

**As Reported by the Senate State and Local Government and
Veterans Affairs Committee**

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

Sub. S. B. No. 115

Senator Jacobson

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A B I L L

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

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

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

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

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

(2) No person who is a member of the board of a state 174
retirement system, a state retirement system investment officer, 175
or an employee of a state retirement system whose position 176
involves substantial and material exercise of discretion in the 177

investment of retirement system funds shall solicit or accept, and 178
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
public official or employee who is an employee of an organization,
serves as a trustee, director, or officer of an organization, or
otherwise holds a fiduciary relationship with an organization.
This division does not allow a public official or employee who is
a member of an organization to participate, formally or
informally, in deliberations, discussions, or voting on a matter
or to use his official position with regard to the interests of
the organization on the matter if the public official or employee
has assumed a particular responsibility in the organization with
respect to the matter or if the matter would affect that person's
personal, pecuniary interests.

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

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

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

(A) "Public official" means any elected or appointed officer,
or employee, or agent of the state or any political subdivision,
whether in a temporary or permanent capacity, and includes, but is

not limited to, legislators, judges, and law enforcement officers.	241
(B) "Public servant" means any of the following:	242
(1) Any public official;	243
(2) Any person performing ad hoc a governmental function,	244
including, but not limited to, a juror, member of a temporary	245
commission, master, arbitrator, advisor, or consultant;	246
(3) A person who is a candidate for public office, whether or	247
not the person is elected or appointed to the office for which the	248
person is a candidate. A person is a candidate for purposes of	249
this division if the person has been nominated according to law	250
for election or appointment to public office, or if the person has	251
filed a petition or petitions as required by law to have the	252
person's name placed on the ballot in a primary, general, or	253
special election, or if the person campaigns as a write-in	254
candidate in any primary, general, or special election.	255
(C) "Party official" means any person who holds an elective	256
or appointive post in a political party in the United States or	257
this state, by virtue of which the person directs, conducts, or	258
participates in directing or conducting party affairs at any level	259
of responsibility.	260
(D) "Official proceeding" means any proceeding before a	261
legislative, judicial, administrative, or other governmental	262
agency or official authorized to take evidence under oath, and	263
includes any proceeding before a referee, hearing examiner,	264
commissioner, notary, or other person taking testimony or a	265
deposition in connection with an official proceeding.	266
(E) "Detention" means arrest; confinement in any vehicle	267
subsequent to an arrest; confinement in any public or private	268
facility for custody of persons charged with or convicted of crime	269
in this state or another state or under the laws of the United	270

States or alleged or found to be a delinquent child or unruly 271
child in this state or another state or under the laws of the 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 committee," "legislative campaign fund," and "political party," <u>and "political contributing entity"</u> have the same meanings as in section 3517.01 of the Revised Code.	304 305 306 307
(I) "Provider agreement" and "medical assistance program" have the same meanings as in section 2913.40 of the Revised Code.	308 309
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:	310 311 312
(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;	313 314 315 316 317 318 319
(2) Additional or greater fees or costs than are allowed by law to perform the public servant's official duties.	320 321
(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:	322 323 324 325 326
(1) Appointing or securing, maintaining, or renewing the appointment of any person to any public office, employment, or agency;	327 328 329
(2) Preferring, or maintaining the status of, any public employee with respect to compensation, duties, placement, location, promotion, or other material aspects of employment.	330 331 332

(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 contribution 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.

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

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

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

Sec. 3517.01. (A)(1) A political party within the meaning of Title XXXV of the Revised Code is any group of voters that, at the most recent regular state election, polled for its candidate for governor in the state or nominees for presidential electors at least five per cent of the entire vote cast for that office or that filed with the secretary of state, subsequent to any election in which it received less than five per cent of that vote, a

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 458
election or of making a charitable donation under division (G) of 459
section 3517.08 of the Revised Code. Any disbursement or use of a 460
contribution by a state or county political party is an 461
expenditure and shall be considered either to be made for the 462
purpose of influencing the results of an election or to be made as 463
a charitable donation under division (G) of section 3517.08 of the 464
Revised Code and shall be reported on a statement of expenditures 465
filed under section 3517.10 of the Revised Code. During the thirty 466
days preceding a primary or general election, any disbursement to 467
pay the direct costs of producing or airing a broadcast, cable, or 468
satellite communication that refers to a clearly identified 469
candidate shall be considered to be made for the purpose of 470
influencing the results of that election and shall be reported as 471
an expenditure or as an independent expenditure under section 472
3517.10 or 3517.105 of the Revised Code, as applicable, except 473
that the information required to be reported regarding 474
contributors for those expenditures or independent expenditures 475
shall be the same as the information required to be reported under 476
~~division~~ divisions (D)(1) and (2) of section 3517.1011 of the 477
Revised Code. 478

As used in this division, "broadcast, cable, or satellite 479
communication" and "refers to a clearly identified candidate" have 480
the same meanings as in section 3517.1011 of the Revised Code. 481

(7) "Personal expenses" includes, but is not limited to, 482
ordinary expenses for accommodations, clothing, food, personal 483
motor vehicle or airplane, and home telephone. 484

(8) "Political action committee" means a combination of two 485
or more persons, the primary or major purpose of which is to 486
support or oppose any candidate, political party, or issue, or to 487

influence the result of any election through express advocacy, and 488
that is not a political party, a campaign committee, a political 489
contributing entity, or a legislative campaign fund. "Political 490
action committee" does not include a continuing association that 491
makes disbursements for the direct costs of producing or airing 492
electioneering communications and that does not engage in express 493
advocacy. 494

(9) "Public office" means any state, county, municipal, 495
township, or district office, except an office of a political 496
party, that is filled by an election and the offices of United 497
States senator and representative. 498

(10) "Anything of value" has the same meaning as in section 499
1.03 of the Revised Code. 500

(11) "Beneficiary of a campaign fund" means a candidate, a 501
public official or employee for whose benefit a campaign fund 502
exists, and any other person who has ever been a candidate or 503
public official or employee and for whose benefit a campaign fund 504
exists. 505

(12) "Campaign fund" means money or other property, including 506
contributions. 507

(13) "Public official or employee" has the same meaning as in 508
section 102.01 of the Revised Code. 509

(14) "Caucus" means all of the members of the house of 510
representatives or all of the members of the senate of the general 511
assembly who are members of the same political party. 512

(15) "Legislative campaign fund" means a fund that is 513
established as an auxiliary of a state political party and 514
associated with one of the houses of the general assembly. 515

(16) "In-kind contribution" means anything of value other 516
than money that is used to influence the results of an election or 517

is transferred to or used in support of or in opposition to a
candidate, campaign committee, legislative campaign fund,
political party, ~~or~~ political action committee, or political
contributing entity and that is made with the consent of, in
coordination, cooperation, or consultation with, or at the request
or suggestion of the benefited candidate, committee, fund, ~~or~~
party, or entity. The financing of the dissemination,
distribution, or republication, in whole or part, of any broadcast
or of any written, graphic, or other form of campaign materials
prepared by the candidate, the candidate's campaign committee, or
their authorized agents is an in-kind contribution to the
candidate and an expenditure by the candidate.

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

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

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

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

(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
competent jurisdiction.

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

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

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

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

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(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, political contributing entity, or person making 709
disbursements to pay the direct costs of producing or airing 710
electioneering communications affirmatively consents to the 711
contribution in writing. 712

(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	765
campaign committee from any of the following:	766
(1) A county employee whose appointing authority is the	767
county elected officer;	768
(2) A county employee whose appointing authority is	769
authorized or required by law to be appointed by the county	770
elected officer;	771
(3) A county employee who functions in or is employed in or	772
by the same public agency, department, division, or office as the	773
county elected officer.	774
(E) No candidate for a county elective office, no campaign	775
committee of such a candidate, and no other person or entity shall	776
knowingly solicit a contribution on behalf of that candidate or	777
that candidate's campaign committee from any of the following:	778
(1) A county employee at the time of the solicitation, whose	779
appointing authority will be the candidate, if elected;	780
(2) A county employee at the time of the solicitation, whose	781
appointing authority will be appointed by the candidate, if	782
elected, as authorized or required by law;	783
(3) A county employee at the time of the solicitation, who	784
will function in or be employed in or by the same public agency,	785
department, division, or office as the candidate, if elected.	786
(F)(1) No public employee shall solicit a contribution from	787
any person while the public employee is performing the public	788
employee's official duties or in those areas of a public building	789
where official business is transacted or conducted.	790
(2) No person shall solicit a contribution from any public	791

employee while the public employee is performing the public 792
employee's official duties or is in those areas of a public 793
building where official business is transacted or conducted. 794

(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;

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

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

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

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

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

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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
one or more such contributions whose aggregate value exceeded two
hundred fifty dollars and shall be listed separately, together
with the expenses incurred and paid in connection with that
activity. A campaign committee, political action committee,
legislative campaign fund, ~~or~~ political party, or political
contributing entity shall keep records of contributions from each
person in the amount of twenty-five dollars or less at one social
or fund-raising activity and contributions from amounts deducted
under section 3599.031 of the Revised Code from the wages and
salary of each employee in the amount of twenty-five dollars or
less aggregated in a calendar year. No continuing association that
is recognized by a state or local committee of a political party
as an auxiliary of the party and that makes a contribution from
funds derived solely from regular dues paid by members of the
auxiliary shall be required to list the name or address of any
members who paid those dues.

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

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

(i) "State elected officer" has the same meaning as in

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
elected officer or anyone authorized to enter into contracts on 1046
behalf of that officer to receive payments for goods or services, 1047
if the payments total, in the aggregate, more than five thousand 1048
dollars during a calendar year. 1049

(5) A statement of expenditures which shall include the 1050
following information: 1051

(a) The month, day, and year of the expenditure; 1052

(b) The full name and address of each person, political 1053
party, campaign committee, legislative campaign fund, ~~or~~ political 1054
action committee, or political contributing entity to whom the 1055
expenditure was made and the registration number assigned to the 1056
political action committee under division (D)(1) of this section; 1057

(c) The object or purpose for which the expenditure was made; 1058

(d) The amount of each expenditure. 1059

(C)(1) The statement of contributions and expenditures shall 1060
be signed by the person completing the form. If a statement of 1061
contributions and expenditures is filed by electronic means of 1062
transmission pursuant to this section or section 3517.106 of the 1063
Revised Code, the electronic signature of the person who executes 1064
the statement and transmits the statement by electronic means of 1065
transmission, as provided in division (H) of section 3517.106 of 1066
the Revised Code, shall be attached to or associated with the 1067
statement and shall be binding on all persons and for all purposes 1068
under the campaign finance reporting law as if the signature had 1069
been handwritten in ink on a printed form. 1070

(2) The person filing the statement, under penalty of 1071
election falsification, shall include with it a list of each 1072

anonymous contribution, the circumstances under which it was 1073
received, and the reason it cannot be attributed to a specific 1074
donor. 1075

(3) Each statement of a campaign committee of a candidate who 1076
holds public office shall contain a designation of each 1077
contributor who is an employee in any unit or department under the 1078
candidate's direct supervision and control. In a space provided in 1079
the statement, the person filing the statement shall affirm that 1080
each such contribution was voluntarily made. 1081

(4) A campaign committee that did not receive contributions 1082
or make expenditures in connection with the nomination or election 1083
of its candidate shall file a statement to that effect, on a form 1084
prescribed under this section and made under penalty of election 1085
falsification, on the date required in division (A)(2) of this 1086
section. 1087

(5) The campaign committee of any person who attempts to 1088
become a candidate and who, for any reason, does not become 1089
certified in accordance with Title XXXV of the Revised Code for 1090
placement on the official ballot of a primary, general, or special 1091
election to be held in this state, and who, at any time prior to 1092
or after an election, receives contributions or makes 1093
expenditures, or has given consent for another to receive 1094
contributions or make expenditures, for the purpose of bringing 1095
about the person's nomination or election to public office, shall 1096
file the statement or statements prescribed by this section and a 1097
termination statement, if applicable. Division (C)(5) of this 1098
section does not apply to any person with respect to an election 1099
to the offices of member of a county or state central committee, 1100
presidential elector, or delegate to a national convention or 1101
conference of a political party. 1102

(6)(a) The statements required to be filed under this section 1103

shall specify the balance in the hands of the campaign committee, 1104
political action committee, legislative campaign fund, ~~or~~ 1105
political party, or political contributing entity and the 1106
disposition intended to be made of that balance. 1107

(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 1140
opinion of the secretary of state, training in these areas is 1141
necessary, the secretary of state shall arrange for the provision 1142
of voluntary training programs for candidates, campaign 1143
committees, political action committees, legislative campaign 1144
funds, ~~or~~ political parties, or political contributing entities, 1145
for individuals, partnerships, and other entities, or for persons 1146
making disbursements to pay the direct costs of producing or 1147
airing electioneering communications, as appropriate. 1148

(7) Each monthly statement and each two-business-day 1149
statement required by division (A) of this section shall contain 1150
the information required by divisions (B)(1) to (4), (C)(2), and, 1151
if appropriate, (C)(3) of this section. Each statement shall be 1152
signed as required by division (C)(1) of this section. 1153

(D)(1) Prior to receiving a contribution or making an 1154
expenditure, every campaign committee, political action committee, 1155
legislative campaign fund, ~~or~~ political party, or political 1156
contributing entity shall appoint a treasurer and shall file, on a 1157
form prescribed by the secretary of state, a designation of that 1158
appointment, including the full name and address of the treasurer 1159
and of the campaign committee, political action committee, 1160
legislative campaign fund, ~~or~~ political party, or political 1161
contributing entity. That designation shall be filed with the 1162
official with whom the campaign committee, political action 1163
committee, legislative campaign fund, ~~or~~ political party, or 1164
political contributing entity is required to file statements under 1165
section 3517.11 of the Revised Code. The name of a campaign 1166
committee shall include at least the last name of the campaign 1167

committee's candidate. The secretary of state shall assign a 1168
registration number to each political action committee that files 1169
a designation of the appointment of a treasurer under this 1170
division if the political action committee is required by division 1171
(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 1297
section, if an address is required in this section, a post-office 1298
box and office, room, or suite number may be included in addition 1299
to, but not in lieu of, an apartment, street, road, or highway 1300
name and number. 1301

(c) If an address is required in this section, a campaign 1302
committee, political action committee, legislative campaign fund, 1303
~~or~~ political party, or political contributing entity may use the 1304
business or residence address of its treasurer or deputy 1305
treasurer. The post-office box number of the campaign committee, 1306
political action committee, legislative campaign fund, ~~or~~ 1307
political party, or political contributing entity may be used in 1308
addition to that address. 1309

(d) For the sole purpose of a campaign committee's reporting 1310
of contributions on a statement of contributions received under 1311
division (B)(4) of this section, "address" has one of the 1312
following meanings at the option of the campaign committee: 1313

(i) The same meaning as in division (F)(1)(a) of this 1314
section; 1315

(ii) All of the following, if they exist: the contributor's 1316
post-office box number and city or village, state, and zip code as 1317
used in the contributor's post-office address. 1318

(e) As used with regard to the reporting under this section 1319
of any expenditure, "address" means all of the following if they 1320
exist: apartment number, street, road, or highway name and number, 1321
rural delivery route number, city or village, state, and zip code 1322
as used in a person's post-office address, or post-office box. If 1323

an address concerning any expenditure is required in this section, 1324
a campaign committee, political action committee, legislative 1325
campaign fund, ~~or~~ political party, or political contributing 1326
entity may use the business or residence address of its treasurer 1327
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
statements required by division (A) of this section.

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(3) If, after filing a certificate under division (K)(1) of
this section, a campaign committee exceeds any of the limitations
described in that division during an election period, the
certificate is void and thereafter the campaign committee shall
file the statements required by division (A) of this section. 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.

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

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(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

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such a contributor is self-employed, the contributor's occupation 1449
and the name of the contributor's business, if any. Division 1450
(B)(4) of this section applies to a political contributing entity 1451
with regard to contributions it receives from all other 1452
contributors. 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 member of the same party that established the legislative campaign fund and the same house with which the legislative campaign fund is associated;

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

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

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

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

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

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

(iv) Ten thousand dollars to a county political party of the county in which the individual's designated Ohio residence is

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	1544
committee in a calendar year;	1545
(viii) <u>Ten thousand dollars to any one political contributing</u>	1546
<u>entity in a calendar year.</u>	1547
(b) No individual shall make a contribution or contributions	1548
to the state candidate fund of a county political party of any	1549
county other than the county in which the individual's designated	1550
Ohio residence is located.	1551
(c) No individual who is under seven years of age shall make	1552
any contribution.	1553
(2)(a) Subject to division (D)(1) of this section, no	1554
political action committee shall make a contribution or	1555
contributions aggregating more than:	1556
(i) Ten thousand dollars to the campaign committee of any one	1557
statewide candidate in a primary election period or in a general	1558
election period;	1559
(ii) Ten thousand dollars to the campaign committee of any	1560
one senate candidate in a primary election period or in a general	1561
election period;	1562
(iii) Ten thousand dollars to the campaign committee of any	1563
one house candidate in a primary election period or in a general	1564
election period;	1565
(iv) Fifteen thousand dollars to any one legislative campaign	1566
fund in a calendar year;	1567

(v) Thirty thousand dollars to any one state political party 1568
for the party's state candidate fund in a calendar year; 1569

(vi) Ten thousand dollars to another political action 1570
committee or to a political contributing entity in a calendar 1571
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
<u>(e) Ten thousand dollars to any one political contributing</u>	1599
<u>entity in a calendar year.</u>	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 <u>or to any one political contributing entity</u> 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
or contributions to a designated state campaign committee, in a
primary election period or a general election period, aggregating
more than:

(i) Two hundred fifty thousand dollars to the campaign
committee of any one statewide candidate;

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

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

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

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

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

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

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

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

(II) Twenty-five thousand dollars in a primary election
period or fifty thousand dollars in a general election period to

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 than two hundred fifty thousand dollars from any one or combination of state candidate funds of county political parties in a primary election period or in a general election period.

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

(2)(a) Subject to division (D)(1) of this section and except for a designated state campaign committee, no campaign committee of a senate candidate shall 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; 1748
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(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. 1750
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(b) No campaign committee of a house candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from a county political party that has no state candidate fund and that is located in a county having a population of less than one hundred fifty thousand. 1757
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(4)(a)(i) Subject to division (C)(4)(a)(ii) of this section and except for a designated state campaign committee, no county political party shall knowingly accept a contribution or contributions from any individual who is under seven years of age, or accept a contribution or contributions for the party's state candidate fund aggregating more than ten thousand dollars from any one individual whose designated Ohio residence is located within that county and who is seven years of age or older or from any one campaign committee in a calendar year. 1763
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(ii) Subject to division (D)(1) of this section, no county political party shall accept a contribution or contributions for the party's state candidate fund from any individual whose designated Ohio residence is located outside of that county and who is seven years of age or older, from any campaign committee unless the campaign committee's candidate will appear on a ballot in that county or unless the campaign committee's candidate is the 1772
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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, from any one political 1792
contributing entity, 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
from any one political contributing entity, 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 committee of a statewide candidate;	1809 1810
(ii) One hundred thousand dollars, in the case of a campaign committee of a senate candidate;	1811 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.

(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 1871
organization, continuing association, or other person, are 1872
considered to have been made by or accepted from a single 1873
political action committee. 1874

(b) For purposes of the limitations prescribed in division 1875
(B)(7) of this section and the limitations prescribed in divisions 1876
(C)(1), (2), (3), (4), (5), and (7)(b) of this section, whichever 1877
is applicable, all contributions made by and all contributions 1878
accepted from political contributing entities that are 1879
established, financed, maintained, or controlled by, or that are, 1880
the same corporation, organization, labor organization, continuing 1881
association, or other person, including any parent, subsidiary, 1882
division, or department of that corporation, organization, labor 1883
organization, continuing association, or other person, are 1884
considered to have been made by or accepted from a single 1885
political contributing entity. 1886

(2) As used in divisions (B)(1)(a)(vii), (B)(3)(d), 1887
(B)(4)(a), and (C)(7) of this section, "political action 1888
committee" does not include a political action committee that is 1889
organized to support or oppose a ballot issue or question and that 1890
makes no contributions to or expenditures on behalf of a political 1891
party, campaign committee, legislative campaign fund, ~~or~~ political 1892
action committee, or political contributing entity. As used in 1893
divisions (B)(1)(a)(viii), (B)(3)(e), (B)(4)(a), and (C)(7) of 1894
this section, "political contributing entity" does not include a 1895
political contributing entity that is organized to support or 1896
oppose a ballot issue or question and that makes no contributions 1897
to or expenditures on behalf of a political party, campaign 1898
committee, legislative campaign fund, political action committee, 1899
or political contributing entity. 1900

(3) For purposes of the limitations prescribed in divisions 1901
(B)(4) and (C)(7)(a) of this section, all contributions made by 1902

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.

(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.

(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.

(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:

(i) 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;

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

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

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

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

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

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

(2) For purposes of this section and section 3517.20 of the Revised Code, a person is a member of a political action committee if the person makes one or more contributions to that political action committee, and a person is a member of a political

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
of financing communications advocating support of or opposition to
an identified ballot issue or question or solicits without the
express consent of the ballot issue committee a contribution for
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, 2060
legislative campaign fund, political action committee, or 2061
political party, makes one or more independent expenditures in 2062
excess of one hundred dollars in support of or opposition to any 2063
ballot issue or question, the individual, partnership, or other 2064
entity shall file with the secretary of state in the case of a 2065
statewide ballot issue or question, or with the board of elections 2066
in the county that certifies the issue or question for placement 2067
on the ballot in the case of a district or local issue or 2068
question, not later than the dates specified in divisions (A)(1), 2069
(2), (3), and (4) of section 3517.10 of the Revised Code, and, 2070
except as otherwise provided in that section, a statement 2071
itemizing all independent expenditures made during the period 2072
since the close of business on the last day reflected in the last 2073
previously filed such statement, if any. The statement shall be 2074
made on a form prescribed by the secretary of state or shall be 2075
filed by electronic means of transmission pursuant to division (G) 2076
of section 3517.106 of the Revised Code as authorized or required 2077
by that division. The statement shall indicate the date and the 2078
amount of each independent expenditure and the ballot issue or 2079
question in support of or opposition to which it was made and 2080
shall be made under penalty of election falsification. 2081

(3) No person, campaign committee, legislative campaign fund, 2082
political action committee, corporation, labor organization, or 2083
other organization or association shall use or cause to be used a 2084
false or fictitious name in making an independent expenditure in 2085
support of or opposition to any candidate or any ballot issue or 2086
question. A name is false or fictitious if the person, campaign 2087
committee, legislative campaign fund, political action committee, 2088
corporation, labor organization, or other organization or 2089
association does not actually exist or operate, if the 2090
corporation, labor organization, or other organization or 2091

association has failed to file a fictitious name or other
registration with the secretary of state, if it is required to do
so, or if the person, campaign committee, legislative campaign
fund, or political action committee has failed to file a
designation of the appointment of a treasurer, if it is required
to do so by division (D)(1) of section 3517.10 of the Revised
Code.

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

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

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

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

(B)(1) The secretary of state shall store on computer the
information contained in statements of contributions and
expenditures and monthly statements required to be filed under
section 3517.10 of the Revised Code and in statements of
independent expenditures required to be filed under section
3517.105 of the Revised Code by any of the following:

(a) The campaign committees of candidates for statewide
office;

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

(c) Legislative campaign funds;

(d) State political parties;	2122
(e) Individuals, partnerships, corporations, labor organizations, or other entities that make independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question;	2123 2124 2125 2126
(f) The campaign committees of candidates for the office of member of the general assembly;	2127 2128
(g) County political parties, with respect to their state candidate funds.	2129 2130
(2) The secretary of state shall store on computer the information contained in disclosure of electioneering communications statements required to be filed under section 3517.1011 of the Revised Code.	2131 2132 2133 2134
(3) The secretary of state shall store on computer the information contained in deposit and disbursement statements required to be filed with the office of the secretary of state under section 3517.1012 of the Revised Code.	2135 2136 2137 2138
(4) The secretary of state shall store on computer the gift and disbursement information contained in statements required to be filed with the office of the secretary of state under section 3517.1013 of the Revised Code.	2139 2140 2141 2142
(C)(1) The secretary of state shall make available to the campaign committees, political action committees, <u>political contributing entities</u> , legislative campaign funds, political parties, individuals, partnerships, corporations, labor organizations, and other entities described in division (B) of this section, and to members of the news media and other interested persons, for a reasonable fee, computer programs that are compatible with the secretary of state's method of storing the information contained in the statements.	2143 2144 2145 2146 2147 2148 2149 2150 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 2155
of state's office any part or all of that information for any 2156
given year, subject to the limitation expressed in division (D) of 2157
this section. 2158

(D) The secretary of state shall keep the information stored 2159
on computer under division (B) of this section for at least six 2160
years. 2161

(E)(1) Subject to division (L) of this section and subject to 2162
the secretary of state having implemented, tested, and verified 2163
the successful operation of any system the secretary of state 2164
prescribes pursuant to division (H)(1) of this section and 2165
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 2166
Code for the filing of campaign finance statements by electronic 2167
means of transmission, the campaign committee of each candidate 2168
for statewide office may file the statements prescribed by section 2169
3517.10 of the Revised Code by electronic means of transmission 2170
or, if the total amount of the contributions received or the total 2171
amount of the expenditures made by the campaign committee for the 2172
applicable reporting period as specified in division (A) of 2173
section 3517.10 of the Revised Code exceeds ten thousand dollars, 2174
shall file those statements by electronic means of transmission. 2175

Except as otherwise provided in this division, within five 2176
business days after a statement filed by a campaign committee of a 2177
candidate for statewide office is received by the secretary of 2178
state by electronic or other means of transmission, the secretary 2179
of state shall make available online to the public through the 2180
internet, as provided in division (I) of this section, the 2181
contribution and expenditure information in that statement. The 2182
secretary of state shall not make available online to the public 2183

through the internet any contribution or expenditure information 2184
contained in a statement for any candidate until the secretary of 2185
state is able to make available online to the public through the 2186
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
required by the secretary of state under that division, an amended
statement.

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

(F)(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, a campaign committee of a candidate for the
office of member of the general assembly or a campaign committee
of a candidate for the office of judge of a court of appeals may
file the statements prescribed by section 3517.10 of the Revised
Code in accordance with division (A)(2) of section 3517.11 of the
Revised Code or by electronic means of transmission to the office
of the secretary of state or, if the total amount of the
contributions received by the campaign committee for the
applicable reporting period as specified in division (A) of
section 3517.10 of the Revised Code exceeds ten thousand dollars,
shall file those statements by electronic means of transmission to
the office of the secretary of state.

Except as otherwise provided in this division, within five
business days after a statement filed by a campaign committee of a
candidate for the office of member of the general assembly or a

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
campaign committee for the office of member of the general
assembly or the office of judge of a court of appeals that would
otherwise be required to file campaign finance statements by
electronic means of transmission under division (E) or (F) of this
section to file those statements by paper with the office of the
secretary of state. Those rules shall provide for all of the
following:

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

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

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

(d) The candidate of an eligible campaign committee that
intends to file a campaign finance statement pursuant to division
(L) of this section shall file an affidavit indicating that the
candidate's campaign committee intends to so file and stating that

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 state senator.	2688 2689
(4) "House candidate" means a candidate for the office of state representative.	2690 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.	2692 2693 2694 2695
(6) "Aggregate contribution" means the total of all contributions from a contributor during the pre-filing period.	2696 2697
(7) "Allowable aggregate contribution" means all of the following:	2698 2699
(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 <u>(6)(a), or (7)</u> 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.	2700 2701 2702 2703 2704 2705
(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 <u>(6)(a), or (7)</u> of section 3517.102 of the Revised Code, the total of the following:	2706 2707 2708 2709 2710
(i) That portion of the aggregate contribution that was received as in-kind services;	2711 2712
(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.	2713 2714 2715 2716

(8) "Excess aggregate contribution" means, for each contributor, the amount by which that contributor's aggregate contribution exceeds that contributor's allowable aggregate contribution. 2717
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(9) "Pre-filing period" means the period of time ending on the day that the candidacy petitions are due for the state office for which the candidate has filed and beginning on the latest date of the following: 2721
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(a) The first day of January of the year following the general election in which that state office was last on the ballot; 2725
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(b) The first day of January of the year following the general election in which the candidate was last a candidate for any office; 2728
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2730

(c) The first day of the month following the primary election in which the candidate was last a candidate for any office. 2731
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(10) "Filing date" means the last date on which a candidacy petition may be filed for an office. 2733
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(11) "Applicable carry-in limit" means thirty-five thousand dollars if the candidate is a house candidate or a candidate for the state board of education, one hundred thousand dollars if the candidate is a senate candidate, and two hundred thousand dollars if the candidate is a statewide candidate other than a candidate for the state board of education. 2735
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(12) "Campaign asset" means prepaid, purchased, or donated assets available to the candidate on the date of the filing deadline for the office the candidate is seeking that will be consumed or depleted in the course of the candidate's election campaign, including, but not limited to, postage, prepaid rent for campaign headquarters, prepaid radio, television, and newspaper 2741
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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 contributor;	2749 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.	2752 2753 2754
(15) "Covered candidate" means both of the following:	2755
(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;	2756 2757 2758 2759 2760
(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.	2761 2762 2763 2764 2765
(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.	2766 2767 2768 2769 2770
(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:	2771 2772 2773 2774
(1) Giving the amount to the treasurer of state for deposit into the state treasury to the credit of the Ohio elections	2775 2776

commission fund created by division (I) of section 3517.152 of the Revised Code;	2777 2778
(2) Giving the amount to individuals who made contributions to that campaign committee as a refund of all or part of their contributions;	2779 2780 2781
(3) Giving the amount to a corporation that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c) of the Internal Revenue Code.	2782 2783 2784
(D)(1) Subject to division (D)(2) of this section, no candidate or covered candidate shall appear on the ballot, even if certified to appear on the ballot, unless the candidate's or covered candidate's campaign committee has disposed of excess funds, excess aggregate contributions, or both as required by divisions (B) and (C) of this section.	2785 2786 2787 2788 2789 2790
(2) If the excess aggregate contributions accepted by a covered candidate or a covered candidate's campaign committee aggregate a total of less than five thousand dollars from all contributors, that candidate shall not be prohibited from appearing on the ballot under division (D)(1) of this section.	2791 2792 2793 2794 2795
(E)(1) The campaign committee of each candidate required to dispose of excess funds under this section shall file a report, on a form prescribed by the secretary of state, with the official or board with which the candidate is required to file statements under section 3517.11 of the Revised Code. The report shall be filed by the seventh day following the filing deadline for the office the candidate is seeking, shall indicate the amount of excess funds disposed of, and shall describe the manner in which the campaign committee disposed of the excess amount.	2796 2797 2798 2799 2800 2801 2802 2803 2804
(2) In addition to the information required to be included in a report filed under division (E)(1) of this section, the campaign committee of each covered candidate required to dispose of excess	2805 2806 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 2813
office, not later than seven days after the filing date for the 2814
office the candidate is seeking, shall file a declaration of 2815
filing-day finances, on a form prescribed by the secretary of 2816
state, with the official or board with which the candidate is 2817
required to file statements under section 3517.11 of the Revised 2818
Code. 2819

(2) A declaration of filing-day finances shall list all of 2820
the following: 2821

(a) The amount of cash on hand in the candidate's campaign 2822
fund on the filing date for the office the candidate is seeking. 2823

(b) The value and description of all campaign assets worth 2824
five hundred dollars or more available to the candidate on the 2825
filing date. Assets purchased by the campaign shall be valued at 2826
actual cost, and in-kind contributions shall be valued at market 2827
value. 2828

(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 2832
a report of filing-day finances filed under division (F)(1) of 2833
this section, the campaign committee of each covered candidate 2834
shall include both of the following in that report: 2835

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

(b) For each contributor, if any, for whom there is an excess 2837

aggregate contribution, the name, address, aggregate contribution, 2838
and excess aggregate contribution. 2839

(G) A campaign committee of a candidate is not required to 2840
file a declaration of filing-day finances under division (F) of 2841
this section if all of the following apply: 2842

(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 stateboard 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 2874
national political parties shall file the statements prescribed by 2875
section 3517.10 of the Revised Code with the secretary of state. 2876

(2)(a) Except as otherwise provided in division (F) of 2877
section 3517.106 of the Revised Code, campaign committees of 2878
candidates for all other offices shall file the statements 2879
prescribed by section 3517.10 of the Revised Code with the board 2880
of elections where their candidates are required to file their 2881
petitions or other papers for nomination or election. 2882

(b) A campaign committee of a candidate for office of member 2883
of the general assembly or a campaign committee of a candidate for 2884
the office of judge of a court of appeals shall file two copies of 2885
the printed version of any statement, addendum, or amended 2886
statement if the committee does not file pursuant to division 2887
(F)(1) or (L) of section 3517.106 of the Revised Code but files by 2888
printed version only with the appropriate board of elections. The 2889
board of elections shall send one of those copies by overnight 2890
delivery service to the secretary of state before the close of 2891
business on the day the board of elections receives the statement, 2892
addendum, or amended statement. 2893

(3) Political action committees or political contributing 2894
entities that only contribute to a county political party, 2895
contribute to campaign committees of candidates whose nomination 2896
or election is to be submitted only to electors within a county, 2897
subdivision, or district, excluding candidates for member of the 2898
general assembly, and receive contributions or make expenditures 2899

in connection with ballot questions or issues to be submitted only 2900
to electors within a county, subdivision, or district shall file 2901
the statements prescribed by section 3517.10 of the Revised Code 2902
with the board of elections in that county or in the county 2903
contained in whole or part within the subdivision or district 2904
having a population greater than that of any other county 2905
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
candidate's obligations under the campaign finance law. The board
shall forward the completed form to the secretary of state. The
board shall use certified mail, return receipt requested, to
notify all other candidates required to file those statements with
it.

(3)(a) Any statement required to be filed under sections
3517.081 to 3517.17 of the Revised Code that is found to be
incomplete or inaccurate by the officer to whom it is submitted
shall be accepted on a conditional basis, and the person who filed
it shall be notified by certified mail as to the incomplete or
inaccurate nature of the statement. The secretary of state may
examine statements filed for candidates for the office of member
of the general assembly and candidates for the office of judge of
a court of appeals for completeness and accuracy. The secretary of
state shall examine for completeness and accuracy statements that
campaign committees of candidates for the office of member of the
general assembly and campaign committees of candidates for the
office of judge of a court of appeals file pursuant to division
(F) or (L) of section 3517.106 of the Revised Code. If an officer
at the board of elections where a statement filed for a candidate
for the office of member of the general assembly or for a
candidate for the office of judge of a court of appeals was
submitted finds the statement to be incomplete or inaccurate, the
officer shall immediately notify the secretary of state of its
incomplete or inaccurate nature. If either an officer at the board
of elections or the secretary of state finds a statement filed for
a candidate for the office of member of the general assembly or
for a candidate for the office of judge of a court of appeals to
be incomplete or inaccurate, only the secretary of state shall
send the notification as to the incomplete or inaccurate nature of
the statement.

Within twenty-one days after receipt of the notice, in the case of a pre-election statement, a postelection statement, a monthly statement, an annual statement, or a semiannual statement prescribed by section 3517.10, an annual statement prescribed by section 3517.101, or a statement prescribed by division (B)(2)(b) or (C)(2)(b) of section 3517.105 or section 3517.107 of the 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 2995
manner as the statement. 2996

The provisions of sections 3517.10, 3517.106, 3517.1011, 2997
3517.1012, and 3517.1013 of the Revised Code pertaining to the 2998
filing of statements of contributions and expenditures, statements 2999
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. 3031

(C)(1) In the event of a failure to file or a late filing of 3032
a statement required to be filed under sections 3517.081 to 3033
3517.17 of the Revised Code, or if a filed statement or any 3034
addendum, amendment, or other correction to a statement or any 3035
amended statement, if an addendum, amendment, or other correction 3036
or an amended statement is required to be filed, is incomplete or 3037
inaccurate or appears to disclose a failure to comply with or a 3038
violation of law, the official whose duty it is to examine the 3039
statement shall promptly file a complaint with the Ohio elections 3040
commission under section 3517.153 of the Revised Code if the law 3041
is one over which the commission has jurisdiction to hear 3042
complaints, or the official shall promptly report the failure or 3043
violation to the board of elections and the board shall promptly 3044
report it to the prosecuting attorney in accordance with division 3045
(J) of section 3501.11 of the Revised Code. If the official files 3046
a complaint with the commission, the commission shall proceed in 3047
accordance with sections 3517.154 to 3517.157 of the Revised Code. 3048

(2) For purposes of division (C)(1) of this section, a 3049
statement or an addendum, amendment, or other correction to a 3050
statement or an amended statement required to be filed under 3051
sections 3517.081 to 3517.17 of the Revised Code is incomplete or 3052
inaccurate under this section if the statement, addendum, 3053
amendment, other correction, or amended statement fails to 3054
disclose substantially all contributions or gifts that are 3055
received or deposits that are made that are required to be 3056
reported under sections 3517.10, 3517.107, 3517.108, 3517.1011, 3057

3517.1012, and 3517.1013 of the Revised Code or if the statement, 3058
addendum, amendment, other correction, or amended statement fails 3059
to disclose at least ninety per cent of the total contributions or 3060
gifts received or deposits made or of the total expenditures or 3061
disbursements made during the reporting period. 3062

(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 accurate statement required under division (A)(3) or (4) of section 3517.10 of the Revised Code.

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

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

(G)(1) No person shall knowingly conceal or misrepresent contributions given or received, expenditures made, or any other information required to be reported by a provision in sections 3517.08 to 3517.13 and 3517.17 of the Revised Code.

(2)(a) No person shall make a contribution to a campaign committee, political action committee, political contributing entity, legislative campaign fund, political party, or person making disbursements to pay the direct costs of producing or airing electioneering communications in the name of another person.

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

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

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

(H) No person within this state, publishing a newspaper or

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 trustee or the spouse of any of them has made, as an individual, within the two previous calendar years, one or more contributions totaling in excess of one thousand dollars to the holder of the public office having ultimate responsibility for the award of the contract or to the public officer's campaign committee.

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

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

(L) For purposes of divisions (I) and (J) of this section, if a public officer who is responsible for the award of a contract is

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 3186
chief executive officer, the office of the chief executive officer 3187
is considered to have ultimate responsibility for the award of the 3188
contract. 3189

(M)(1) Divisions (I) and (J) of this section do not apply to 3190
contracts awarded by the board of commissioners of the sinking 3191
fund, municipal legislative authorities, boards of education, 3192
boards of county commissioners, boards of township trustees, or 3193
other boards, commissions, committees, authorities, councils, 3194
boards of trustees, task forces, and other such entities created 3195
by law, by the supreme court or courts of appeals, by county 3196
courts consisting of more than one judge, courts of common pleas 3197
consisting of more than one judge, or municipal courts consisting 3198
of more than one judge, or by a division of any court if the 3199
division consists of more than one judge. This division shall 3200
apply to the specified entity only if the members of the entity 3201
act collectively in the award of a contract for goods or services. 3202

(2) Divisions (I) and (J) of this section do not apply to 3203
actions of the controlling board. 3204

(N)(1) Divisions (I) and (J) of this section apply to 3205
contributions made to the holder of a public office having 3206
ultimate responsibility for the award of a contract, or to the 3207
public officer's campaign committee, during the time the person 3208
holds the office and during any time such person was a candidate 3209
for the office. Those divisions do not apply to contributions made 3210
to, or to the campaign committee of, a candidate for or holder of 3211
the office other than the holder of the office at the time of the 3212

award of the contract. 3213

(2) Divisions (I) and (J) of this section do not apply to 3214
contributions of a partner, shareholder, administrator, executor, 3215
trustee, or owner of more than twenty per cent of a corporation or 3216
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 3310
give to a candidate or public official or employee from a 3311
political party, political action committee, political 3312
contributing entity, legislative campaign fund, or campaign 3313
committee other than the candidate's or public official's or 3314
employee's own campaign committee, anything of value for 3315
activities primarily related to the candidate's or public 3316
official's or employee's own campaign for election, except for 3317
contributions to the candidate's or public official's or 3318
employee's campaign committee. 3319

For purposes of this division, an expense is incurred 3320
whenever a candidate or public official or employee has either 3321
made payment or is obligated to make payment, as by the use of a 3322
credit card or other credit procedure, or by the use of goods or 3323
services on account. 3324

(R)(1) Division (O) or (P) of this section does not prohibit 3325
a campaign committee from making direct advance or post payment 3326
from contributions to vendors for goods and services for which 3327
reimbursement is permitted under division (O) of this section, 3328
except that no campaign committee shall pay its candidate or other 3329
beneficiary for services personally performed by the candidate or 3330
other beneficiary. 3331

(2) If any expense that may be reimbursed under division (O), 3332
(P), or (Q) of this section is part of other expenses that may not 3333
be paid or reimbursed, the separation of the two types of expenses 3334
for the purpose of allocating for payment or reimbursement those 3335
expenses that may be paid or reimbursed may be by any reasonable 3336

accounting method, considering all of the surrounding 3337
circumstances. 3338

(3) For purposes of divisions (O), (P), and (Q) of this 3339
section, mileage allowance at a rate not greater than that allowed 3340
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 governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, or member of the general assembly.	3370 3371 3372 3373
(2) No state candidate fund, legislative campaign fund, or campaign committee of a candidate for any office described in division (T)(1)(c) of this section shall knowingly accept a contribution in violation of division (T)(1) of this section.	3374 3375 3376 3377
(U) No person shall fail to file the statement required under section 3517.12 of the Revised Code.	3378 3379
(V) No campaign committee shall fail to file a statement required under division (K)(3) of section 3517.10 of the Revised Code.	3380 3381 3382
(W)(1) No foreign national shall, directly or indirectly through any other person or entity, make a contribution, expenditure, or independent expenditure or promise, either expressly or implicitly, to make a contribution, expenditure, or independent expenditure in support of or opposition to a candidate for any elective office in this state, including an office of a political party.	3383 3384 3385 3386 3387 3388 3389
(2) No candidate, campaign committee, political action committee, <u>political contributing entity</u> , legislative campaign fund, state candidate fund, political party, or separate segregated fund shall solicit or accept a contribution, expenditure, or independent expenditure from a foreign national. The secretary of state may direct any candidate, committee, <u>entity</u> , fund, or party that accepts a contribution, expenditure,	3390 3391 3392 3393 3394 3395 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 3402
national" has the same meaning as in section 441e(b) of the 3403
Federal Election Campaign Act. 3404

(X)(1) No state or county political party shall transfer any 3405
moneys from its restricted fund to any account of the political 3406
party into which contributions may be made or from which 3407
contributions or expenditures may be made. 3408

(2)(a) No state or county political party shall deposit a 3409
contribution or contributions that it receives into its restricted 3410
fund. 3411

(b) No state or county political party shall make a 3412
contribution or an expenditure from its restricted fund. 3413

(3)(a) No corporation or labor organization shall make a gift 3414
or gifts from the corporation's or labor organization's money or 3415
property aggregating more than ten thousand dollars to any one 3416
state or county political party for the party's restricted fund in 3417
a calendar year. 3418

(b) No state or county political party shall accept a gift or 3419
gifts for the party's restricted fund aggregating more than ten 3420
thousand dollars from any one corporation or labor organization in 3421
a calendar year. 3422

(4) No state or county political party shall transfer any 3423
moneys in the party's restricted fund to any other state or county 3424
political party. 3425

(5) No state or county political party shall knowingly fail 3426

to file a statement required under section 3517.1012 of the
Revised Code.

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

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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.

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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,

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1996. 3458

(2) If a vacancy occurs in the position of the seventh 3459
member, who is not affiliated with a political party, the six 3460
remaining members by a majority vote shall appoint, not later than 3461
forty-five days after the date of the vacancy, the seventh member 3462
of the commission, who shall not be affiliated with a political 3463
party. If these members fail to appoint the seventh member within 3464
this forty-five-day period, the chief justice of the supreme 3465
court, within fifteen days after the end of this period, shall 3466
appoint the seventh member, who shall not be affiliated with a 3467
political party. If a vacancy occurs in any of the other six 3468
positions on the commission, the legislative leaders of the 3469
political party from whose list of persons the member being 3470
replaced was appointed shall submit to the governor, not later 3471
than thirty days after the date of the vacancy, a list of three 3472
persons who are affiliated with that political party. Not later 3473
than fifteen days after receiving the list, the governor, with the 3474
advice and consent of the senate, shall appoint one person from 3475
the list to the commission. 3476

(3) At no time shall more than six members of the commission 3477
be affiliated with a political party, and, of these six members, 3478
not more than three shall be affiliated with the same political 3479
party. 3480

(4) In making appointments to the commission, the governor 3481
shall take into consideration the various geographic areas of this 3482
state and shall appoint members so that those areas are 3483
represented on the commission in a balanced manner, to the extent 3484
feasible. 3485

(5) Members of the commission shall be registered electors 3486
and shall be of good moral character. 3487

(B) Each member of the Ohio elections commission shall hold 3488

office from the date of the member's appointment until the end of 3489
the term for which the member was appointed. A member appointed to 3490
fill a vacancy occurring prior to the expiration of the term for 3491
which the member's predecessor was appointed shall hold office for 3492
the remainder of that term. A member shall continue in office 3493
subsequent to the expiration date of the member's term until the 3494
member's successor takes office or until a period of sixty days 3495
has elapsed, whichever occurs first. After the initial terms of 3496
office provided for in division (A)(1) of this section, terms of 3497
office shall be for five years. 3498

(C) A vacancy in the Ohio elections commission may be caused 3499
by death, resignation, or three absences from commission meetings 3500
in a calendar year if those absences are caused by reasons 3501
declared invalid by a vote of five members of the remaining 3502
members of the commission. 3503

(D) Each member of the Ohio elections commission while in the 3504
performance of the business of the commission shall be entitled to 3505
receive compensation at the rate of twenty-five thousand dollars 3506
per year. Members shall be reimbursed for expenses actually and 3507
necessarily incurred in the performance of their duties. 3508

(E) No member of the Ohio elections commission shall serve 3509
more than one full term unless the terms served are served 3510
nonconsecutively. 3511

(F)(1) No member of the Ohio elections commission shall do or 3512
be any of the following: 3513

(a) Hold, or be a candidate for, a public office; 3514

(b) Serve on a committee supporting or opposing a candidate 3515
or ballot question or issue; 3516

(c) Be an officer of the state central committee, a county 3517
central committee, or a district, city, township, or other 3518

committee of a political party or an officer of the executive 3519
committee of the state central committee, a county central 3520
committee, or a district, city, township, or other committee of a 3521
political party; 3522

(d) Be a legislative agent as defined in section 101.70 of 3523
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 3614
barred from the ballot under division (D) of section 3517.1010 of 3615
the Revised Code. 3616

(2) As used in division (A) of this section, "appropriate 3617
prosecutor" means a prosecutor as defined in section 2935.01 of 3618
the Revised Code and either of the following: 3619

(a) In the case of a failure to comply with or a violation of 3620
law involving a campaign committee or the committee's candidate, a 3621
political party, a legislative campaign fund, ~~or~~ a political 3622
action committee, or a political contributing entity, that is 3623
required to file a statement of contributions and expenditures 3624
with the secretary of state under division (A) of section 3517.11 3625
of the Revised Code, the prosecutor of Franklin county; 3626

(b) In the case of a failure to comply with or a violation of 3627
law involving any other campaign committee or committee's 3628
candidate, or any other political party ~~or~~, political action 3629
committee, or political contributing entity either of the 3630
following as determined by the commission: 3631

(i) The prosecutor of Franklin county; 3632

(ii) The prosecutor of the county in which the candidacy or 3633
ballot question or issue is submitted to the electors or, if it is 3634
submitted in more than one county, the most populous of those 3635
counties. 3636

(B) If the commission decides that the evidence is 3637
insufficient for it to determine whether or not the failure to act 3638
or the violation alleged in the complaint has occurred, the 3639

commission, by the affirmative vote of five members, may request 3640
that an investigatory attorney investigate the complaint. Upon 3641
that request, an investigatory attorney shall make an 3642
investigation in order to produce sufficient evidence for the 3643
commission to decide the matter. If the commission requests an 3644
investigation under this division, for good cause shown by the 3645
investigatory attorney, the commission may extend by sixty days 3646
the deadline for holding its first hearing on the complaint as 3647
required in division (A) of this section. 3648

(C) The commission shall take one of the actions required 3649
under division (A) of this section not later than thirty days 3650
after the close of all the evidence presented. 3651

(D)(1) The commission shall make any finding of a failure to 3652
comply with or a violation of law in regard to a complaint that 3653
alleges a violation of division (D) of section 3517.1010, division 3654
(A) or (B) of section 3517.21, or division (A) or (B) of section 3655
3517.22 of the Revised Code by clear and convincing evidence. The 3656
commission shall make any finding of a failure to comply with or a 3657
violation of law in regard to any other complaint by a 3658
preponderance of the evidence. 3659

(2) If the commission finds a violation of division (B) of 3660
section 3517.21 or division (B) of section 3517.22 of the Revised 3661
Code, it shall refer the matter to the appropriate prosecutor 3662
under division (A)(1)(c) of this section and shall not impose a 3663
fine under division (A)(1)(b) of this section or section 3517.993 3664
of the Revised Code. 3665

(E) In an action before the commission or a panel of the 3666
commission, if the allegations of the complainant are not proved, 3667
and the commission takes the action described in division 3668
(A)(1)(a) of this section or a panel of the commission takes the 3669
action described in division (C)(1) of section 3517.156 of the 3670

Revised Code, the commission or a panel of the commission may find 3671
that the complaint is frivolous, and, if the commission or panel 3672
so finds, the commission shall order the complainant to pay 3673
reasonable attorney's fees and to pay the costs of the commission 3674
or panel as determined by a majority of the members of the 3675
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 3800
is issued in cooperation, consultation, or concert with, or at the 3801
request or suggestion of, a candidate, a campaign committee, a 3802
legislative campaign fund, a political party, a political action 3803
committee with ten or more members, or a limited political action 3804
committee that spends in excess of the designated amount for a 3805
related or the same or similar political publication for or 3806
against an issue; 3807

(b) Make an expenditure in excess of the designated amount in 3808
support of or opposition to a ballot issue or make an expenditure 3809
in cooperation, consultation, or concert with, or at the request 3810
or suggestion of, a candidate, a campaign committee, a legislative 3811
campaign fund, a political party, a political action committee 3812
with ten or more members, or a limited political action committee 3813
that spends in excess of the designated amount in support of or 3814
opposition to the same ballot issue, for the purpose of financing 3815
political communications in support of or opposition to that 3816
ballot issue through public political advertising. 3817

(7) No political action committee with ten or more members 3818
shall issue a form of political publication for or against an 3819
issue, or shall make an expenditure for the purpose of financing 3820
political communications in support of or opposition to a ballot 3821
issue or question through public political advertising, unless the 3822
name and residence or business address of the chairperson, 3823
treasurer, or secretary of the political action committee that 3824
issues or otherwise is responsible for that political publication 3825
or that makes an expenditure for that political communication 3826
appears in a conspicuous place in that political publication or is 3827

contained within that political communication. 3828

(8) The disclaimer "paid political advertisement" is not 3829
sufficient to meet the requirements of this section. 3830

(9) If the political publication described in division (A) of 3831
this section is issued by the regularly constituted central or 3832
executive committee of a political party that is organized as 3833
provided in this chapter, it shall be sufficiently identified if 3834
it bears the name of the committee and its chairperson or 3835
treasurer. 3836

(10) If more than one piece of printed matter or printed 3837
political communications are mailed as a single packet, the 3838
requirements of division (A) of this section are met if one of the 3839
pieces of printed matter or printed political communications in 3840
the packet contains the name and residence or business address of 3841
the chairperson, treasurer, or secretary of the organization or 3842
entity that issues or is responsible for the printed matter or 3843
other printed political communications. 3844

(11) This section does not apply to the transmittal of 3845
personal correspondence that is not reproduced by machine for 3846
general distribution. 3847

(12) The secretary of state, by rule, may exempt from the 3848
requirements of this section, printed matter and certain other 3849
kinds of printed communications such as campaign buttons, 3850
balloons, pencils, or similar items, the size or nature of which 3851
makes it unreasonable to add an identification or disclaimer. 3852

(13) The disclaimer or identification described in division 3853
(A) of this section, when paid for by a campaign committee, shall 3854
be identified by the words "paid for by" followed by the name and 3855
address of the campaign committee and the appropriate officer of 3856
the committee, identified by name and title. The identification or 3857
disclaimer may use reasonable abbreviations for common terms such 3858

as "treasurer" or "committee". 3859

(B)(1) No candidate, campaign committee, legislative campaign 3860
fund, ~~political contributing entity~~, political party, political 3861
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
expenditure. 3951
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(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 4014
amount accepted in excess of the amount permitted by that 4015
division. 4016

(3) Any legislative campaign fund that violates division 4017
(C)(5) of section 3517.102 of the Revised Code shall be fined an 4018
amount equal to three times the amount accepted in excess of the 4019
amount permitted by that division. 4020

(4) Any political action committee or political contributing 4021
entity that violates division (C)(7) of section 3517.102 of the 4022
Revised Code shall be fined an amount equal to three times the 4023
amount accepted in excess of the amount permitted by that 4024
division. 4025

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 4026
this section, no violation of division (C) of section 3517.102 of 4027
the Revised Code occurs, and the secretary of state shall not 4028
refer parties to the Ohio elections commission, if the amount 4029
transferred or contributed in excess of the amount permitted to be 4030
accepted by that division meets either of the following 4031
conditions: 4032

(a) It is completely refunded within five business days after 4033
its acceptance. 4034

(b) It is completely refunded on or before the tenth business 4035
day after notification to the recipient of the excess transfer or 4036
contribution by the board of elections or the secretary of state 4037
that a transfer or contribution in excess of the permitted amount 4038
has been received. 4039

(K)(1) Any legislative campaign fund that violates division 4040

(F)(1) of section 3517.102 of the Revised Code shall be fined
twenty-five dollars for each day of violation. 4041
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(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. 4043
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(L) Whoever violates section 3517.105 of the Revised Code
shall be fined one thousand dollars. 4049
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(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. 4051
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(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. 4054
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(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. 4062
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(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. 4066
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(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
violation of that section.

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

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

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

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

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

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

(W) A campaign committee that is required to file a 4103
declaration of no limits under division (D)(2) of section 3517.103 4104
of the Revised Code that, before filing that declaration, accepts 4105
a contribution or contributions that exceed the limitations 4106
prescribed in section 3517.102 of the Revised Code, shall return 4107
that contribution or those contributions to the contributor. 4108

(X) Any campaign committee that fails to file the declaration 4109
of filing-day finances required by division (F) of section 4110
3517.109 or the declaration of primary-day finances or declaration 4111
of year-end finances required by division (E) of section 3517.1010 4112
of the Revised Code shall be fined twenty-five dollars for each 4113
day of violation. 4114

(Y) Any campaign committee that fails to dispose of excess 4115
funds or excess aggregate contributions under division (B) of 4116
section 3517.109 of the Revised Code in the manner required by 4117
division (C) of that section or under division (B) of section 4118
3517.1010 of the Revised Code in the manner required by division 4119
(C) of that section shall give to the treasurer of state for 4120
deposit into the Ohio elections commission fund created under 4121
division (I) of section 3517.152 of the Revised Code all funds not 4122
disposed of pursuant to those divisions. 4123

(Z) Any individual, campaign committee, political action 4124
committee, political contributing entity, legislative campaign 4125
fund, political party, or other entity that violates any provision 4126
of sections 3517.09 to 3517.12 of the Revised Code for which no 4127
penalty is provided for under any other division of this section 4128
shall be fined not more than one thousand dollars. 4129

(AA)(1) Whoever knowingly violates division (W)(1) of section 4130
3517.13 of the Revised Code shall be fined an amount equal to 4131
three times the amount contributed, expended, or promised in 4132
violation of that division or ten thousand dollars, whichever 4133

amount is greater.

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

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

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

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

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

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

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Section 2. That existing sections 102.03, 2921.01, 2921.43,

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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
05CVH-03-2553. Therefore, this act shall go into immediate effect. 4176