

As Introduced

**128th General Assembly
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H. B. No. 336

Representative Garrison

**Cosponsors: Representatives Phillips, Pillich, Domenick, Patten,
Williams, B., Yuko, Winburn, Bolon**

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A B I L L

To amend section 3517.092 of the Revised Code to 1
prohibit an elected officer of a political 2
subdivision or a candidate for an elective office 3
of a political subdivision from accepting 4
contributions from an employee of that political 5
subdivision who is or who would be supervised, 6
directly or indirectly, by the public officer or 7
candidate. 8

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

Section 1. That section 3517.092 of the Revised Code be 9
amended to read as follows: 10

Sec. 3517.092. (A) As used in this section: 11

(1) "Appointing authority" has the same meaning as in section 12
124.01 of the Revised Code. 13

(2) "State elected officer" means any person appointed or 14
elected to a state elective office. 15

(3) "State elective office" means any of the offices of 16
governor, lieutenant governor, secretary of state, auditor of 17

state, treasurer of state, attorney general, member of the state 18
board of education, member of the general assembly, and justice 19
and chief justice of the supreme court. 20

(4) "Contribution" includes a contribution to any political 21
party, campaign committee, political action committee, political 22
contributing entity, or legislative campaign fund. 23

(B)(1) No state elected officer, no campaign committee of 24
such an officer, no employee of the state elected officer's 25
office, and no other person or entity shall knowingly solicit a 26
contribution to a state elected officer or to such an officer's 27
campaign committee, and no state elected officer and no campaign 28
committee of such an officer shall accept a contribution, from any 29
of the following: 30

(a) A state employee whose appointing authority is the state 31
elected officer; 32

(b) A state employee whose appointing authority is authorized 33
or required by law to be appointed by the state elected officer; 34

(c) A state employee who functions in or is employed in or by 35
the same public agency, department, division, or office as the 36
state elected officer. 37

(2) No candidate for a state elective office, no campaign 38
committee of such a candidate, no employee of the candidate's 39
office if the candidate is a state elected officer or an elected 40
officer of a political subdivision of the state, and no other 41
person or entity shall knowingly solicit a contribution to a 42
candidate for a state elective office or to such a candidate's 43
campaign committee, and no candidate for a state elective office 44
and no campaign committee of such a candidate shall accept a 45
contribution, from any of the following: 46

(a) A state employee at the time of the solicitation, whose 47
appointing authority will be the candidate, if elected; 48

(b) A state employee at the time of the solicitation, whose 49
appointing authority will be appointed by the candidate, if 50
elected, as authorized or required by law; 51

(c) A state employee at the time of the solicitation, who 52
will function in or be employed in or by the same public agency, 53
department, division, or office as the candidate, if elected. 54

(C)(1) No elected officer of a political subdivision of the 55
state, no campaign committee of such an officer, no employee of 56
such an officer's office, and no other person or entity shall 57
knowingly solicit a contribution to an elected officer of a 58
political subdivision of the state or to such an officer's 59
campaign committee, and no elected officer of a political 60
subdivision of the state and no campaign committee of such an 61
officer shall accept a contribution, from any of the following: 62

(a) An employee of that political subdivision whose 63
appointing authority is that elected officer; 64

(b) An employee of that political subdivision whose 65
appointing authority is authorized or required by law to be 66
appointed by that elected officer; 67

(c) An employee of that political subdivision who functions 68
in or is employed in or by the same public agency, department, 69
division, or office as that elected officer. 70

(2) No candidate for an elective office of a political 71
subdivision of the state, no campaign committee of such a 72
candidate, no employee of the candidate's office if the candidate 73
is a state elected officer or elected officer of a political 74
subdivision of the state, and no other person or entity shall 75
knowingly solicit a contribution to a candidate for an elective 76
office of a political subdivision of the state or to such a 77
candidate's campaign committee, and no candidate for an elective 78
office of a political subdivision of the state and no campaign 79

committee of such a candidate shall accept a contribution, from 80
any of the following: 81

(a) An employee of that political subdivision at the time of 82
the solicitation, whose appointing authority will be the 83
candidate, if elected; 84

(b) An employee of that political subdivision at the time of 85
the solicitation, whose appointing authority will be appointed by 86
the candidate, if elected, as authorized or required by law; 87

(c) An employee of that political subdivision at the time of 88
the solicitation, who will function in or be employed in or by the 89
same public agency, department, division, or office as the 90
candidate, if elected. 91

(D)(1) No public employee shall solicit a contribution from 92
any person while the public employee is performing the public 93
employee's official duties or in those areas of a public building 94
where official business is transacted or conducted. 95

(2) No person shall solicit a contribution from any public 96
employee while the public employee is performing the public 97
employee's official duties or is in those areas of a public 98
building where official business is transacted or conducted. 99

(3) As used in division (D) of this section, "public 100
employee" does not include any person holding an elective office. 101

(E) The prohibitions in divisions (B), (C), and (D) of this 102
section are in addition to the prohibitions in sections 124.57, 103
3304.22, and 4503.032 of the Revised Code. 104

Section 2. That existing section 3517.092 of the Revised Code 105
is hereby repealed. 106