

As Introduced

**128th General Assembly
Regular Session
2009-2010**

S. B. No. 170

Senator Faber

Cosponsors: Senators Wagoner, Schaffer, Gibbs, Niehaus, Goodman

—

A B I L L

To amend sections 3517.13 and 3517.992 of the Revised 1
Code to limit to \$500 the amount of political 2
contributions that may be made by or accepted from 3
the principals and key employees of an entity that 4
is applying for a license or other authorization, 5
or that is licensed or otherwise authorized, to 6
operate video lottery terminal games in this 7
state. 8

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

Section 1. That sections 3517.13 and 3517.992 of the Revised 9
Code be amended to read as follows: 10

Sec. 3517.13. (A)(1) No campaign committee of a statewide 11
candidate shall fail to file a complete and accurate statement 12
required under division (A)(1) of section 3517.10 of the Revised 13
Code. 14

(2) No campaign committee of a statewide candidate shall fail 15
to file a complete and accurate monthly statement, and no campaign 16
committee of a statewide candidate or a candidate for the office 17
of chief justice or justice of the supreme court shall fail to 18
file a complete and accurate two-business-day statement, as 19

required under section 3517.10 of the Revised Code. 20

As used in this division, "statewide candidate" has the same 21
meaning as in division (F)(2) of section 3517.10 of the Revised 22
Code. 23

(B) No campaign committee shall fail to file a complete and 24
accurate statement required under division (A)(1) of section 25
3517.10 of the Revised Code. 26

(C) No campaign committee shall fail to file a complete and 27
accurate statement required under division (A)(2) of section 28
3517.10 of the Revised Code. 29

(D) No campaign committee shall fail to file a complete and 30
accurate statement required under division (A)(3) or (4) of 31
section 3517.10 of the Revised Code. 32

(E) No person other than a campaign committee shall knowingly 33
fail to file a statement required under section 3517.10 or 34
3517.107 of the Revised Code. 35

(F) No person shall make cash contributions to any person 36
totaling more than one hundred dollars in each primary, special, 37
or general election. 38

(G)(1) No person shall knowingly conceal or misrepresent 39
contributions given or received, expenditures made, or any other 40
information required to be reported by a provision in sections 41
3517.08 to 3517.13 and 3517.17 of the Revised Code. 42

(2)(a) No person shall make a contribution to a campaign 43
committee, political action committee, political contributing 44
entity, legislative campaign fund, political party, or person 45
making disbursements to pay the direct costs of producing or 46
airing electioneering communications in the name of another 47
person. 48

(b) A person does not make a contribution in the name of 49

another when either of the following applies: 50

(i) An individual makes a contribution from a partnership or 51
other unincorporated business account, if the contribution is 52
reported by listing both the name of the partnership or other 53
unincorporated business and the name of the partner or owner 54
making the contribution as required under division (I) of section 55
3517.10 of the Revised Code. 56

(ii) A person makes a contribution in that person's spouse's 57
name or in both of their names. 58

(H) No person within this state, publishing a newspaper or 59
other periodical, shall charge a campaign committee for political 60
advertising a rate in excess of the rate such person would charge 61
if the campaign committee were a general rate advertiser whose 62
advertising was directed to promoting its business within the same 63
area as that encompassed by the particular office that the 64
candidate of the campaign committee is seeking. The rate shall 65
take into account the amount of space used, as well as the type of 66
advertising copy submitted by or on behalf of the campaign 67
committee. All discount privileges otherwise offered by a 68
newspaper or periodical to general rate advertisers shall be 69
available upon equal terms to all campaign committees. 70

No person within this state, operating a radio or television 71
station or network of stations in this state, shall charge a 72
campaign committee for political broadcasts a rate that exceeds: 73

(1) During the forty-five days preceding the date of a 74
primary election and during the sixty days preceding the date of a 75
general or special election in which the candidate of the campaign 76
committee is seeking office, the lowest unit charge of the station 77
for the same class and amount of time for the same period; 78

(2) At any other time, the charges made for comparable use of 79
that station by its other users. 80

(I) Subject to divisions (K), (L), (M), and (N) of this 81
section, no agency or department of this state or any political 82
subdivision shall award any contract, other than one let by 83
competitive bidding or a contract incidental to such contract or 84
which is by force account, for the purchase of goods costing more 85
than five hundred dollars or services costing more than five 86
hundred dollars to any individual, partnership, association, 87
including, without limitation, a professional association 88
organized under Chapter 1785. of the Revised Code, estate, or 89
trust if the individual has made or the individual's spouse has 90
made, or any partner, shareholder, administrator, executor, or 91
trustee or the spouse of any of them has made, as an individual, 92
within the two previous calendar years, one or more contributions 93
totaling in excess of one thousand dollars to the holder of the 94
public office having ultimate responsibility for the award of the 95
contract or to the public officer's campaign committee. 96

(J) Subject to divisions (K), (L), (M), and (N) of this 97
section, no agency or department of this state or any political 98
subdivision shall award any contract, other than one let by 99
competitive bidding or a contract incidental to such contract or 100
which is by force account, for the purchase of goods costing more 101
than five hundred dollars or services costing more than five 102
hundred dollars to a corporation or business trust, except a 103
professional association organized under Chapter 1785. of the 104
Revised Code, if an owner of more than twenty per cent of the 105
corporation or business trust or the spouse of that person has 106
made, as an individual, within the two previous calendar years, 107
taking into consideration only owners for all of that period, one 108
or more contributions totaling in excess of one thousand dollars 109
to the holder of a public office having ultimate responsibility 110
for the award of the contract or to the public officer's campaign 111
committee. 112

(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 corporation, or appointed by the elected chief executive officer of a county operating under an alternative form of county government or county charter, excluding members of boards, commissions, committees, authorities, councils, boards of trustees, task forces, and other such entities appointed by the chief executive officer, the office of the chief executive officer is considered to have ultimate responsibility for the award of the contract.

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

(2) Divisions (I) and (J) of this section do not apply to 145
actions of the controlling board. 146

(N)(1) Divisions (I) and (J) of this section apply to 147
contributions made to the holder of a public office having 148
ultimate responsibility for the award of a contract, or to the 149
public officer's campaign committee, during the time the person 150
holds the office and during any time such person was a candidate 151
for the office. Those divisions do not apply to contributions made 152
to, or to the campaign committee of, a candidate for or holder of 153
the office other than the holder of the office at the time of the 154
award of the contract. 155

(2) Divisions (I) and (J) of this section do not apply to 156
contributions of a partner, shareholder, administrator, executor, 157
trustee, or owner of more than twenty per cent of a corporation or 158
business trust made before the person held any of those positions 159
or after the person ceased to hold any of those positions in the 160
partnership, association, estate, trust, corporation, or business 161
trust whose eligibility to be awarded a contract is being 162
determined, nor to contributions of the person's spouse made 163
before the person held any of those positions, after the person 164
ceased to hold any of those positions, before the two were 165
married, after the granting of a decree of divorce, dissolution of 166
marriage, or annulment, or after the granting of an order in an 167
action brought solely for legal separation. Those divisions do not 168
apply to contributions of the spouse of an individual whose 169
eligibility to be awarded a contract is being determined made 170
before the two were married, after the granting of a decree of 171
divorce, dissolution of marriage, or annulment, or after the 172
granting of an order in an action brought solely for legal 173
separation. 174

(O) No beneficiary of a campaign fund or other person shall 175
convert for personal use, and no person shall knowingly give to a 176

beneficiary of a campaign fund or any other person, for the 177
beneficiary's or any other person's personal use, anything of 178
value from the beneficiary's campaign fund, including, without 179
limitation, payments to a beneficiary for services the beneficiary 180
personally performs, except as reimbursement for any of the 181
following: 182

(1) Legitimate and verifiable prior campaign expenses 183
incurred by the beneficiary; 184

(2) Legitimate and verifiable ordinary and necessary prior 185
expenses incurred by the beneficiary in connection with duties as 186
the holder of a public office, including, without limitation, 187
expenses incurred through participation in nonpartisan or 188
bipartisan events if the participation of the holder of a public 189
office would normally be expected; 190

(3) Legitimate and verifiable ordinary and necessary prior 191
expenses incurred by the beneficiary while doing any of the 192
following: 193

(a) Engaging in activities in support of or opposition to a 194
candidate other than the beneficiary, political party, or ballot 195
issue; 196

(b) Raising funds for a political party, political action 197
committee, political contributing entity, legislative campaign 198
fund, campaign committee, or other candidate; 199

(c) Participating in the activities of a political party, 200
political action committee, political contributing entity, 201
legislative campaign fund, or campaign committee; 202

(d) Attending a political party convention or other political 203
meeting. 204

For purposes of this division, an expense is incurred 205
whenever a beneficiary has either made payment or is obligated to 206

make payment, as by the use of a credit card or other credit 207
procedure or by the use of goods or services received on account. 208

(P) No beneficiary of a campaign fund shall knowingly accept, 209
and no person shall knowingly give to the beneficiary of a 210
campaign fund, reimbursement for an expense under division (O) of 211
this section to the extent that the expense previously was 212
reimbursed or paid from another source of funds. If an expense is 213
reimbursed under division (O) of this section and is later paid or 214
reimbursed, wholly or in part, from another source of funds, the 215
beneficiary shall repay the reimbursement received under division 216
(O) of this section to the extent of the payment made or 217
reimbursement received from the other source. 218

(Q) No candidate or public official or employee shall accept 219
for personal or business use anything of value from a political 220
party, political action committee, political contributing entity, 221
legislative campaign fund, or campaign committee other than the 222
candidate's or public official's or employee's own campaign 223
committee, and no person shall knowingly give to a candidate or 224
public official or employee anything of value from a political 225
party, political action committee, political contributing entity, 226
legislative campaign fund, or such a campaign committee, except 227
for the following: 228

(1) Reimbursement for legitimate and verifiable ordinary and 229
necessary prior expenses not otherwise prohibited by law incurred 230
by the candidate or public official or employee while engaged in 231
any legitimate activity of the political party, political action 232
committee, political contributing entity, legislative campaign 233
fund, or such campaign committee. Without limitation, reimbursable 234
expenses under this division include those incurred while doing 235
any of the following: 236

(a) Engaging in activities in support of or opposition to 237
another candidate, political party, or ballot issue; 238

(b) Raising funds for a political party, legislative campaign fund, campaign committee, or another candidate;	239 240
(c) Attending a political party convention or other political meeting.	241 242
(2) Compensation not otherwise prohibited by law for actual and valuable personal services rendered under a written contract to the political party, political action committee, political contributing entity, legislative campaign fund, or such campaign committee for any legitimate activity of the political party, political action committee, political contributing entity, legislative campaign fund, or such campaign committee.	243 244 245 246 247 248 249
Reimbursable expenses under this division do not include, and it is a violation of this division for a candidate or public official or employee to accept, or for any person to knowingly give to a candidate or public official or employee from a political party, political action committee, political contributing entity, legislative campaign fund, or campaign committee other than the candidate's or public official's or employee's own campaign committee, anything of value for activities primarily related to the candidate's or public official's or employee's own campaign for election, except for contributions to the candidate's or public official's or employee's campaign committee.	250 251 252 253 254 255 256 257 258 259 260 261
For purposes of this division, an expense is incurred whenever a candidate or public official or employee has either made payment or is obligated to make payment, as by the use of a credit card or other credit procedure, or by the use of goods or services on account.	262 263 264 265 266
(R)(1) Division (O) or (P) of this section does not prohibit a campaign committee from making direct advance or post payment from contributions to vendors for goods and services for which	267 268 269

reimbursement is permitted under division (O) of this section, 270
except that no campaign committee shall pay its candidate or other 271
beneficiary for services personally performed by the candidate or 272
other beneficiary. 273

(2) If any expense that may be reimbursed under division (O), 274
(P), or (Q) of this section is part of other expenses that may not 275
be paid or reimbursed, the separation of the two types of expenses 276
for the purpose of allocating for payment or reimbursement those 277
expenses that may be paid or reimbursed may be by any reasonable 278
accounting method, considering all of the surrounding 279
circumstances. 280

(3) For purposes of divisions (O), (P), and (Q) of this 281
section, mileage allowance at a rate not greater than that allowed 282
by the internal revenue service at the time the travel occurs may 283
be paid instead of reimbursement for actual travel expenses 284
allowable. 285

(S)(1) As used in division (S) of this section: 286

(a) "State elective office" has the same meaning as in 287
section 3517.092 of the Revised Code. 288

(b) "Federal office" means a federal office as defined in the 289
Federal Election Campaign Act. 290

(c) "Federal campaign committee" means a principal campaign 291
committee or authorized committee as defined in the Federal 292
Election Campaign Act. 293

(2) No person who is a candidate for state elective office 294
and who previously sought nomination or election to a federal 295
office shall transfer any funds or assets from that person's 296
federal campaign committee for nomination or election to the 297
federal office to that person's campaign committee as a candidate 298
for state elective office. 299

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

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

(a) A state candidate fund;

(b) A legislative campaign fund;

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

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

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

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

(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.

(2) No candidate, campaign committee, political action committee, political contributing entity, 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, entity, fund, or party that accepts a contribution, expenditure, or independent expenditure in violation of this division to return the contribution, expenditure, or independent expenditure or, if it is not possible to return the contribution, expenditure, or independent expenditure, then to return instead the value of it, to the contributor.

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

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

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

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

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

(b) No state or county political party shall accept a gift or 361
gifts for the party's restricted fund aggregating more than ten 362
thousand dollars from any one corporation or labor organization in 363
a calendar year. 364

(4) No state or county political party shall transfer any 365
moneys in the party's restricted fund to any other state or county 366
political party. 367

(5) No state or county political party shall knowingly fail 368
to file a statement required under section 3517.1012 of the 369
Revised Code. 370

(Y) The administrator of workers' compensation and the 371
employees of the bureau of workers' compensation shall not conduct 372
any business with or award any contract, other than one awarded by 373
competitive bidding, for the purchase of goods costing more than 374
five hundred dollars or services costing more than five hundred 375
dollars to any individual, partnership, association, including, 376
without limitation, a professional association organized under 377
Chapter 1785. of the Revised Code, estate, or trust, if the 378
individual has made, or the individual's spouse has made, or any 379
partner, shareholder, administrator, executor, or trustee, or the 380
spouses of any of those individuals has made, as an individual, 381
within the two previous calendar years, one or more contributions 382
totaling in excess of one thousand dollars to the campaign 383
committee of the governor or lieutenant governor or to the 384
campaign committee of any candidate for the office of governor or 385
lieutenant governor. 386

(Z) The administrator of workers' compensation and the 387
employees of the bureau of workers' compensation shall not conduct 388
business with or award any contract, other than one awarded by 389
competitive bidding, for the purchase of goods costing more than 390
five hundred dollars or services costing more than five hundred 391
dollars to a corporation or business trust, except a professional 392

association organized under Chapter 1785. of the Revised Code, if 393
an owner of more than twenty per cent of the corporation or 394
business trust, or the spouse of the owner, has made, as an 395
individual, within the two previous calendar years, taking into 396
consideration only owners for all of such period, one or more 397
contributions totaling in excess of one thousand dollars to the 398
campaign committee of the governor or lieutenant governor or to 399
the campaign committee of any candidate for the office of governor 400
or lieutenant governor. 401

(AA)(1) No principal and no key employee of an entity that is 402
applying for a license or other authorization, or that is licensed 403
or otherwise authorized, to operate video lottery terminal games 404
in this state pursuant to sections 3770.03 and 3770.21 of the 405
Revised Code shall make a contribution or contributions exceeding 406
five hundred dollars to a campaign committee, political action 407
committee, political contributing entity, legislative campaign 408
fund, political party, or person making disbursements to pay the 409
direct costs of producing or airing electioneering communications 410
in a primary election period or in a general election period. 411

(2) No campaign committee, political action committee, 412
political contributing entity, legislative campaign fund, 413
political party, or person making disbursements to pay the direct 414
costs of producing or airing electioneering communications shall 415
accept a contribution or contributions exceeding five hundred 416
dollars in a primary election period or in a general election 417
period from a principal or a key employee of an entity that is 418
applying for a license or other authorization, or that is licensed 419
or otherwise authorized, to operate video lottery terminal games 420
in this state pursuant to sections 3770.03 and 3770.21 of the 421
Revised Code. 422

(3)(a) Each entity that is applying for a license or other 423
authorization to operate video lottery terminal games in this 424

state shall file with the secretary of state and, if the entity 425
has a facility in this state, with the board of elections of the 426
county in which the facility is located, a list of all principals 427
and all key employees not later than thirty days after submitting 428
the application. 429

(b) Each entity that is licensed or otherwise authorized to 430
operate video lottery terminal games in this state shall file with 431
the secretary of state and with the board of elections of the 432
county in which the facility is located a list of all principals 433
and all key employees not later than the first day of January and 434
the first day of July of each year. 435

(4) As used in division (AA) of this section: 436

(a) "Key employee" means an individual who is employed in a 437
director or department head capacity by an entity that is applying 438
for a license or other authorization, or that is licensed or 439
otherwise authorized, to operate video lottery terminal games in 440
this state and who is empowered to make discretionary decisions 441
that regulate video lottery terminal game operations, including 442
the general manager and assistant manager of the facility, 443
director of video lottery terminal game operations, director of 444
cage or credit operations, director of surveillance, director of 445
marketing, director of management information systems, director of 446
security, comptroller, and any employee who supervises the 447
operations of such departments or to whom such directors or 448
department heads report. "Key employee" also includes any other 449
positions designated by the state lottery commission based on 450
analyses of a facility's job descriptions. 451

(b) "Principal" means any of the following, with respect to 452
an entity that is applying for a license or other authorization, 453
or that is licensed or otherwise authorized, to operate video 454
lottery terminal games in this state: 455

<u>(i) An officer;</u>	456
<u>(ii) A director;</u>	457
<u>(iii) A person who directly holds a beneficial interest in or ownership of the securities of such an entity or has the ability to elect a majority of the board of directors of, or to otherwise control, such an entity;</u>	458 459 460 461
<u>(iv) A lender, other than a bank or lending institution, that makes a loan or holds a mortgage or other lien of such an entity that is acquired in the ordinary course of business;</u>	462 463 464
<u>(v) An underwriter of such an entity;</u>	465
<u>(vi) Any other individual or employee of such entity that the state lottery commission determines.</u>	466 467
 Sec. 3517.992. This section establishes penalties only with respect to acts or failures to act that occur on and after August 24, 1995.	468 469 470
 (A)(1) A candidate whose campaign committee violates division (A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, or a treasurer of a campaign committee who violates any of those divisions, shall be fined not more than one hundred dollars for each day of violation.	471 472 473 474 475
 (2) Whoever violates division (E) or (X)(5) of section 3517.13 of the Revised Code shall be fined not more than one hundred dollars for each day of violation.	476 477 478
 (B) A political party that violates division (F)(1) of section 3517.101 of the Revised Code shall be fined not more than one hundred dollars for each day of violation.	479 480 481
 (C) Whoever violates division (F)(2) of section 3517.101 or division (G) of section 3517.13 of the Revised Code shall be fined not more than ten thousand dollars or, if the offender is a person	482 483 484

who was nominated or elected to public office, shall forfeit the 485
nomination or the office to which the offender was elected, or 486
both. 487

(D) Whoever violates division (F) of section 3517.13 of the 488
Revised Code shall be fined not more than three times the amount 489
contributed. 490

(E) Whoever violates division (H) of section 3517.13 of the 491
Revised Code shall be fined not more than one hundred dollars. 492

(F) Whoever violates division (O), (P), or (Q) of section 493
3517.13 of the Revised Code is guilty of a misdemeanor of the 494
first degree. 495

(G) A state or county committee of a political party that 496
violates division (B)(1) of section 3517.18 of the Revised Code 497
shall be fined not more than twice the amount of the improper 498
expenditure. 499

(H) A state or county political party that violates division 500
(G) of section 3517.101 of the Revised Code shall be fined not 501
more than twice the amount of the improper expenditure or use. 502

(I)(1) Any individual who violates division (B)(1) of section 503
3517.102 of the Revised Code and knows that the contribution the 504
individual makes violates that division shall be fined an amount 505
equal to three times the amount contributed in excess of the 506
amount permitted by that division. 507

(2) Any political action committee that violates division 508
(B)(2) of section 3517.102 of the Revised Code shall be fined an 509
amount equal to three times the amount contributed in excess of 510
the amount permitted by that division. 511

(3) Any campaign committee that violates division (B)(3) or 512
(5) of section 3517.102 of the Revised Code shall be fined an 513
amount equal to three times the amount contributed in excess of 514

the amount permitted by that division. 515

(4)(a) Any legislative campaign fund that violates division 516
(B)(6) of section 3517.102 of the Revised Code shall be fined an 517
amount equal to three times the amount transferred or contributed 518
in excess of the amount permitted by that division, as applicable. 519

(b) Any state political party, county political party, or 520
state candidate fund of a state political party or county 521
political party that violates division (B)(6) of section 3517.102 522
of the Revised Code shall be fined an amount equal to three times 523
the amount transferred or contributed in excess of the amount 524
permitted by that division, as applicable. 525

(c) Any political contributing entity that violates division 526
(B)(7) of section 3517.102 of the Revised Code shall be fined an 527
amount equal to three times the amount contributed in excess of 528
the amount permitted by that division. 529

(5) Any political party that violates division (B)(4) of 530
section 3517.102 of the Revised Code shall be fined an amount 531
equal to three times the amount contributed in excess of the 532
amount permitted by that division. 533

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) 534
of this section, no violation of division (B) of section 3517.102 535
of the Revised Code occurs, and the secretary of state shall not 536
refer parties to the Ohio elections commission, if the amount 537
transferred or contributed in excess of the amount permitted by 538
that division meets either of the following conditions: 539

(a) It is completely refunded within five business days after 540
it is accepted. 541

(b) It is completely refunded on or before the tenth business 542
day after notification to the recipient of the excess transfer or 543
contribution by the board of elections or the secretary of state 544
that a transfer or contribution in excess of the permitted amount 545

has been received. 546

(J)(1) Any campaign committee that violates division (C)(1), 547
(2), (3), or (6) of section 3517.102 of the Revised Code shall be 548
fined an amount equal to three times the amount accepted in excess 549
of the amount permitted by that division. 550

(2)(a) Any county political party that violates division 551
(C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code 552
shall be fined an amount equal to three times the amount accepted. 553

(b) Any county political party that violates division 554
(C)(4)(a)(i) of section 3517.102 of the Revised Code shall be 555
fined an amount from its state candidate fund equal to three times 556
the amount accepted in excess of the amount permitted by that 557
division. 558

(c) Any state political party that violates division 559
(C)(4)(b) of section 3517.102 of the Revised Code shall be fined 560
an amount from its state candidate fund equal to three times the 561
amount accepted in excess of the amount permitted by that 562
division. 563

(3) Any legislative campaign fund that violates division 564
(C)(5) of section 3517.102 of the Revised Code shall be fined an 565
amount equal to three times the amount accepted in excess of the 566
amount permitted by that division. 567

(4) Any political action committee or political contributing 568
entity that violates division (C)(7) of section 3517.102 of the 569
Revised Code shall be fined an amount equal to three times the 570
amount accepted in excess of the amount permitted by that 571
division. 572

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 573
this section, no violation of division (C) of section 3517.102 of 574
the Revised Code occurs, and the secretary of state shall not 575
refer parties to the Ohio elections commission, if the amount 576

transferred or contributed in excess of the amount permitted to be 577
accepted by that division meets either of the following 578
conditions: 579

(a) It is completely refunded within five business days after 580
its acceptance. 581

(b) It is completely refunded on or before the tenth business 582
day after notification to the recipient of the excess transfer or 583
contribution by the board of elections or the secretary of state 584
that a transfer or contribution in excess of the permitted amount 585
has been received. 586

(K)(1) Any legislative campaign fund that violates division 587
(F)(1) of section 3517.102 of the Revised Code shall be fined 588
twenty-five dollars for each day of violation. 589

(2) Any legislative campaign fund that violates division 590
(F)(2) of section 3517.102 of the Revised Code shall give to the 591
treasurer of state for deposit into the state treasury to the 592
credit of the Ohio elections commission fund all excess 593
contributions not disposed of as required by division (E) of 594
section 3517.102 of the Revised Code. 595

(L) Whoever violates section 3517.105 of the Revised Code 596
shall be fined one thousand dollars. 597

(M)(1) Whoever solicits a contribution in violation of 598
section 3517.092 or violates division (B) of section 3517.09 of 599
the Revised Code is guilty of a misdemeanor of the first degree. 600

(2) Whoever knowingly accepts a contribution in violation of 601
division (B) or (C) of section 3517.092 of the Revised Code shall 602
be fined an amount equal to three times the amount accepted in 603
violation of either of those divisions and shall return to the 604
contributor any amount so accepted. Whoever unknowingly accepts a 605
contribution in violation of division (B) or (C) of section 606
3517.092 of the Revised Code shall return to the contributor any 607

amount so accepted. 608

(N) Whoever violates division (S) of section 3517.13 of the 609
Revised Code shall be fined an amount equal to three times the 610
amount of funds transferred or three times the value of the assets 611
transferred in violation of that division. 612

(O) Any campaign committee that accepts a contribution or 613
contributions in violation of section 3517.108 of the Revised 614
Code, uses a contribution in violation of that section, or fails 615
to dispose of excess contributions in violation of that section 616
shall be fined an amount equal to three times the amount accepted, 617
used, or kept in violation of that section. 618

(P) Any political party, state candidate fund, legislative 619
candidate fund, or campaign committee that violates division (T) 620
of section 3517.13 of the Revised Code shall be fined an amount 621
equal to three times the amount contributed or accepted in 622
violation of that section. 623

(Q) A treasurer of a committee or another person who violates 624
division (U) of section 3517.13 of the Revised Code shall be fined 625
not more than two hundred fifty dollars. 626

(R) Whoever violates division (I) or (J) of section 3517.13 627
of the Revised Code shall be fined not more than one thousand 628
dollars. Whenever a person is found guilty of violating division 629
(I) or (J) of section 3517.13 of the Revised Code, the contract 630
awarded in violation of either of those divisions shall be 631
rescinded if its terms have not yet been performed. 632

(S) A candidate whose campaign committee violates or a 633
treasurer of a campaign committee who violates section 3517.081 of 634
the Revised Code, and a candidate whose campaign committee 635
violates or a treasurer of a campaign committee or another person 636
who violates division (C) of section 3517.10 of the Revised Code, 637
shall be fined not more than five hundred dollars. 638

(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 declaration of no limits under division (D)(2) of section 3517.103 of the Revised Code that, before filing that declaration, accepts a contribution or contributions that exceed the limitations prescribed in section 3517.102 of the Revised Code, shall return that contribution or those contributions to the contributor.

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

(Y) Any campaign committee that fails to dispose of excess funds or excess aggregate contributions under division (B) of section 3517.109 of the Revised Code in the manner required by division (C) of that section or under division (B) of section 3517.1010 of the Revised Code in the manner required by division (C) of that section shall give to the treasurer of state for deposit into the Ohio elections commission fund created under division (I) of section 3517.152 of the Revised Code all funds not

disposed of pursuant to those divisions. 670

(Z) Any individual, campaign committee, political action 671
committee, political contributing entity, legislative campaign 672
fund, political party, or other entity that violates any provision 673
of sections 3517.09 to 3517.12 of the Revised Code for which no 674
penalty is provided for under any other division of this section 675
shall be fined not more than one thousand dollars. 676

(AA)(1) Whoever knowingly violates division (W)(1) of section 677
3517.13 of the Revised Code shall be fined an amount equal to 678
three times the amount contributed, expended, or promised in 679
violation of that division or ten thousand dollars, whichever 680
amount is greater. 681

(2) Whoever knowingly violates division (W)(2) of section 682
3517.13 of the Revised Code shall be fined an amount equal to 683
three times the amount solicited or accepted in violation of that 684
division or ten thousand dollars, whichever amount is greater. 685

(BB) Whoever knowingly violates division (C) or (D) of 686
section 3517.1011 of the Revised Code shall be fined not more than 687
ten thousand dollars plus not more than one thousand dollars for 688
each day of violation. 689

(CC)(1) Subject to division (CC)(2) of this section, whoever 690
violates division (H) of section 3517.1011 of the Revised Code 691
shall be fined an amount up to three times the amount disbursed 692
for the direct costs of airing the communication made in violation 693
of that division. 694

(2) Whoever has been ordered by the Ohio elections commission 695
or by a court of competent jurisdiction to cease making 696
communications in violation of division (H) of section 3517.1011 697
of the Revised Code who again violates that division shall be 698
fined an amount equal to three times the amount disbursed for the 699
direct costs of airing the communication made in violation of that 700

division. 701

(DD)(1) Any corporation or labor organization that violates 702
division (X)(3)(a) of section 3517.13 of the Revised Code shall be 703
fined an amount equal to three times the amount given in excess of 704
the amount permitted by that division. 705

(2) Any state or county political party that violates 706
division (X)(3)(b) of section 3517.13 of the Revised Code shall be 707
fined an amount equal to three times the amount accepted in excess 708
of the amount permitted by that division. 709

(EE)(1) Whoever violates division (AA)(1) of section 3517.13 710
of the Revised Code shall be fined an amount equal to three times 711
the amount contributed in excess of the amount permitted by that 712
division. 713

(2) Whoever violates division (AA)(2) of section 3517.13 of 714
the Revised Code shall be fined an amount equal to three times the 715
amount accepted in excess of the amount permitted by that 716
division. 717

Section 2. That existing sections 3517.13 and 3517.992 of the 718
Revised Code are hereby repealed. 719