An attorney employed by or under contract with the 3580
commission shall be licensed to practice law in this state. 3581

(3)(a) Except as otherwise provided in division (H)(3)(b) of 3582
this section, at least five members of the commission shall agree 3583

on the employment of a person, a majority of the members shall 3584
agree on the discharge of an employee, and a person employed by 3585
the commission shall serve at the pleasure of the commission. 3586

(b) At least five of the seven members shall agree on the 3587
discharge of an investigatory attorney. 3588

(I) There is hereby created in the state treasury the Ohio 3589
elections commission fund. All moneys credited to the fund shall 3590
be used solely for the purpose of paying expenses related to the 3591
operation of the Ohio elections commission. 3592

Sec. 3517.155. (A)(1) Except as otherwise provided in 3593
division (B) of this section, the Ohio elections commission shall 3594
hold its first hearing on a complaint filed with it, other than a 3595
complaint that receives an expedited hearing under section 3596
3517.156 of the Revised Code, not later than ninety business days 3597
after the complaint is filed unless the commission has good cause 3598
to hold the hearing after that time, in which case it shall hold 3599
the hearing not later than one hundred eighty business days after 3600
the complaint is filed. At the hearing, the commission shall 3601
determine whether or not the failure to act or the violation 3602
alleged in the complaint has occurred and shall do only one of the 3603
following, except as otherwise provided in division (B) of this 3604
section or in division (B) of section 3517.151 of the Revised 3605
Code: 3606

(a) Enter a finding that good cause has been shown not to 3607
impose a fine or not to refer the matter to the appropriate 3608
prosecutor; 3609

(b) Impose a fine under section 3517.993 of the Revised Code; 3610

(c) Refer the matter to the appropriate prosecutor; 3611

(d) Direct the secretary of state or appropriate board of 3612
elections with the authority to certify a candidate to the ballot 3613

to remove a candidate's name from the ballot if the candidate is
barred from the ballot under division (D) of section 3517.1010 of
the Revised Code.

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

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

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

(i) The prosecutor of Franklin county;

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

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

commission. The costs paid to the commission or panel under this 3676
division shall be deposited into the Ohio elections commission 3677
fund. 3678

Sec. 3517.20. (A)(1) As used in this section: 3679

(a) "Political publication for or against a candidate" means 3680
a notice, placard, advertisement, sample ballot, brochure, flyer, 3681
direct mailer, or other form of general publication that is 3682
designed to promote the nomination, election, or defeat of a 3683
candidate. 3684

(b) "Political publication for or against an issue" means a 3685
notice, placard, advertisement, sample ballot, brochure, flyer, 3686
direct mailer, or other form of general publication that is 3687
designed to promote the adoption or defeat of a ballot issue or 3688
question or to influence the voters in an election. 3689

(c) "Public political advertising" means newspapers, 3690
magazines, outdoor advertising facilities, direct mailings, or 3691
other similar types of general public political advertising, or 3692
flyers, handbills, or other nonperiodical printed matter. 3693

(d) "Statewide candidate" has the same meaning as in section 3694
3517.102 of the Revised Code. 3695

(e) "Legislative candidate" means a candidate for the office 3696
of member of the general assembly. 3697

(f) "Local candidate" means a candidate for an elective 3698
office of a political subdivision of this state. 3699

(g) "Legislative campaign fund" has the same meaning as in 3700
section 3517.01 of the Revised Code. 3701

(h) "Limited political action committee" means a political 3702
action committee of fewer than ten members. 3703

(i) "Limited political contributing entity" means a political 3704

contributing entity of fewer than ten members. 3705

(j) "Designated amount" means one hundred dollars in the case 3706
of a local candidate or a local ballot issue, two hundred fifty 3707
dollars in the case of a legislative candidate, or five hundred 3708
dollars in the case of a statewide candidate or a statewide ballot 3709
issue. 3710

~~(j)~~(k) "To issue" includes to print, post, distribute, 3711
reproduce for distribution, or cause to be issued, printed, 3712
posted, distributed, or reproduced for distribution. 3713

~~(k)~~(l) "Telephone bank" means more than five hundred 3714
telephone calls of an identical or substantially similar nature 3715
within any thirty-day period, whether those telephone calls are 3716
made by individual callers or by recording. 3717

(2) No candidate, campaign committee, legislative campaign 3718
fund, political party, or other entity, except a political action 3719
committee or political contributing entity, shall issue a form of 3720
political publication for or against a candidate, or shall make an 3721
expenditure for the purpose of financing political communications 3722
in support of or opposition to a candidate through public 3723
political advertising, unless the name and residence or business 3724
address of the candidate or the chairperson, treasurer, or 3725
secretary of the campaign committee, legislative campaign fund, 3726
political party, or other entity that issues or otherwise is 3727
responsible for that political publication or that makes an 3728
expenditure for that political communication appears in a 3729
conspicuous place on that political publication or is contained 3730
within that political communication. 3731

(3) No limited political action committee or limited 3732
political contributing entity shall do either of the following 3733
unless the name and residence or business address of the 3734
chairperson, treasurer, or secretary of the limited political 3735

action committee or limited political contributing entity involved 3736
appears in a conspicuous place in the political publication for or 3737
against a candidate described in division (A)(3)(a) of this 3738
section or is contained within the political communication 3739
described in division (A)(3)(b) of this section: 3740

(a) Issue a form of political publication for or against a 3741
candidate that costs in excess of the designated amount or that is 3742
issued in cooperation, consultation, or concert with, or at the 3743
request or suggestion of, a candidate, a campaign committee, a 3744
legislative campaign fund, a political party, a political action 3745
committee with ten or more members, a political contributing 3746
entity with ten or more members, or a limited political action 3747
committee or limited political contributing entity that spends in 3748
excess of the designated amount on a related or the same or 3749
similar political publication for or against a candidate; 3750

(b) Make an expenditure in excess of the designated amount in 3751
support of or opposition to a candidate or make an expenditure in 3752
cooperation, consultation, or concert with, or at the request or 3753
suggestion of, a candidate, a campaign committee, a legislative 3754
campaign fund, a political party, a political action committee 3755
with ten or more members, a political contributing entity with ten 3756
or more members, or a limited political action committee or 3757
limited political contributing entity that spends in excess of the 3758
designated amount in support of or opposition to the same 3759
candidate, for the purpose of financing political communications 3760
in support of or opposition to that candidate through public 3761
political advertising. 3762

(4) No political action committee with ten or more members 3763
and no political contributing entity with ten or more members 3764
shall issue a form of political publication for or against a 3765
candidate, or shall make an expenditure for the purpose of 3766
financing political communications in support of or opposition to 3767

a candidate through public political advertising, unless the name 3768
and residence or business address of the chairperson, treasurer, 3769
or secretary of the political action committee or political 3770
contributing entity that issues or otherwise is responsible for 3771
that political publication or that makes an expenditure for that 3772
political communication through public political advertising 3773
appears in a conspicuous place in that political publication or is 3774
contained within that political communication. 3775

(5) No corporation, labor organization, campaign committee, 3776
legislative campaign fund, political party, or other entity, 3777
except a political action committee, shall issue a form of 3778
political publication for or against an issue, or shall make an 3779
expenditure for the purpose of financing political communications 3780
in support of or opposition to a ballot issue or question through 3781
public political advertising, unless the name and residence or 3782
business address of the chairperson, treasurer, or secretary of 3783
the corporation, labor organization, campaign committee, 3784
legislative campaign fund, political party, or other entity that 3785
issues or otherwise is responsible for that political publication 3786
or that makes an expenditure for that political communication 3787
through public political advertising appears in a conspicuous 3788
place in that political publication or is contained within that 3789
political communication. 3790

(6) No limited political action committee shall do either of 3791
the following unless the name and residence or business address of 3792
the chairperson, treasurer, or secretary of the limited political 3793
action committee involved appears in a conspicuous place in the 3794
political publication for or against a ballot issue described in 3795
division (A)(6)(a) of this section or is contained within the 3796
political communication described in division (A)(6)(b) of this 3797
section: 3798

(a) Issue a form of political publication for or against a 3799

ballot issue that costs in excess of the designated amount or that
is issued in cooperation, consultation, or concert with, or at the
request or suggestion of, a candidate, a campaign committee, a
legislative campaign fund, a political party, a political action
committee with ten or more members, or a limited political action
committee that spends in excess of the designated amount for a
related or the same or similar political publication for or
against an issue;

(b) Make an expenditure in excess of the designated amount in
support of or opposition to a ballot issue or make an expenditure
in cooperation, consultation, or concert with, or at the request
or suggestion of, a candidate, a campaign committee, a legislative
campaign fund, a political party, a political action committee
with ten or more members, or a limited political action committee
that spends in excess of the designated amount in support of or
opposition to the same ballot issue, for the purpose of financing
political communications in support of or opposition to that
ballot issue through public political advertising.

(7) No political action committee with ten or more members
shall issue a form of political publication for or against an
issue, or shall make an expenditure for the purpose of financing
political communications in support of or opposition to a ballot
issue or question through public political advertising, unless the
name and residence or business address of the chairperson,
treasurer, or secretary of the political action committee that
issues or otherwise is responsible for that political publication
or that makes an expenditure for that political communication
appears in a conspicuous place in that political publication or is
contained within that political communication.

(8) The disclaimer "paid political advertisement" is not
sufficient to meet the requirements of this section.

(9) If the political publication described in division (A) of this section is issued by the regularly constituted central or executive committee of a political party that is organized as provided in this chapter, it shall be sufficiently identified if it bears the name of the committee and its chairperson or treasurer.

(10) If more than one piece of printed matter or printed political communications are mailed as a single packet, the requirements of division (A) of this section are met if one of the pieces of printed matter or printed political communications in the packet contains the name and residence or business address of the chairperson, treasurer, or secretary of the organization or entity that issues or is responsible for the printed matter or other printed political communications.

(11) This section does not apply to the transmittal of personal correspondence that is not reproduced by machine for general distribution.

(12) The secretary of state, by rule, may exempt from the requirements of this section, printed matter and certain other kinds of printed communications such as campaign buttons, balloons, pencils, or similar items, the size or nature of which makes it unreasonable to add an identification or disclaimer.

(13) The disclaimer or identification described in division (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 3862
contributing entity, limited political contributing entity, or 3863
other entity shall utter or cause to be uttered, over the 3864
broadcasting facilities of any radio or television station within 3865
this state, any communication that is designed to promote the 3866
nomination, election, or defeat of a candidate, or the adoption or 3867
defeat of an issue or to influence the voters in an election, 3868
unless the speaker identifies the speaker with the speaker's name 3869
and residence address or unless the communication identifies the 3870
chairperson, treasurer, or secretary of the organization 3871
responsible for the communication with the name and residence or 3872
business address of that officer, except that communications by 3873
radio need not broadcast the residence or business address of the 3874
officer. However, a radio station, for a period of at least six 3875
months, shall keep the residence or business address on file and 3876
divulge it to any person upon request. 3877

No person operating a broadcast station or an organ of 3878
printed media shall broadcast or print a paid political 3879
communication that does not contain the identification required by 3880
this section. 3881

(2) Division (B) of this section does not apply to any 3882
communications made on behalf of a radio or television station or 3883
network by any employee of such radio or television station or 3884
network while acting in the course of the employee's employment. 3885

(3) No candidate or entity described in division (B)(1) of 3886
this section shall use or cause to be used a false, fictitious, or 3887
fraudulent name or address in the making or issuing of a 3888
publication or communication included within the provisions of 3889
this section. 3890

(C) No candidate, campaign committee, legislative campaign 3891
fund, political party, political action committee, limited 3892
political action committee, political contributing entity, limited 3893

political contributing entity, or other person or entity shall 3894
conduct a telephone bank for the purpose of promoting the 3895
nomination, election, or defeat of a candidate or the adoption or 3896
defeat of an issue or to influence the voters in an election, 3897
unless the call includes a disclaimer that identifies the name of 3898
the candidate, campaign committee, legislative campaign fund, 3899
political party, political action committee, limited political 3900
action committee, political contributing entity, limited political 3901
contributing entity, or other person or entity paying for the 3902
telephone bank. 3903

(D) Before a prosecution may commence under this section, a 3904
complaint shall be filed with the Ohio elections commission under 3905
section 3517.153 of the Revised Code. After the complaint is 3906
filed, the commission shall proceed in accordance with sections 3907
3517.154 to 3517.157 of the Revised Code. 3908

Sec. 3517.23. The secretary of state shall adopt rules in 3909
accordance with Chapter 119. of the Revised Code that are 3910
necessary for the administration and enforcement of sections 3911
3517.08 to 3517.13, 3517.18, 3517.20 to 3517.22, 3599.03, and 3912
3599.031 of the Revised Code and shall provide each candidate, 3913
political action committee, political contributing entity, 3914
legislative campaign fund, political party, and person making 3915
disbursements to pay the direct costs of producing or airing 3916
electioneering communications with written instructions and 3917
explanations in order to ensure compliance with sections 3517.08 3918
to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, and 3919
3599.031 of the Revised Code. 3920

Sec. 3517.992. This section establishes penalties only with 3921
respect to acts or failures to act that occur on and after August 3922
24, 1995. 3923

(A)(1) A candidate whose campaign committee violates division 3924
(A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, 3925
or a treasurer of a campaign committee who violates any of those 3926
divisions, shall be fined not more than one hundred dollars for 3927
each day of violation. 3928

(2) Whoever violates division (E) or (X)(5) of section 3929
3517.13 of the Revised Code shall be fined not more than one 3930
hundred dollars for each day of violation. 3931

(B) A political party that violates division (F)(1) of 3932
section 3517.101 of the Revised Code shall be fined not more than 3933
one hundred dollars for each day of violation. 3934

(C) Whoever violates division (F)(2) of section 3517.101 or 3935
division (G) of section 3517.13 of the Revised Code shall be fined 3936
not more than ten thousand dollars or, if the offender is a person 3937
who was nominated or elected to public office, shall forfeit the 3938
nomination or the office to which the offender was elected, or 3939
both. 3940

(D) Whoever violates division (F) of section 3517.13 of the 3941
Revised Code shall be fined not more than three times the amount 3942
contributed. 3943

(E) Whoever violates division (H) of section 3517.13 of the 3944
Revised Code shall be fined not more than one hundred dollars. 3945

(F) Whoever violates division (O), (P), or (Q) of section 3946
3517.13 of the Revised Code is guilty of a misdemeanor of the 3947
first degree. 3948

(G) A state or county committee of a political party that 3949
violates division (B)(1) of section 3517.18 of the Revised Code 3950
shall be fined not more than twice the amount of the improper 3951
expenditure. 3952

(H) A state or county political party that violates division 3953

(G) of section 3517.101 of the Revised Code shall be fined not 3954
more than twice the amount of the improper expenditure or use. 3955

(I)(1) Any individual who violates division (B)(1) of section 3956
3517.102 of the Revised Code and knows that the contribution the 3957
individual makes violates that division shall be fined an amount 3958
equal to three times the amount contributed in excess of the 3959
amount permitted by that division. 3960

(2) Any political action committee that violates division 3961
(B)(2) of section 3517.102 of the Revised Code shall be fined an 3962
amount equal to three times the amount contributed in excess of 3963
the amount permitted by that division. 3964

(3) Any campaign committee that violates division (B)(3) or 3965
(5) of section 3517.102 of the Revised Code shall be fined an 3966
amount equal to three times the amount contributed in excess of 3967
the amount permitted by that division. 3968

(4)(a) Any legislative campaign fund that violates division 3969
(B)(6) of section 3517.102 of the Revised Code shall be fined an 3970
amount equal to three times the amount transferred or contributed 3971
in excess of the amount permitted by that division, as applicable. 3972

(b) Any state political party, county political party, or 3973
state candidate fund of a state political party or county 3974
political party that violates division (B)(6) of section 3517.102 3975
of the Revised Code shall be fined an amount equal to three times 3976
the amount transferred or contributed in excess of the amount 3977
permitted by that division, as applicable. 3978

(c) Any political contributing entity that violates division 3979
(B)(7) of section 3517.102 of the Revised Code shall be fined an 3980
amount equal to three times the amount contributed in excess of 3981
the amount permitted by that division. 3982

(5) Any political party that violates division (B)(4) of 3983

section 3517.102 of the Revised Code shall be fined an amount 3984
equal to three times the amount contributed in excess of the 3985
amount permitted by that division. 3986

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) 3987
of this section, no violation of division (B) of section 3517.102 3988
of the Revised Code occurs, and the secretary of state shall not 3989
refer parties to the Ohio elections commission, if the amount 3990
transferred or contributed in excess of the amount permitted by 3991
that division meets either of the following conditions: 3992

(a) It is completely refunded within five business days after 3993
it is accepted. 3994

(b) It is completely refunded on or before the tenth business 3995
day after notification to the recipient of the excess transfer or 3996
contribution by the board of elections or the secretary of state 3997
that a transfer or contribution in excess of the permitted amount 3998
has been received. 3999

(J)(1) Any campaign committee that violates division (C)(1), 4000
(2), (3), or (6) of section 3517.102 of the Revised Code shall be 4001
fined an amount equal to three times the amount accepted in excess 4002
of the amount permitted by that division. 4003

(2)(a) Any county political party that violates division 4004
(C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code 4005
shall be fined an amount equal to three times the amount accepted. 4006

(b) Any county political party that violates division 4007
(C)(4)(a)(i) of section 3517.102 of the Revised Code shall be 4008
fined an amount from its state candidate fund equal to three times 4009
the amount accepted in excess of the amount permitted by that 4010
division. 4011

(c) Any state political party that violates division 4012
(C)(4)(b) of section 3517.102 of the Revised Code shall be fined 4013

an amount from its state candidate fund equal to three times the
amount accepted in excess of the amount permitted by that
division.

(3) Any legislative campaign fund that violates division
(C)(5) 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.

(4) Any political action committee or political contributing
entity that violates division (C)(7) 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.

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of
this section, no violation of division (C) 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 to be
accepted by that division meets either of the following
conditions:

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

(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.

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

(2) Any legislative campaign fund that violates division

(F)(2) of section 3517.102 of the Revised Code shall give to the treasurer of state for deposit into the state treasury to the credit of the Ohio elections commission fund all excess contributions not disposed of as required by division (E) of section 3517.102 of the Revised Code.

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

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

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

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

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

(P) Any political party, state candidate fund, legislative candidate fund, or campaign committee that violates division (T) of section 3517.13 of the Revised Code shall be fined an amount

equal to three times the amount contributed or accepted in 4075
violation of that section. 4076

(Q) A treasurer of a committee or another person who violates 4077
division (U) of section 3517.13 of the Revised Code shall be fined 4078
not more than two hundred fifty dollars. 4079

(R) Whoever violates division (I) or (J) of section 3517.13 4080
of the Revised Code shall be fined not more than one thousand 4081
dollars. Whenever a person is found guilty of violating division 4082
(I) or (J) of section 3517.13 of the Revised Code, the contract 4083
awarded in violation of either of those divisions shall be 4084
rescinded if its terms have not yet been performed. 4085

(S) A candidate whose campaign committee violates or a 4086
treasurer of a campaign committee who violates section 3517.081 of 4087
the Revised Code, and a candidate whose campaign committee 4088
violates or a treasurer of a campaign committee or another person 4089
who violates division (C) of section 3517.10 of the Revised Code, 4090
shall be fined not more than five hundred dollars. 4091

(T) A candidate whose campaign committee violates or a 4092
treasurer of a committee who violates division (B) of section 4093
3517.09 of the Revised Code, or a candidate whose campaign 4094
committee violates or a treasurer of a campaign committee or 4095
another person who violates division (C) of section 3517.09 of the 4096
Revised Code shall be fined not more than one thousand dollars. 4097

(U) Whoever violates section 3517.20 of the Revised Code 4098
shall be fined not more than five hundred dollars. 4099

(V) Whoever violates section 3517.21 or 3517.22 of the 4100
Revised Code shall be imprisoned for not more than six months or 4101
fined not more than five thousand dollars, or both. 4102

(W) A campaign committee that is required to file a 4103
declaration of no limits under division (D)(2) of section 3517.103 4104

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 (I) of section 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
three times the amount contributed, expended, or promised in
violation of that division or ten thousand dollars, whichever
amount is greater.

(2) Whoever knowingly violates division (W)(2) of section

3517.13 of the Revised Code shall be fined an amount equal to 4136
three times the amount solicited or accepted in violation of that 4137
division or ten thousand dollars, whichever amount is greater. 4138

(BB) Whoever knowingly violates division (C) or (D) of 4139
section 3517.1011 of the Revised Code shall be fined not more than 4140
ten thousand dollars plus not more than one thousand dollars for 4141
each day of violation. 4142

(CC)(1) Subject to division (CC)(2) of this section, whoever 4143
violates division (H) of section 3517.1011 of the Revised Code 4144
shall be fined an amount up to three times the amount disbursed 4145
for the direct costs of airing the communication made in violation 4146
of that division. 4147

(2) Whoever has been ordered by the Ohio elections commission 4148
or by a court of competent jurisdiction to cease making 4149
communications in violation of division (H) of section 3517.1011 4150
of the Revised Code who again violates that division shall be 4151
fined an amount equal to three times the amount disbursed for the 4152
direct costs of airing the communication made in violation of that 4153
division. 4154

(DD)(1) Any corporation or labor organization that violates 4155
division (X)(3)(a) of section 3517.13 of the Revised Code shall be 4156
fined an amount equal to three times the amount given in excess of 4157
the amount permitted by that division. 4158

(2) Any state or county political party that violates 4159
division (X)(3)(b) of section 3517.13 of the Revised Code shall be 4160
fined an amount equal to three times the amount accepted in excess 4161
of the amount permitted by that division. 4162

Section 2. That existing sections 102.03, 2921.01, 2921.43, 4163
3517.01, 3517.08, 3517.09, 3517.092, 3517.10, 3517.102, 3517.105, 4164
3517.106, 3517.108, 3517.109, 3517.11, 3517.13, 3517.152, 4165

3517.155, 3517.20, 3517.23, and 3517.992 of the Revised Code are 4166
hereby repealed. 4167

Section 3. This act is hereby declared to be an emergency 4168
measure necessary for the immediate preservation of the public 4169
peace, health, and safety. The reason for the necessity is that 4170
the Court of Common Pleas of Franklin County has issued a 4171
preliminary injunction prohibiting the enforcement of section 4172
3599.03 of the Revised Code, as enacted by Am. Sub. H.B. 1 of the 4173
125th General Assembly, Special Session, in *United Auto Workers* 4174
Local Union 1112 v. Blackwell (March 30, 2005), Case No. 4175
O5CVH-03-2553. Therefore, this act shall go into immediate effect. 4176