

OHIO

SENATE

JOURNAL

CORRECTED VERSION
TUESDAY, OCTOBER 18, 2005

ONE HUNDRED FOURTH DAY
Senate Chamber, Columbus, Ohio
Tuesday, October 18, 2005, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Hanson, Linworth Baptist Church, Worthington, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

Senator Harris nominated David A. Battocletti for the office of Clerk.
Senator Gardner seconded the nomination.

On the motion of Senator Spada, the nominations were closed.

The question being, "Shall David A. Battocletti be elected Clerk?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Brady
Carey	Cates	Clancy	Coughlin
Dann	Fedor	Fingerhut	Gardner
Goodman	Grendell	Hagan	Hottinger
Jacobson	Jordan	Mallory	Miller
Mumper	Niehaus	Padgett	Prentiss
Roberts	Schuler	Schuring	Spada
Wachtmann	Wilson	Zurz	Harris-32.

Mr. Battocletti having received a majority of the votes cast was declared the elected Clerk.

Mr. Battocletti appeared at the bar of the Senate and was administered the oath of office by the Honorable Bill Harris, President, Ohio Senate.

REPORTS OF REFERENCE AND BILLS FOR SECOND CONSIDERATION

Senator Schuring reports for the Standing Committee on Reference, recommending that the following bills, standing in order for second consideration, be referred to committee as recommended:

Am. Sub. H. B. No. 95-Representatives Seitz, McGregor, C. Evans, Allen, Widener, Wolpert, Combs, Latta, T. Patton, Schaffer, Raussen, Wagoner, Faber, Webster, Hoops, Taylor, Gilb, Raga, Brinkman, Hagan, Reidelbach, White, Willamowski, Harwood, Uecker, G. Smith, Gibbs, Schneider, Hartnett, Carmichael, Buehrer, Seaver, Hughes, Collier, Trakas, Flowers, Oelslager, D. Evans, Aslanides, Blessing, Bubb, Calvert, Daniels, Dolan, Domenick, Law,

Martin, Reinhard, Setzer, Widowfield.

To amend sections 2152.17, 2929.01, 2929.13, 2929.14, 2941.149, and 2953.08 of the Revised Code relative to the sentences imposed on repeat violent offenders and the appeal of repeat violent offender sentences.

To the Committee on Judiciary - Criminal Justice.

Sub. H. B. No. 115-Representatives Setzer, Reinhard, Webster, Carano, C. Evans, Chandler, Calvert, Combs, DeBose, Domenick, Fende, Flowers, Gibbs, Key, Law, Martin, McGregor, J., Otterman, Patton, T., Schlichter, Schneider, Seitz, Smith, S., Stewart, D., Strahorn, Williams, Yuko.

To amend sections 3301.075, 3313.843, and 3319.17 and to enact sections 3301.0713, 3312.01 to 3312.12, and 3313.845 of the Revised Code to establish the Educational Regional Service System and the EMIS Advisory Board.

To the Committee on Education.

Sub. H. B. No. 143-Representatives Willamowski, White, Raussen, Combs, Fessler, Kearns, Martin, Peterson, Reidelbach, Schneider, Seaver, Webster, Widowfield, Barrett, Beatty, Harwood, C. Evans, McGregor, Seitz, Gilb, Hood, Flowers, Driehaus, Blasdel, Carmichael, Brown, DeBose, Otterman, Mason, Allen, Blessing, Book, Carano, Cassell, Chandler, Core, DeGeeter, Domenick, Gibbs, Hartnett, Hughes, Key, Latta, Law, Miller, Oelslager, Sayre, Stewart, D., Taylor, Yuko.

To amend sections 2305.234, 2925.01, 3709.161, 3721.21, 4715.02, 4715.03, 4715.05, 4715.30, 4715.301, 4715.39, 4715.42, 4715.51, 4715.52, 4715.53, 4715.57, and 4715.99, to enact sections 4715.231, 4715.60, 4715.601, 4715.61, 4715.62, and 4715.63, and to repeal sections 4715.54, 4715.55, and 4715.58 of the Revised Code to make changes to the law governing dental x-ray machine operators, to provide for the registration of expanded function dental auxiliaries, to allow a dental hygienist under the supervision of a dentist to administer local anesthesia to a patient, and to make changes in the composition of the State Dental Board.

To the Committee on Health, Human Services and Aging.

Sub. H. B. No. 235-Representatives Wagner, Distel, Flowers, Harwood, Kearns, McGregor, Seitz, Wolpert, Willamowski, Barrett, Blessing, Chandler, Coley, Collier, Combs, Domenick, Evans, D., Fende, Gibbs, Hoops, Hughes,

Law, Perry, Raussen, Reidelbach, Schaffer, Schneider, Taylor, Uecker.

To amend sections 313.05, 313.08, 313.10, 325.17, 3705.16, 3705.29, 3705.99, 4705.01, and 4731.053 and to enact section 313.123 of the Revised Code to make changes to the Coroner's Law and associated provisions of the Death and Fetal Death Certificate Law, to require that the rules of the State Medical Board allow a coroner's investigator who is not a physician to recite facts permitting a physician to pronounce a person dead without a personal examination, and to allow a coroner to practice as an attorney at law in a court except under specified circumstances.

To the Committee on Judiciary - Civil Justice.

Sub. H. B. No. 245-Representatives Reinhard, Aslanides, Barrett, Buehrer, Core, Faber, Hagan, Hughes, Kearns, Latta, McGregor, Schlichter, Seaver, Seitz, Setzer, Ujvagi, Wagner, Webster, Widowfield, Willamowski, Fende, Perry, Key, Law, Sayre, Bulp, Uecker, Hoops, Blessing, Boccieri, Book, Calvert, Carano, Carmichael, Cassell, Chandler, Collier, Combs, Daniels, DeBose, DeGeeter, Distel, Dolan, Domenick, Evans, C., Evans, D., Flowers, Garrison, Gibbs, Gilb, Hartnett, Harwood, Healy, Martin, Mason, Miller, Oelslager, Otterman, Patton, S., Patton, T., Peterson, Raussen, Reidelbach, Schaffer, Schneider, Skindell, Smith, G., Stewart, D., Stewart, J., Taylor, Trakas, Wagoner, White, Widener, Williams, Wolpert, Yates, Yuko.

To amend sections 125.831, 5733.98, and 5747.98 and to enact sections 122.86, 125.834, 125.835, 125.836, 901.14, 5733.47, 5733.48, 5735.40, 5747.76, and 5747.77 of the Revised Code to establish certain requirements related to the use and taxing of alternative fuels and to establish an idle reduction retrofit revolving loan program.

To the Committee on Ways and Means and Economic Development.

S. B. No. 194-Senators Dann, Fingerhut, Miller, Roberts, Hagan.

To amend section 101.44 and to enact section 101.40 of the Revised Code to provide for the appointment by the General Assembly of joint select investigatory committees comprised of equal, bipartisan membership to investigate misconduct allegedly committed by a state officer or employee or allegedly directly affecting the state and to provide a transactional immunity for a person who testifies before the committee if the person asserts a right to not testify and is compelled to testify.

To the Committee on Rules.

S. B. No. 195-Senators Dann, Roberts, Fingerhut, Miller, Hagan.

To amend section 101.44 of the Revised Code to provide that unless a House or Senate committee by a two-thirds vote decides otherwise the testimony of a witness examined before a committee or subcommittee may be used in a criminal proceeding against the witness.

To the Committee on Rules.

S. B. No. 196-Senators Brady, Hagan, Miller, Fingerhut, Fedor.

To amend section 1505.07 of the Revised Code to ban the taking or removal of oil or natural gas from and under the bed of Lake Erie.

To the Committee on Environment and Natural Resources.

S. B. No. 197-Senators Roberts, Fedor, Fingerhut, Zurz, Hagan, Brady.

To amend sections 3314.08, 3314.084, 3314.13, 3317.02, 3317.029, 3317.0217, and 3317.03 of the Revised Code and to amend Section 206.09.39 of Am. Sub. H.B. 66 of the 126th General Assembly to eliminate the deduction of community school payments from the state funding accounts of a school district except for payments to community schools that are sponsored by the district.

To the Committee on Education.

S. B. No. 198-Senators Schuler, Miller, Cates.

To amend sections 319.202, 319.302, 323.01, 323.152, 323.153, 323.156, 323.157, 323.159, 323.99, and 5713.011 and to enact sections 113.25, 135.90, 323.16, 323.161, 323.162, 323.163, 323.164, 323.165, and 5703.471 of the Revised Code to permit elderly and disabled taxpayers with limited incomes to defer payment of real property taxes due on their homesteads.

To the Committee on Ways and Means and Economic Development.

S. B. No. 199-Senators Dann, Roberts, Fingerhut, Brady, Miller, Fedor, Hagan.

To amend sections 1322.061 and 1345.01 of the Revised Code to expand

the Consumer Sales Practices Act to include transactions involving dealers in intangibles and their customers and to eliminate the requirement that information related to examinations and investigations of mortgage brokers remain privileged and confidential.

To the Committee on Finance and Financial Institutions.

S. B. No. 200-Senators Hagan, Roberts, Dann, Fingerhut, Miller, Zurz, Fedor.

To amend sections 5735.05, 5735.06, and 5735.142 of the Revised Code to exempt from the motor fuel tax any sales of motor fuel sold to school districts or educational service centers for school district or service center operations.

To the Committee on Ways and Means and Economic Development.

S. B. No. 201-Senators Dann, Miller, Brady, Fingerhut.

To amend sections 3517.13, 3517.151, and 3517.992 of the Revised Code to revise the law governing contracts for the purchase of goods or services between a state agency or political subdivision and a business entity that makes certain campaign contributions, and to prohibit business entities that have entered into those contracts from making certain campaign contributions.

To the Committee on Rules.

S. B. No. 202-Senators Dann, Hagan, Brady, Fedor, Roberts, Fingerhut, Miller, Zurz, Mallory, Prentiss, Wilson, Schuring.

To amend sections 2923.32, 2923.33, and 2923.36 of the Revised Code to clarify the criminal forfeiture provisions of the Corrupt Activity Law regarding the time at which forfeitures attach, the forfeiture of substitute property for forfeitable property that is unreachable or removed from a forfeiture order to protect the innocent persons, the availability under a forfeiture order of certain property transferred in an attempt to avoid potential forfeiture, and the time at which an order to preserve the reachability of property that might be forfeitable under that Law may be requested and attaches, and to declare an emergency.

To the Committee on Rules.

S. B. No. 203-Senators Dann, Fedor.

To amend section 126.03 and to enact sections 101.61 and 126.04 of the Revised Code to impose release, disclosure, hearing, and other requirements with respect to the biennial capital budget.

To the Committee on Finance and Financial Institutions.

S. B. No. 204-Senators Spada, Fedor, Fingerhut, Zurz.

To enact sections 323.65, 323.66, 323.67, 323.68, 323.69, 323.70, 323.71, 323.72, 323.73, 323.74, and 323.75 of the Revised Code to provide an expedited foreclosure procedure for lands that have had delinquent tax charges for a specified number of years and that are not occupied.

To the Committee on Ways and Means and Economic Development.

S. B. No. 205-Senators Spada, Cates, Zurz.

To amend section 135.353 and to enact sections 135.804, 135.805, 135.806, and 135.807 of the Revised Code to authorize boards of county commissioners to establish property tax payment linked deposit programs to assist senior citizens and permanently and totally disabled citizens in paying property taxes on their homesteads.

To the Committee on Ways and Means and Economic Development.

YES - 5: J. KIRK SCHURING, C. J. PRENTISS, JEFF JACOBSON, MARK MALLORY, BILL HARRIS.

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Said bills were considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Schuring submitted the following report:

The standing committee on Rules to which were referred the appointments by the Governor of:

Linda Aller, Republican, from Lewis Center, Delaware County, Ohio, as a Member of the Private Water Systems Advisory Council for a new term beginning April 22, 2005 and ending at the close of business March 17, 2007.

Brian Benick, Independent, from Chippewa Lake, Medina County, Ohio, as a Member of the Private Water Systems Advisory Council for a new term beginning April 22, 2005 and ending at the close of business March 17, 2007.

Steven P. Binns, Sr., Democrat, from Gahanna, Franklin County, Ohio, as a Member of the Private Water Systems Advisory Council for a new term beginning April 22, 2005 and ending at the close of business March 17, 2007.

Thomas E. Brady, Republican, from Holland, Lucas County, Ohio, as a Member of the Medical College of Ohio at Toledo Board of Trustees for a term beginning May 20, 2005 and ending at the close of business May 1, 2014, replacing Nancy Moody, whose term expired.

William G. Brantingham, Democrat, from Winona, Columbiana County, Ohio, as a Member of the Emergency Response Commission for a new term beginning March 11, 2005 and ending at the close of business January 13, 2007.

Peter A. Dame, from Monroe, Butler County, Ohio, as a Member of the Financial Planning and Supervision Commission for the City of Monroe for a term beginning May 20, 2005 and continuing at the pleasure of the Governor, replacing Timothy Haller, who resigned.

Walter Domer, Jr., Republican, from Dalton, Wayne County, Ohio, as a Member of the Private Water Systems Advisory Council for a new term beginning April 22, 2005 and ending at the close of business March 17, 2007.

Robert E. Drege, Jr., Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Private Water Systems Advisory Council for a new term beginning April 22, 2005 and ending at the close of business March 17, 2007.

Charles E. Franks, Democrat, from Newark, Licking County, Ohio, as a Member of the Wildlife Council for a new term beginning February 18, 2005 and ending at the close of business January 31, 2009.

Nicholas M. Furtwengler, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the University of Cincinnati Board of Trustees for a term beginning May 9, 2005 and ending at the close of business May 13, 2007, replacing Arlen E. Herrell, whose term expired.

Scott S. Galloway, Independent, from Akron, Summit County, Ohio, as a Member of the Forestry Advisory Council for a term beginning April 22, 2005 and ending at the close of business February 28, 2008, replacing William T. Lawhon, Jr., who resigned.

Darrell Gammell, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning May 20, 2005 and ending at the close of business January 31, 2011.

Joseph M. Gerdenich, Republican, from Toledo, Lucas County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning May 20, 2005 and ending at the close of business January 31, 2009.

Scott M. Golden, Republican, from Grove City, Franklin County, Ohio, as a Member of the Private Water Systems Advisory Council for a new term beginning April 22, 2005 and ending at the close of business March 17, 2007.

John F. Greacen, Republican, from Marietta, Washington County, Ohio, as a Member of the Washington State Community College Board of Trustees for a new term beginning May 9, 2005 and ending at the close of business February 18, 2011.

Owen V. Hall, Republican, from Celina, Mercer County, Ohio, as a Member of the Ohio Parks and Recreation Council for a new term beginning April 29, 2005 and ending at the close of business January 31, 2007.

Greg Hemker, Independent, from Clayton, Montgomery County, Ohio, as a Member of the Emergency Response Commission for a term beginning March 11, 2005 and ending at the close of business January 13, 2007, replacing James Carleton, whose term expired.

Oren J. Henry, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning May 20, 2005 and ending at the close of business January 31, 2008.

Ricky D. Hoffman, Democrat, from Bremen, Fairfield County, Ohio, as a Member of the Emergency Response Commission for a new term beginning March 11, 2005 and ending at the close of business January 13, 2007.

Patricia P. Isaacson, Independent, from Worthington, Franklin County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning May 20, 2005 and ending at the close of business January 31, 2008.

Douglas N. Johnson, Republican, from Xenia, Greene County, Ohio, as a Member of the Ohio Water Advisory Council for a new term beginning March 18, 2005 and ending at the close of business February 1, 2007.

Harry M. Kaneshige, Democrat, from Athens, Athens County, Ohio, as a Member of the Ohio Water Advisory Council for a new term beginning March 18, 2005 and ending at the close of business February 1, 2007.

Betty J. Kemper, Republican, from Cleveland, Cuyahoga County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning May

20, 2005 and ending at the close of business January 31, 2006.

Paul R. Labovitz, Independent, from Akron, Summit County, Ohio, as a Member of the Ohio Water Advisory Council for a new term beginning March 18, 2005 and ending at the close of business February 1, 2007.

Clint C. Manns, Republican, from Coshocton, Coshocton County, Ohio, as a Member of the Forestry Advisory Council for a term beginning April 22, 2005 and ending at the close of business February 28, 2007, replacing Warren J. Arthur, who resigned.

Patricia Sue Marvin, Republican, from Marietta, Washington County, Ohio, as a Member of the Washington State Community College Board of Trustees for a new term beginning May 9, 2005 and ending at the close of business February 18, 2011.

Roger W. McCauley, Democrat, from Glouster, Athens County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning May 20, 2005 and ending at the close of business January 31, 2006.

Phillip S. McClay, Republican, from Marietta, Washington County, Ohio, as a Member of the Private Water Systems Advisory Council for a new term beginning April 22, 2005 and ending at the close of business March 17, 2007.

Dianne Bitonte Miladore, Democrat, from Canfield, Mahoning County, Ohio, as a Member of the Youngstown State University Board of Trustees for a term beginning May 13, 2005 and ending at the close of business May 1, 2014, replacing Chander M. Kohli, whose term expired.

Mark K. Milligan, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning May 20, 2005 and ending at the close of business January 31, 2010.

Micah Mitchell, Independent, from Oberlin, Lorain County, Ohio, as Student Member of the Ohio University Board of Trustees for a term beginning May 13, 2005 and ending at the close of business May 13, 2007, replacing Dustin Wood, whose term expired.

Lawrence B. Mixon, Sr., Democrat, from Columbus, Franklin County, Ohio, as a Member of the Wildlife Council for a new term beginning February 18, 2005 and ending at the close of business January 31, 2009.

Todd Mount, Republican, from Heath, Licking County, Ohio, as a Member of the Private Water Systems Advisory Council for a new term beginning April 22, 2005 and ending at the close of business March 17, 2007.

Tamika Y. Nunley, Independent, from Sheffield Village, Lorain County, Ohio, as a Student Member of the Miami University Board of Trustees for a term beginning May 9, 2005 and ending at the close of business February 28, 2007, replacing Samuel J. DiSalvo, whose term expired.

C.M. "Mike" Oliver, Republican, from McConnelsville, Morgan County, Ohio, as a Member Washington State Community College Board of Trustees

for a term beginning May 9, 2005 and ending at the close of business February 18, 2011, replacing John Keirns, whose term expired.

Gordon Priemer, Independent, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning May 20, 2005 and ending at the close of business January 31, 2011.

Vincent T. Ricca, Republican, from Upper Arlington, Franklin County, Ohio, as a Member of the Ohio Water Advisory Council for a new term beginning March 18, 2005 and ending at the close of business February 1, 2007.

Mike Robinette, Independent, from Dayton, Montgomery County, Ohio, as a Member of the Emergency Response Commission for a term beginning March 11, 2005 and ending at the close of business January 13, 2007, replacing Kenneth Leblanc, whose term expired.

Charles J. Ruma, Independent, from Columbus, Franklin County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning May 20, 2005 and ending at the close of business January 31, 2009.

Dawn R. B. Spurlock, Democrat, from Grand Rapids, Wood County, Ohio, as a Member of the Recycling and Litter Prevention Advisory Council for a term beginning May 9, 2005 and ending at the close of business November 18, 2006, replacing Brenda Pulley, who resigned.

Priscilla A. Swain, Republican, from East Sparta, Stark County, Ohio, as a Member of the Waterways Safety Council for a new term beginning March 18, 2005 and ending at the close of business January 31, 2010.

Jane Murphy Timken, Republican, from Canton, Stark County, Ohio, as a Member of the Kent State University Board of Trustees for a term beginning May 23, 2005 and ending at the close of business May 16, 2014, replacing Lynne Dragomier, whose term expired.

Larry Unroe, Republican, from Marietta, Washington County, Ohio, as a Member of the Washington State Community College Board of Trustees for a term beginning May 9, 2005 and ending at the close of business February 18, 2008, replacing William Fields, who resigned.

J. Randal Van Dyne, Republican, from Findlay, Hancock County, Ohio, as a Member of the Emergency Response Commission for a new term beginning March 11, 2005 and ending at the close of business January 13, 2007.

Fred K. White, Republican, from Marion, Marion County, Ohio, as a Member of the Marion Technical College Board of Trustees for a new term beginning May 20, 2005 and ending at the close of business April 30, 2008.

Steve Wright, Republican, from Wooster, Wayne County, Ohio, as a Member of the Private Water Systems Advisory Council for a new term beginning April 22, 2005 and ending at the close of business March 17, 2007.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES - 7: BILL HARRIS, JEFF JACOBSON, RANDY GARDNER, ROBERT F. SPADA, STEPHEN C. AUSTRIA, JAY HOTTINGER, J. KIRK SCHURING.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted - yeas 21, nays 11, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Carey
Cates	Clancy	Coughlin	Gardner
Goodman	Grendell	Hottinger	Jacobson
Jordan	Mumper	Niehaus	Padgett
Schuler	Schuring	Spada	Wachtmann
			Harris-21.

Those who voted in the negative were: Senators

Brady	Dann	Fedor	Fingerhut
Hagan	Mallory	Miller	Prentiss
Roberts	Wilson		Zurz-11.

So the Senate advised and consented to said appointments.

On the motion of Senator Jacobson the Senate recessed.

The Senate met pursuant to the recess.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 234-Representatives Wolpert, Kearns, C. Evans, D. Evans, Beatty, Miller, Brown, Distel, S. Smith, Widowfield, Trakas, Boccieri, Hood, Allen, D. Stewart, Law, Uecker, Barrett, Book, Calvert, Carano, Cassell, Chandler, Combs, DeBose, Dolan, Domenick, Flowers, Hartnett, Harwood, Healy, Hoops, Hughes, Key, Koziura, Mason, McGregor, Otterman, T. Patton, Perry, Schneider, Seaver, G. Smith, J. Stewart, Ujvagi, White, Williams, Yuko Senators Cates, Niehaus, Mumper.

To amend sections 3501.17, 3501.22, 3501.27, 3503.16, 3509.02, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3511.02, 3511.04, 3511.09, 3599.12, 3599.21, and 4109.06 and to enact sections 3509.022, 3509.09, and 3511.13 of the Revised Code to permit a board of elections, in

conjunction with a board of education, the governing authority of a community school, or the chief administrator of a nonpublic school, to establish a program permitting certain high school seniors to serve as precinct officers on the day of an election, and to revise the law governing absent voter's ballots and armed service absent voter's ballots, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 234**, pass?"

Senator Dann rose to a point of order and requested a ruling of the Chair.

The Chair ruled the point not well taken.

Senator Dann appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the judgment of the Senate?"

The yeas and nays were taken and resulted - yeas 21, nays 11, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Carey
Cates	Clancy	Coughlin	Gardner
Goodman	Grendell	Hottinger	Jacobson
Jordan	Mumper	Niehaus	Padgett
Schuler	Schuring	Spada	Wachtmann
			Harris-21.

Those who voted in the negative were: Senators

Brady	Dann	Fedor	Fingerhut
Hagan	Mallory	Miller	Prentiss
Roberts	Wilson		Zurz-11.

The decision of the Chair was sustained.

The question recurred, "Shall the bill, **Sub. H. B. No. 234**, pass?"

Senator Dann moved that **Sub. H. B. No. 243**, having been reported by the Committee on State and Local Government, be recommitted.

The question being, "Shall the motion be agreed to?"

Senator Jacobson rose to a point of order.

The Chair ruled the point well taken and the amendment not in order pursuant to Senate Rule No. 48.

The yeas and nays were taken and resulted - yeas 11, nays 21, as follows:

Those who voted in the affirmative were: Senators

Brady	Dann	Fedor	Fingerhut
Hagan	Mallory	Miller	Prentiss
Roberts	Wilson		Zurz-11.

Those who voted in the negative were: Senators

Amstutz	Armbruster	Austria	Carey
Cates	Clancy	Coughlin	Gardner
Goodman	Grendell	Hottinger	Jacobson
Jordan	Mumper	Niehaus	Padgett
Schuler	Schuring	Spada	Wachtmann
			Harris-21.

The motion to recommit was not agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 234**, pass?"

Senator Dann moved to amend as follows:

In line 15, after "sections" insert "101.34, 101.99, 102.03, 121.99, 127.13, 2921.01, 2921.43, 2923.31, 3501.05,"

In line 17, after "3511.09," insert "3517.01, 3517.03, 3517.06, 3517.08, 3517.09, 3517.092, 3517.10, 3517.102, 3517.103, 3517.105, 3517.106, 3517.108, 3517.109, 3517.1010, 3517.11, 3517.13, 3517.151, 3517.152, 3517.154, 3517.155, 3517.20, 3517.23, 3517.992, 3599.03, 3599.031,"; delete "and"; after "4109.06" insert ", 5727.61, and 5733.27"

In line 18, after "sections" insert "101.80, 101.801, 101.802, 101.803, 101.804, 121.80, 121.81, 121.82, 121.83, 121.84,"; delete the second "and"; after "3511.13" insert ", and 3517.1014"

Between lines 19 and 20, insert:

"Sec. 101.34. (A) There is hereby created a joint legislative ethics committee to serve the general assembly. The committee shall be composed of twelve members, six each from the two major political parties, and each member shall serve on the committee during the member's term as a member of that general assembly. Six members of the committee shall be members of the house of representatives appointed by the speaker of the house of representatives, not more than three from the same political party, and six members of the committee shall be members of the senate appointed by the president of the senate, not more than three from the same political party. A vacancy in the committee shall be filled for the unexpired term in the same manner as an original appointment. The members of the committee shall be appointed within fifteen days after the first day of the first regular session of each general assembly, and the committee shall meet and proceed to recommend an ethics code not later than thirty days after the first day of the first regular session of each general assembly.

In the first regular session of each general assembly, the speaker of the house of representatives shall appoint the chairperson of the committee from among the house members of the committee, and the president of the senate shall appoint the vice-chairperson of the committee from among the senate members of the committee. In the second regular session of each general assembly, the

president of the senate shall appoint the chairperson of the committee from among the senate members of the committee, and the speaker of the house of representatives shall appoint the vice-chairperson of the committee from among the house members of the committee. The chairperson, vice-chairperson, and members of the committee shall serve until their respective successors are appointed or until they are no longer members of the general assembly.

The committee shall meet at the call of the chairperson or upon the written request of seven members of the committee.

(B) The joint legislative ethics committee:

(1) Shall recommend a code of ethics ~~which~~^{that} is consistent with law to govern all members and employees of each house of the general assembly and all candidates for the office of member of each house;

(2) May receive and hear any complaint ~~which~~^{that} alleges a breach of any privilege of either house, or misconduct of any member, employee, or candidate, or any violation of the appropriate code of ethics;

(3) May obtain information with respect to any complaint filed pursuant to this section and to that end may enforce the attendance and testimony of witnesses, and the production of books and papers;

(4) May recommend whatever sanction is appropriate with respect to a particular member, employee, or candidate as will best maintain in the minds of the public a good opinion of the conduct and character of members and employees of the general assembly;

(5) May recommend legislation to the general assembly relating to the conduct and ethics of members and employees of and candidates for the general assembly;

(6) Shall employ an executive director for the committee and may employ ~~such~~ other staff as the committee determines necessary to assist it in exercising its powers and duties. The executive director and staff of the committee shall be known as the office of legislative inspector general. At least one member of the staff of the committee shall be an attorney at law licensed to practice law in this state. The appointment and removal of the executive director shall require the approval of at least eight members of the committee.

(7) May employ a special counsel to assist the committee in exercising its powers and duties. The appointment and removal of a special counsel shall require the approval of at least eight members of the committee.

(8) Shall act as an advisory body to the general assembly and to individual members, candidates, and employees on questions relating to ethics, possible conflicts of interest, and financial disclosure;

(9) Shall provide for the proper forms on which the statement required pursuant to section 102.02 of the Revised Code shall be filed and instructions as to the filing of the statement;

(10) Exercise the powers and duties prescribed under sections 101.70 to 101.79, sections 101.80 to 101.804, sections 101.90 to 101.98, ~~and~~ sections 121.60 to 121.69, and sections 121.80 to 121.84 of the Revised Code;

(11) Adopt, in accordance with section 111.15 of the Revised Code, any rules that are necessary to implement and clarify Chapter 102. and sections 2921.42 and 2921.43 of the Revised Code.

(C) There is hereby created in the state treasury the joint legislative ethics committee fund. ~~Money~~ Except as provided in division (E) of section 101.802 and division (E) of section 121.82 of the Revised Code, money credited to the fund and any interest and earnings from the fund shall be used solely for the operation of the joint legislative ethics committee and the office of legislative inspector general and for the purchase of data storage and computerization facilities for the statements filed with the joint committee under sections 101.73, 101.74, 101.802, 121.63, ~~and~~ 121.64, and 121.82 of the Revised Code.

(D) The chairperson of the joint legislative ethics committee shall issue a written report, not later than the thirty-first day of January of each year, to the speaker and minority leader of the house of representatives and to the president and minority leader of the senate that lists the number of committee meetings and investigations the committee conducted during the immediately preceding calendar year and the number of advisory opinions it issued during the immediately preceding calendar year.

(E) Any investigative report that contains facts and findings regarding a complaint filed with the joint legislative ethics committee and that is prepared by the staff of the committee or a special counsel to the committee shall become a public record upon its acceptance by a vote of the majority of the members of the committee, except for any names of specific individuals and entities contained in the report. If the committee recommends disciplinary action or reports its findings to the appropriate prosecuting authority for proceedings in prosecution of the violations alleged in the complaint, the investigatory report regarding the complaint shall become a public record in its entirety.

(F)(1) Any file obtained by or in the possession of the former house ethics committee or former senate ethics committee shall become the property of the joint legislative ethics committee. Any such file is confidential if either of the following applies:

(a) It is confidential under section 102.06 of the Revised Code or the legislative code of ethics.

(b) If the file was obtained from the former house ethics committee or from the former senate ethics committee, it was confidential under any statute or any provision of a code of ethics that governed the file.

(2) As used in this division, "file" includes, but is not limited to, evidence, documentation, or any other tangible thing.

Sec. 101.80. As used in sections 101.80 to 101.804 of the Revised Code:

(A) "Contribution" means money, property, financial assistance, or any other thing of value given to a person for a social, recreational, benevolent, charitable, fraternal, political, patriotic, athletic, or other purpose.

(B) "Person" has the same meaning as in section 101.70 of the Revised Code.

Sec. 101.801. (A) No member of the general assembly or candidate for the office of member of the general assembly shall knowingly fail to maintain a record that section 101.802 of the Revised Code requires the member or candidate to maintain.

(B) No member of the general assembly or candidate for the office of member of the general assembly shall knowingly fail to file a statement that section 101.802 of the Revised Code requires the member or candidate to file.

(C) No member of the general assembly or candidate for the office of member of the general assembly shall knowingly file a false statement that section 101.802 of the Revised Code requires the member or candidate to file.

Sec. 101.802. (A) Each member of the general assembly and each candidate for the office of member of the general assembly shall file by electronic means of transmission with the office of the joint legislative ethics committee, not later than the last day of January, May, and September of each year, a statement of contributions solicited. The statement shall include, for each contribution that was made as a result of a solicitation by the member or candidate, all of the following:

(1) The name and address of the contributor;

(2) The name, address, and employer of the person who received the contribution;

(3) The approximate date the contribution was made;

(4) The dollar amount or fair market value of the contribution. If it is impractical or impossible to determine the exact dollar amount or fair market value of the contribution, reporting of good faith estimates, based on reasonable accounting procedures, constitutes compliance with this requirement.

(B) Each statement shall cover contributions solicited during the four-calendar-month period that ended on the last day of the month immediately preceding the month in which the statement is required to be filed.

(C) Members of the general assembly and candidates for the office of member of the general assembly shall maintain records for all contributions solicited that they are required to report under this section. These records shall be maintained for a period ending on the thirty-first day of December of the second calendar year after the year in which a contribution was made.

(D) If a statement required to be filed under this section is not filed by the date on which it is required to be filed, the joint committee shall assess a late

filing fee equal to twelve dollars and fifty cents per day, up to a maximum of one hundred dollars, upon the member of the general assembly or candidate for the office of member of the general assembly. The joint committee may waive the late filing fee for good cause shown.

(E) The joint committee shall deposit all money collected from late filing fees under division (D) of this section into the joint legislative ethics committee fund created under section 101.34 of the Revised Code. Money collected from those fees shall be used by the joint committee for the purpose of employing additional special investigators.

Sec. 101.803. (A) The joint legislative ethics committee shall keep on file the statements required by section 101.802 of the Revised Code. Those statements are public records open to public inspection and copying under section 149.43 of the Revised Code.

(B) The joint committee shall provide the information contained in each statement to the secretary of state. The secretary of state shall make this information readily accessible to the general public in a manner that is searchable on the secretary of state's web site.

(C) The joint committee shall prescribe and make available an appropriate process for the filing of the statements by electronic means of transmission. The electronic form shall contain the following notice in boldface type: "ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE."

(D) The joint committee may adopt rules as necessary to implement sections 101.80 to 101.804 of the Revised Code. Any rules it adopts shall be adopted in accordance with section 111.15 of the Revised Code.

(E) The joint committee shall publish a handbook that explains in clear and concise language sections 101.80 to 101.804 of the Revised Code and make it available free of charge to members of the general assembly, candidates for the office of member of the general assembly, and other interested persons.

Sec. 101.804. The attorney general and any assistant or special counsel designated by the attorney general may investigate compliance with sections 101.80 to 101.803 of the Revised Code in connection with statements required to be filed under those sections and, in the event of an apparent violation, shall report the findings of any such investigation to the prosecuting attorney of Franklin county, who shall institute appropriate proceedings.

Sec. 101.99. (A) Whoever violates division (A), (B), or (C) of section 101.71 or of section 101.91, ~~or~~ section 101.77, ~~division (A) or (B) of section 101.801,~~ or section 101.97 of the Revised Code is guilty of a misdemeanor of the fourth degree.

(B) Whoever violates division (D) of section 101.71 or of section 101.91 or division (C) of section 101.801 of the Revised Code is guilty of a

misdemeanor of the first degree.

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

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

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

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

(5) As used in divisions (A)(1), (2), and (3) of this section, "matter" includes any case, proceeding, application, 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.

(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.

(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.

(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.

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

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

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

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

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

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

(H)(1) No public official or employee, except for the president or other chief administrative officer of or a member of a board of trustees of a state institution of higher education as defined in section 3345.011 of the Revised Code, who is required to file a financial disclosure statement under section 102.02 of the Revised Code shall solicit or accept, and no person shall give to that public official or employee, an honorarium. Except as provided in division (H)(2) of this section, this division and divisions (D), (E), and (F) of this section do not prohibit a public official or employee who is required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting and do not prohibit a person from giving to that public official or employee the payment of actual travel expenses, including any expenses incurred in connection with the travel for lodging, and meals, food, and beverages provided to the public official or employee at a meeting at which the public official or employee participates in a panel, seminar, or speaking engagement or provided to the public official or employee at a meeting or convention of a national organization to which any state agency, including, but not limited to, any state legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues. Except as provided in division (H)(2) of this section, this division and divisions (D), (E), and (F) of this section do not prohibit a public official or employee who is not required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting and do not prohibit a person from promising or giving to that public official or employee an honorarium or the payment of travel, meal, and lodging expenses if the honorarium, expenses, or both were paid in recognition of demonstrable business, professional, or esthetic interests of the public official or employee that exist apart from public office or employment, including, but not limited to, such a demonstrable interest in public speaking and were not paid by any person or other entity, or by any representative or association of those persons or entities, that is regulated by, doing business with, or seeking to do business with the department, division, institution, board, commission, authority, bureau, or other instrumentality of the governmental entity with which the public official or employee serves.

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

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

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

(J) For purposes of divisions (D), (E), and (F) of this section, the membership of a public official or employee in an organization shall not be considered, in and of itself, to be of such a character as to manifest a substantial and improper influence on the public official or employee with respect to that person's duties. As used in this division, "organization" means a church or a religious, benevolent, fraternal, or professional organization that is tax exempt under subsection 501(a) and described in subsection 501(c)(3), (4), (8), (10), or (19) of the "Internal Revenue Code of 1986." This division does not apply to a public official or employee who is an employee of an organization, serves as a trustee, director, or officer of an organization, or otherwise holds a fiduciary relationship with an organization. This division does not allow a public official or employee who is a member of an organization to participate, formally or informally, in deliberations, discussions, or voting on a matter or to use ~~his~~the public official's or employee's 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. 121.80. As used in sections 121.80 to 121.84 of the Revised Code:

(A) "Contribution" means money, property, financial assistance, or any other thing of value given to a person for a social, recreational, benevolent, charitable, fraternal, political, patriotic, athletic, or other purpose.

(B) "Person" has the same meaning as in section 101.70 of the Revised Code.

(C) "Statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, or attorney general.

(D) "Statewide officeholder" means the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, or attorney general.

Sec. 121.81. (A) No statewide officeholder or statewide candidate shall knowingly fail to maintain a record that section 121.82 of the Revised Code requires the officeholder or candidate to maintain.

(B) No statewide officeholder or statewide candidate shall knowingly fail to file a statement that section 121.82 of the Revised Code requires the officeholder or candidate to file.

(C) No statewide officeholder or statewide candidate shall knowingly file a false statement that section 121.82 of the Revised Code requires the officeholder or candidate to file.

Sec. 121.82. (A) Each statewide officeholder and each statewide candidate shall file by electronic means of transmission with the office of the joint legislative ethics committee, not later than the last day of January, May, and September of each year, a statement of contributions solicited. The statement shall include, for each contribution that was made as a result of a solicitation by the statewide officeholder or statewide candidate, all of the following:

(1) The name and address of the contributor;

(2) The name, address, and employer of the person who received the contribution;

(3) The approximate date the contribution was made;

(4) The dollar amount or fair market value of the contribution. If it is

impractical or impossible to determine the exact dollar amount or fair market value of the contribution, reporting of good faith estimates, based on reasonable accounting procedures, constitutes compliance with this requirement.

(B) Each statement shall cover contributions solicited during the four-calendar-month period that ended on the last day of the month immediately preceding the month in which the statement is required to be filed.

(C) Statewide officeholders and statewide candidates shall maintain records for all contributions solicited that they are required to report under this section. These records shall be maintained for a period ending on the thirty-first day of December of the second calendar year after the year in which a contribution was made.

(D) If a statement required to be filed under this section is not filed by the date on which it is required to be filed, the joint committee shall assess a late filing fee equal to twelve dollars and fifty cents per day, up to a maximum of one hundred dollars, upon the statewide officeholder or statewide candidate. The joint committee may waive the late filing fee for good cause shown.

(E) The joint committee shall deposit all money collected from late filing fees under division (D) of this section into the joint legislative ethics committee fund created under section 101.34 of the Revised Code. Money collected from those fees shall be used by the joint committee for the purpose of employing additional special investigators.

Sec. 121.83. (A) The joint legislative ethics committee shall keep on file the statements required by section 121.82 of the Revised Code. Those statements are public records open to public inspection and copying under section 149.43 of the Revised Code.

(B) The joint committee shall provide the information contained in each statement to the secretary of state. The secretary of state shall make this information readily accessible to the general public in a manner that is searchable on the secretary of state's web site.

(C) The joint committee shall prescribe and make available an appropriate process for the filing of the statements by electronic means of transmission. The electronic form shall contain the following notice in boldface type: "ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE."

(D) The joint committee may adopt rules as necessary to implement sections 121.80 to 121.84 of the Revised Code. Any rules it adopts shall be adopted in accordance with section 111.15 of the Revised Code.

(E) The joint committee shall publish a handbook that explains in clear and concise language sections 121.80 to 121.84 of the Revised Code and make it available free of charge to statewide officeholders, statewide candidates, and other interested persons.

Sec. 121.84. The attorney general and any assistant or special counsel designated by the attorney general may investigate compliance with sections 121.80 to 121.83 of the Revised Code in connection with statements required to be filed under those sections and, in the event of an apparent violation, shall report the findings of any such investigation to the prosecuting attorney of Franklin county, who shall institute appropriate proceedings.

Sec. 121.99. (A) Whoever violates division (A), (B), or (C) of section 121.61 ~~or~~ section 121.67, or division (A) or (B) of section 121.81 of the Revised Code is guilty of a misdemeanor of the fourth degree.

(B) Whoever violates division (D) of section 121.61 or division (C) of section 121.81 of the Revised Code is guilty of a misdemeanor of the first degree.

Sec. 127.13. ~~(A)~~ (A) The director of budget and management or ~~his~~ the director's designee shall be president of the controlling board. The president shall prepare the proposed agenda for the meetings of the board and shall provide, at least seven days prior to the meeting, copies of the proposed agenda and supporting documentation to the members of the board and to ~~the legislative budget office~~ of the legislative service commission.

The director shall designate an employee of the office of budget and management to serve as secretary of the controlling board. The secretary shall assist the president of the board and shall make and keep a record of each request received by the board and of its action ~~thereon~~ on the request. The secretary shall certify a copy of the record of each action to each member of the board and to the director.

~~The~~ (B) ~~Subject to division (D) of this section, the~~ controlling board may adopt procedural rules for the conduct of the business of the board, may approve, disapprove, modify as to specific dollar amounts, or defer requests, and may require that a request from the senate, the house of representatives, the supreme court, or an elected member of the executive department as defined in Section 1 of Article III, Ohio Constitution, not currently before the controlling board be added to the agenda for a specified future meeting of the board, provided that such request has been previously submitted to the president for inclusion in the agenda for a board meeting. The controlling board also may adopt rules authorizing the president to act on its behalf in exigent circumstances affecting the public health, safety, or welfare.

(C) The affirmative vote of no fewer than four members of the controlling board shall be required for any action of the board. The board shall meet at least once a month.

(D) In addition to any procedural rules for requests that are adopted by the controlling board under division (B) of this section, any request made to the controlling board that involves the approval of a contract with any business that employs legislative agents or executive agency lobbyists shall include copies of the registration statements that the business and that the legislative agents or

executive agency lobbyists employed by that business are required to file with the joint legislative ethics committee under section 101.72 or 121.62 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.

(B) "Public servant" means any of the following:

(1) Any public official;

(2) Any person performing ad hoc a governmental function, including, but not limited to, a juror, member of a temporary commission, master, arbitrator, advisor, or consultant;

(3) A person who is a candidate for public office, whether or not the person is elected or appointed to the office for which the person is a candidate. A person is a candidate for purposes of this division if the person has been nominated according to law for election or appointment to public office, or if the person has filed a petition or petitions as required by law to have the person's name placed on the ballot in a primary, general, or special election, or if the person ~~campaigns as~~ files a declaration of intent to be a write-in candidate in any primary, general, or special election.

(C) "Party official" means any person who holds an elective or appointive post in a political party in the United States or this state, by virtue of which the person directs, conducts, or participates in directing or conducting party affairs at any level of responsibility.

(D) "Official proceeding" means any proceeding before a legislative, judicial, administrative, or other governmental agency or official authorized to take evidence under oath, and includes any proceeding before a referee, hearing examiner, commissioner, notary, or other person taking testimony or a deposition in connection with an official proceeding.

(E) "Detention" means arrest; confinement in any vehicle subsequent to an arrest; confinement in any public or private facility for custody of persons charged with or convicted of crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the United States; hospitalization, institutionalization, or confinement in any public or private facility that is ordered pursuant to or under the authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code; confinement in any vehicle for transportation to or from any facility of any of those natures; detention for extradition or deportation; except as provided in this division, supervision by any employee of any facility of any of those

natures that is incidental to hospitalization, institutionalization, or confinement in the facility but that occurs outside the facility; supervision by an employee of the department of rehabilitation and correction of a person on any type of release from a state correctional institution; or confinement in any vehicle, airplane, or place while being returned from outside of this state into this state by a private person or entity pursuant to a contract entered into under division (E) of section 311.29 of the Revised Code or division (B) of section 5149.03 of the Revised Code. For a person confined in a county jail who participates in a county jail industry program pursuant to section 5147.30 of the Revised Code, "detention" includes time spent at an assigned work site and going to and from the work site.

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

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

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

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

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

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

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

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

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

(2) Preferring, or maintaining the status of, any public employee with

respect to compensation, duties, placement, location, promotion, or other material aspects of employment.

(C) No person for the benefit of a political party, campaign committee, ~~legislative campaign fund~~, or political action committee 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 prohibit a political party, campaign committee, ~~legislative campaign fund~~, or political action committee from accepting voluntary contributions.

Sec. 2923.31. As used in sections 2923.31 to 2923.36 of the Revised Code:

(A) "Beneficial interest" means any of the following:

(1) The interest of a person as a beneficiary under a trust in which the trustee holds title to personal or real property;

(2) The interest of a person as a beneficiary under any other trust arrangement under which any other person holds title to personal or real property for the benefit of such person;

(3) The interest of a person under any other form of express fiduciary arrangement under which any other person holds title to personal or real property for the benefit of such person.

"Beneficial interest" does not include the interest of a stockholder in a corporation or the interest of a partner in either a general or limited partnership.

(B) "Costs of investigation and prosecution" and "costs of investigation and litigation" mean all of the costs incurred by the state or a county or municipal corporation under sections 2923.31 to 2923.36 of the Revised Code in the prosecution and investigation of any criminal action or in the litigation and investigation of any civil action, and includes, but is not limited to, the costs of resources and personnel.

(C) "Enterprise" includes any individual, sole proprietorship, partnership, limited partnership, corporation, trust, union, government agency, or other legal entity, or any organization, association, or group of persons associated in fact although not a legal entity. "Enterprise" includes illicit as well as licit enterprises.

(D) "Innocent person" includes any bona fide purchaser of property that is allegedly involved in a violation of section 2923.32 of the Revised Code, including any person who establishes a valid claim to or interest in the property in accordance with division (E) of section 2923.32 of the Revised Code, and any victim of an alleged violation of that section or of any underlying offense involved in an alleged violation of that section.

(E) "Pattern of corrupt activity" means two or more incidents of corrupt activity, whether or not there has been a prior conviction, that are related to the affairs of the same enterprise, are not isolated, and are not so closely related to each other and connected in time and place that they constitute a single event.

At least one of the incidents forming the pattern shall occur on or after January 1, 1986. Unless any incident was an aggravated murder or murder, the last of the incidents forming the pattern shall occur within six years after the commission of any prior incident forming the pattern, excluding any period of imprisonment served by any person engaging in the corrupt activity.

For the purposes of the criminal penalties that may be imposed pursuant to section 2923.32 of the Revised Code, at least one of the incidents forming the pattern shall constitute a felony under the laws of this state in existence at the time it was committed or, if committed in violation of the laws of the United States or of any other state, shall constitute a felony under the law of the United States or the other state and would be a criminal offense under the law of this state if committed in this state.

(F) "Pecuniary value" means money, a negotiable instrument, a commercial interest, or anything of value, as defined in section 1.03 of the Revised Code, or any other property or service that has a value in excess of one hundred dollars.

(G) "Person" means any person, as defined in section 1.59 of the Revised Code, and any governmental officer, employee, or entity.

(H) "Personal property" means any personal property, any interest in personal property, or any right, including, but not limited to, bank accounts, debts, corporate stocks, patents, or copyrights. Personal property and any beneficial interest in personal property are deemed to be located where the trustee of the property, the personal property, or the instrument evidencing the right is located.

(I) "Corrupt activity" means engaging in, attempting to engage in, conspiring to engage in, or soliciting, coercing, or intimidating another person to engage in any of the following:

(1) Conduct defined as "racketeering activity" under the "Organized Crime Control Act of 1970," 84 Stat. 941, 18 U.S.C. 1961(1)(B), (1)(C), (1)(D), and (1)(E), as amended;

(2) Conduct constituting any of the following:

(a) A violation of section 1315.55, 1322.02, 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2905.01, 2905.02, 2905.11, 2905.22, 2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2911.31, 2913.05, 2913.06, 2921.02, 2921.03, 2921.04, 2921.11, 2921.12, 2921.32, 2921.41, 2921.42, 2921.43, 2923.12, or 2923.17; division (F)(1)(a), (b), or (c) of section 1315.53; division (A)(1) or (2) of section 1707.042; division (B), (C)(4), (D), (E), or (F) of section 1707.44; division (A)(1) or (2) of section 2923.20; division (CC)(1) or (2) of section 3517.13; division (J)(1) of section 4712.02; section 4719.02, 4719.05, or 4719.06; division (C), (D), or (E) of section 4719.07; section 4719.08; or division (A) of section 4719.09 of the Revised Code.

(b) Any violation of section 3769.11, 3769.15, 3769.16, or 3769.19 of the Revised Code as it existed prior to July 1, 1996, any violation of section 2915.02 of the Revised Code that occurs on or after July 1, 1996, and that, had it occurred prior to that date, would have been a violation of section 3769.11 of the Revised Code as it existed prior to that date, or any violation of section 2915.05 of the Revised Code that occurs on or after July 1, 1996, and that, had it occurred prior to that date, would have been a violation of section 3769.15, 3769.16, or 3769.19 of the Revised Code as it existed prior to that date.

(c) Any violation of section 2907.21, 2907.22, 2907.31, 2913.02, 2913.11, 2913.21, 2913.31, 2913.32, 2913.34, 2913.42, 2913.47, 2913.51, 2915.03, 2925.03, 2925.04, 2925.05, or 2925.37 of the Revised Code, any violation of section 2925.11 of the Revised Code that is a felony of the first, second, third, or fourth degree and that occurs on or after July 1, 1996, any violation of section 2915.02 of the Revised Code that occurred prior to July 1, 1996, any violation of section 2915.02 of the Revised Code that occurs on or after July 1, 1996, and that, had it occurred prior to that date, would not have been a violation of section 3769.11 of the Revised Code as it existed prior to that date, any violation of section 2915.06 of the Revised Code as it existed prior to July 1, 1996, or any violation of division (B) of section 2915.05 of the Revised Code as it exists on and after July 1, 1996, when the proceeds of the violation, the payments made in the violation, the amount of a claim for payment or for any other benefit that is false or deceptive and that is involved in the violation, or the value of the contraband or other property illegally possessed, sold, or purchased in the violation exceeds five hundred dollars, or any combination of violations described in division (I)(2)(c) of this section when the total proceeds of the combination of violations, payments made in the combination of violations, amount of the claims for payment or for other benefits that is false or deceptive and that is involved in the combination of violations, or value of the contraband or other property illegally possessed, sold, or purchased in the

combination of violations exceeds five hundred dollars;

(d) Any violation of section 5743.112 of the Revised Code when the amount of unpaid tax exceeds one hundred dollars;

(e) Any violation or combination of violations of section 2907.32 of the Revised Code involving any material or performance containing a display of bestiality or of sexual conduct, as defined in section 2907.01 of the Revised Code, that is explicit and depicted with clearly visible penetration of the genitals or clearly visible penetration by the penis of any orifice when the total proceeds of the violation or combination of violations, the payments made in the violation or combination of violations, or the value of the contraband or other property illegally possessed, sold, or purchased in the violation or combination of violations exceeds five hundred dollars;

(f) Any combination of violations described in division (I)(2)(c) of this section and violations of section 2907.32 of the Revised Code involving any material or performance containing a display of bestiality or of sexual conduct, as defined in section 2907.01 of the Revised Code, that is explicit and depicted with clearly visible penetration of the genitals or clearly visible penetration by the penis of any orifice when the total proceeds of the combination of violations, payments made in the combination of violations, amount of the claims for payment or for other benefits that is false or deceptive and that is involved in the combination of violations, or value of the contraband or other property illegally possessed, sold, or purchased in the combination of violations exceeds five hundred dollars.

(3) Conduct constituting a violation of any law of any state other than this state that is substantially similar to the conduct described in division (I)(2) of this section, provided the defendant was convicted of the conduct in a criminal proceeding in the other state.

(J) "Real property" means any real property or any interest in real property, including, but not limited to, any lease of, or mortgage upon, real property. Real property and any beneficial interest in it is deemed to be located where the real property is located.

(K) "Trustee" means any of the following:

(1) Any person acting as trustee under a trust in which the trustee holds title to personal or real property;

(2) Any person who holds title to personal or real property for which any other person has a beneficial interest;

(3) Any successor trustee.

"Trustee" does not include an assignee or trustee for an insolvent debtor or an executor, administrator, administrator with the will annexed, testamentary trustee, guardian, or committee, appointed by, under the control of, or accountable to a court.

(L) "Unlawful debt" means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in this state in whole or in part because the debt was incurred or contracted in violation of any federal or state law relating to the business of gambling activity or relating to the business of lending money at an usurious rate unless the creditor proves, by a preponderance of the evidence, that the usurious rate was not intentionally set and that it resulted from a good faith error by the creditor, notwithstanding the maintenance of procedures that were adopted by the creditor to avoid an error of that nature.

Sec. 3501.05. The secretary of state shall do all of the following:

- (A) Appoint all members of boards of elections;
- (B) Issue instructions by directives and advisories to members of the boards as to the proper methods of conducting elections;
- (C) Prepare rules and instructions for the conduct of elections;
- (D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;
- (E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;
- (F) Prescribe the form of registration cards, blanks, and records;
- (G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;
- (H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;
- (I) Certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;
- (J) Give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;
- (K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;
- (L) Require such reports from the several boards as are provided by law, or as the secretary of state considers necessary;
- (M) Compel the observance by election officers in the several counties of the requirements of the election laws;
- (N)(1) Except as otherwise provided in division (N)(2) of this section, investigate the administration of election laws, frauds, and irregularities in

elections in any county, and report violations of election laws to the attorney general or prosecuting attorney, or both, for prosecution;

(2) On and after August 24, 1995, report a failure to comply with or a violation of a provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code, whenever the secretary of state has or should have knowledge of a failure to comply with or a violation of a provision in one of those sections, by filing a complaint with the Ohio elections commission under section 3517.153 of the Revised Code;

(O) Make an annual report to the governor containing the results of elections, the cost of elections in the various counties, a tabulation of the votes in the several political subdivisions, and other information and recommendations relative to elections the secretary of state considers desirable;

(P) Prescribe and distribute to boards of elections a list of instructions indicating all legal steps necessary to petition successfully for local option elections under sections 4301.32 to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code;

(Q) Prescribe a general program to remove ineligible voters from official registration lists by reason of change of residence, which shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 and the National Voter Registration Act of 1993, including a program that uses the national change of address service provided by the United States postal system through its licensees;

(R) Prescribe a general program for registering voters or updating voter registration information, such as name and residence changes, at designated agencies, the offices of deputy registrars of motor vehicles, public high schools and vocational schools, public libraries, and the offices of county treasurers, and prescribe a program of distribution of voter registration forms through those agencies, the offices of the registrar and deputy registrars of motor vehicles, public high schools and vocational schools, public libraries, and the offices of county treasurers;

(S) To the extent feasible, provide copies, at no cost and upon request, of the voter registration form in post offices in this state;

(T) Adopt rules pursuant to section 111.15 of the Revised Code for the purpose of implementing the program for registering voters at designated agencies and the offices of the registrar and deputy registrars of motor vehicles consistent with this chapter;

(U) Specify, by a directive issued not later than thirty-five days prior to the date of an election, the date by which the boards shall complete the canvass of election returns under section 3505.32 or 3513.22 of the Revised Code;

(V) Establish the full-time position of Americans with Disabilities Act coordinator within the office of the secretary of state to do all of the following:

(1) Assist the secretary of state with ensuring that there is equal access to polling places for persons with disabilities;

(2) Assist the secretary of state with ensuring that each voter may cast the voter's ballot in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters;

(3) Advise the secretary of state in the development of standards for the certification of voting machines, marking devices, and automatic tabulating equipment.

(W) Make information received from the joint legislative ethics committee under sections 101.803 and 121.83 of the Revised Code readily accessible to the general public in a manner that is searchable on the secretary of state's web site;

(X) Perform other duties required by law.

Whenever a primary election is held under section 3513.32 of the Revised Code or a special election is held under section 3521.03 of the Revised Code to fill a vacancy in the office of representative to congress, the secretary of state shall establish a deadline, notwithstanding any other deadline required under the Revised Code, by which any or all of the following shall occur: the filing of a declaration of candidacy and petitions or a statement of candidacy and nominating petition together with the applicable filing fee; the filing of protests against the candidacy of any person filing a declaration of candidacy or nominating petition; the filing of a declaration of intent to be a write-in candidate; the filing of campaign finance reports; the preparation of, and the making of corrections or challenges to, precinct voter registration lists; the receipt of applications for absent voter's ballots or armed service absent voter's ballots; the supplying of election materials to precincts by boards of elections; the holding of hearings by boards of elections to consider challenges to the right of a person to appear on a voter registration list; and the scheduling of programs to instruct or reinstruct election officers.

In the performance of the secretary of state's duties as the chief election officer, the secretary of state may administer oaths, issue subpoenas, summon witnesses, compel the production of books, papers, records, and other evidence, and fix the time and place for hearing any matters relating to the administration and enforcement of the election laws.

In any controversy involving or arising out of the adoption of registration or the appropriation of funds for registration, the secretary of state may, through the attorney general, bring an action in the name of the state in the court of common pleas of the county where the cause of action arose or in an adjoining county, to adjudicate the question.

In any action involving the laws in Title XXXV of the Revised Code wherein the interpretation of those laws is in issue in such a manner that the result of the action will affect the lawful duties of the secretary of state or of any

board of elections, the secretary of state may, on the secretary of state's motion, be made a party.

The secretary of state may apply to any court that is hearing a case in which the secretary of state is a party, for a change of venue as a substantive right, and the change of venue shall be allowed, and the case removed to the court of common pleas of an adjoining county named in the application or, if there are cases pending in more than one jurisdiction that involve the same or similar issues, the court of common pleas of Franklin county.

Public high schools and vocational schools, public libraries, and the office of a county treasurer shall implement voter registration programs as directed by the secretary of state pursuant to this section."

Between lines 1411 and 1412, insert:

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

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

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

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

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

(3) "Candidate" has the same meaning as in division (H) of section 3501.01 of the Revised Code and also includes any person who, at any time

before or after an election, receives contributions or makes expenditures or other use of contributions, has given consent for another to receive contributions or make expenditures or other use of contributions, or appoints a campaign treasurer, for the purpose of bringing about the person's nomination or election to public office. When two persons jointly seek the offices of governor and lieutenant governor, "candidate" means the pair of candidates jointly. "Candidate" does not include candidates for election to the offices of member of a county or state central committee, presidential elector, and delegate to a national convention or conference of a political party.

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

(5) "Contribution" means a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, which contribution is made, received, or used for the purpose of influencing the results of an election. Any loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or of anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any campaign committee, political action committee, legislative campaign fund, political party, or person other than the person to whom the services are rendered for the personal services of another person, that is made, received, or used by a state or county political party, other than moneys a state or county political party receives from the Ohio political party fund pursuant to section 3517.17 of the Revised Code and the moneys a state or county political party may receive under sections 3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be considered to be a "contribution" for the purpose of section 3517.10 of the Revised Code and shall be included on a statement of contributions filed under that section.

"Contribution" does not include any of the following:

- (a) Services provided without compensation by individuals volunteering a portion or all of their time on behalf of a person;
- (b) Ordinary home hospitality;
- (c) The personal expenses of a volunteer paid for by that volunteer campaign worker;
- (d) Any gift given to a state or county political party pursuant to section

3517.101 of the Revised Code. As used in division (B)(5)(d) of this section, "political party" means only a major political party;

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

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

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

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

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

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

(8) "Political action committee" means a combination of two or more persons, the primary or major purpose of which is to support or oppose any candidate, political party, or issue, or to influence the result of any election through express advocacy, and that is not a political party;~~or a campaign committee, or a legislative campaign fund.~~ "Political action committee" does not include a continuing association that makes disbursements for the direct costs of producing or airing electioneering communications and that does not engage in express advocacy.

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

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

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

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

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

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

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

~~(16) "In-kind contribution" means anything of value other than money that is used to influence the results of an election or is transferred to or used in support of or in opposition to a candidate, campaign committee, legislative campaign fund, political party, or political action committee 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. 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)~~(15) "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)~~(15) of this section:

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

(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, or at the request or suggestion of, any candidate or the campaign committee or agent of the candidate" means made pursuant to any arrangement, coordination, or direction by the candidate, the candidate's campaign committee, or the candidate's agent prior to the publication, distribution, display, or broadcast of the communication. An expenditure is presumed to be so made when it is any of the following:

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

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

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

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

~~(18)~~(16) "Labor organization" means a labor union; an employee organization; a federation of labor unions, groups, locals, or other employee organizations; an auxiliary of a labor union, employee organization, or federation of labor unions, groups, locals, or other employee organizations; or any other bona fide organization in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, hours, and other terms and conditions of employment.

~~(19)~~(17) "Separate segregated fund" means a separate segregated fund established pursuant to the Federal Election Campaign Act.

~~(20)~~(18) "Federal Election Campaign Act" means the "Federal Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et seq., as amended.

~~(24)~~(19) "Restricted fund" means the fund a state or county political party must establish under division (A)(1) of section 3517.1012 of the Revised Code.

~~(22)~~(20) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code.

~~(23)~~(21) "Express advocacy" means a communication that contains express words advocating the nomination, election, or defeat of a candidate or that contains express words advocating the adoption or defeat of a question or issue, as determined by a final judgment of a court of competent jurisdiction.

~~(24)~~(22) "Political committee" has the same meaning as in section 3517.1011 of the Revised Code.

(23) "Political fundraiser" means any person engaged in raising contributions for compensation for a campaign committee, political party, or political action committee.

Sec. 3517.03. (A) The controlling committees of each major political party or organization shall be a state central committee consisting of two members, one a man and one a woman, representing either each congressional district in the state or each senatorial district in the state, as the outgoing committee determines; a county central committee consisting of one member from each election precinct in the county, or of one member from each ward in each city and from each township in the county, as the outgoing committee determines; and such district, city, township, or other committees as the rules of the party provide.

All the members of such committees shall be members of the party and shall be elected for terms of either two or four years, as determined by party rules, by direct vote at the primary election held in an even-numbered year. Except as otherwise provided in section 3517.02 of the Revised Code, candidates for election as state central committee members shall be elected at ~~primaries~~primary elections in the same manner as provided in sections 3513.01 to 3513.32 of the Revised Code for the nomination of candidates for office in a county. Candidates for election as members of the county central committee shall be elected at ~~primaries~~primary elections in the same manner as provided in those sections for the nomination of candidates for county offices, except as otherwise provided in sections 3513.051 and 3517.02 of the Revised Code.

Each major party controlling committee shall elect an executive committee that shall have the powers granted to it by the party controlling committee; and provided to it by law. When a judicial, senatorial, or congressional district is comprised of more than one county, the chairperson and secretary of the county central committee from each county in that district shall constitute the judicial, senatorial, or congressional committee of the district. When a judicial, senatorial, or congressional district is included within a county, the county central committee shall constitute the judicial, senatorial, or congressional committee of the district.

(B) The controlling committee of each intermediate political party or organization shall be a state central committee consisting of two members, one a man and one a woman, from each congressional district in the state. All members of the committee shall be members of the party and shall be elected by direct vote at the primary election held in ~~the~~an even-numbered ~~years~~year. Except as otherwise provided in section 3517.02 of the Revised Code, candidates for election shall be elected at the primary election in the same manner as provided in sections 3513.01 to 3513.32 of the Revised Code. An intermediate political party may have such other party organization as its rules provide. Each intermediate party shall file the names ~~and~~, addresses, and contact information of its officers with the secretary of state.

(C) A minor political party may elect controlling committees at a primary election in ~~the~~an even-numbered year by filing a plan for party organization with the secretary of state on or before the ninetieth day before the day of the primary election. The plan shall specify which offices are to be elected and provide the procedure for qualification of candidates for those offices. Candidates to be elected pursuant to the plan shall be designated and qualified on or before the ninetieth day before the day of the election. Such parties may, in lieu of electing a controlling committee or other officials, choose such committee or other officials in accordance with party rules. Each such party shall file the names ~~and~~, addresses, and contact information of members of its controlling committee and party officers with the secretary of state.

(D) All records of a political party organized under division (A), (B), or (C) of this section shall be considered to be public records and shall be maintained and open to public inspection and copying under section 149.43 of the Revised Code, except that all records of such a political party shall be maintained and open to public inspection and copying for a period of at least ten years after they are created.

Sec. 3517.06. A list of the names ~~and~~, addresses, and contact information of the members and officers of the county central committee and the county executive committee of each political party shall be filed by the secretary of each committee in the office of the board of elections of the county in which ~~such~~the committee exists and in the office of the secretary of state promptly after the organization of each ~~of such committees~~committee. A list of the names ~~and~~, addresses, and contact information of the members of the state central committee and the state executive committee of each political party shall be filed by the secretary of each committee in the office of the secretary of state promptly after the organization of each ~~of such committees~~committee.

All changes occurring in the membership of a county central or executive committee after ~~such~~that filing shall be reported promptly by the secretary of ~~such~~the committee to the board and to the secretary of state. All changes occurring in the membership of a state central or executive committee after ~~such~~that filing shall be reported promptly by the secretary of ~~such~~the committee to the secretary of state. All such lists shall be open to public inspection at all

times when the offices in which they are filed are open for business.

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.

(B)(1) An expenditure by a political action committee shall not be considered a contribution by the political action committee 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.

~~(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.~~

(C) An expenditure by a continuing association ~~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 ~~or political party's~~ headquarters, or for a political poll, survey, index, or other type of measurement not on behalf of a specific candidate.

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

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

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

(G) An expenditure for the purpose of a charitable donation may be made if it is made to an organization that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code or is approved by advisory opinion of the Ohio elections commission as a legitimate charitable

organization. Each expenditure under this division shall be separately itemized on statements made pursuant to section 3517.10 of the Revised Code and on reports made under section 3517.1014 of the Revised Code.

Sec. 3517.09. (A) No person or committee shall solicit, ask, invite, or demand, directly or indirectly, orally or in writing, a contribution, subscription, or payment from a candidate for nomination or election or from the campaign committee of that candidate, and no person shall solicit, ask, invite, or demand that a candidate for nomination or election or the campaign committee of that candidate subscribe to the support of a club or organization, buy tickets to an entertainment, ball, supper, or other meeting, or pay for space in a book, program, or publication. This division does not apply to any of the following:

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

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

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

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

(C) An employer or labor organization, directly or through another person, may obtain contributions for a candidate, campaign committee, political action committee, ~~legislative campaign fund~~, political party, or person making disbursements to pay the direct costs of producing or airing electioneering communications from an employee or member from whom the employer or labor organization was not obtaining contributions for that candidate, campaign committee, political action committee, ~~legislative campaign fund~~, political party, or person making disbursements to pay the direct costs of producing or airing electioneering communications before ~~the effective date of this amendment~~ March 31, 2005, on an automatic basis pursuant to a payroll deduction plan only if the employee or member who is contributing to that candidate, campaign committee, political action committee, ~~legislative campaign fund~~, political party, or person making disbursements to pay the direct costs of producing or airing electioneering communications affirmatively consents to the contribution in writing.

(D) In addition to the laws listed in division (A) of section 4117.10 of the Revised Code that prevail over conflicting agreements between employee organizations and public employers, this section prevails over any conflicting provisions of agreements between labor organizations and public employers that

are entered into on or after ~~the effective date of this amendment~~ March 31, 2005, pursuant to Chapter 4117. of the Revised Code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) A state employee at the time of the solicitation, who will function in

or be employed in or by the same public agency, department, division, or office as the candidate, if elected.

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 3517.10. (A) Except as otherwise provided in this division, every campaign committee, political action committee, ~~legislative campaign fund~~, and political party that made or received a contribution or made an expenditure in connection with the nomination ~~or~~ election, or defeat of any candidate or in

connection with any ballot issue or question at any election held or to be held in this state shall file, on a form prescribed under this section or by electronic means of transmission as provided in this section and section 3517.106 of the Revised Code, a full, true, and itemized statement, made under penalty of election falsification, setting forth in detail the contributions and expenditures, not later than four p.m. of the following dates:

(1) The twelfth day before the election to reflect 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 twentieth day before the election;

(2) The thirty-eighth day after the election 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 seventh day before the filing of the statement;

(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;

(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.

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

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

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

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

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

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

The campaign committee of a statewide candidate shall file a monthly statement of contributions received during each of the months of July, August, and September in the year of the general election in which the candidate seeks office. The campaign committee of a statewide candidate shall file the monthly statement not later than three business days after the last day of the month covered by the statement. During the period beginning on the nineteenth day before the general election in which a statewide candidate seeks election to office and extending through the day of that general election, each time the campaign committee of the joint candidates for the offices of governor and lieutenant governor or of a candidate for the office of secretary of state, auditor of state, treasurer of state, or attorney general receives a contribution from a contributor that causes the aggregate amount of contributions received from that contributor during that period to equal or exceed ten thousand dollars and each time the campaign committee of a candidate for the office of chief justice or justice of the supreme court receives a contribution from a contributor that causes the aggregate amount of contributions received from that contributor during that period to exceed ten thousand dollars, the campaign committee shall file a two-business-day statement reflecting that contribution. During the period beginning on the nineteenth day before a primary election in which a candidate for statewide office seeks nomination to office and extending through the day of that primary election, each time either the campaign committee of a statewide candidate in that primary election that files a notice under division (C)(1) of section 3517.103 of the Revised Code or the campaign committee of a statewide candidate in that primary election to which, in accordance with division (D) of section 3517.103 of the Revised Code, the contribution limitations prescribed in section 3517.102 of the Revised Code no longer apply receives a contribution from a contributor that causes the aggregate amount of contributions received from that contributor during that period to exceed ten thousand dollars, the campaign committee shall file a two-business-day statement reflecting that contribution. Contributions reported on a two-business-day statement required to

be filed by a campaign committee of a statewide candidate in a primary election shall also be included in the postprimary election statement required to be filed by that campaign committee under division (A)(2) of this section. A two-business-day statement required by this paragraph shall be filed not later than two business days after receipt of the contribution. The statements required by this paragraph shall be filed in addition to any other statements required by this section.

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

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

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

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

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

(b) In the case of a political action committee, the registration number assigned to the committee under division (D)(1) of this section and the name of the candidate or public official associated with it, if any.

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

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

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

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

(ii) If a ~~political action committee, legislative campaign fund, or political party that is required to file campaign finance statements by electronic means of transmission under section 3517.106 of the Revised Code or a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution~~ is received from an individual that exceeds one hundred dollars, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any;

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

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

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

(e) A separately itemized account of all contributions and expenditures regardless of the amount, except a receipt of a contribution from a person in the sum of twenty-five dollars or less at one social or fund-raising activity and a receipt of a contribution transmitted pursuant to section 3599.031 of the Revised Code from amounts deducted from the wages and salaries of employees if the contribution from the amount deducted from the wages and salary of any one employee is twenty-five dollars or less aggregated in a calendar year. An account of the total contributions from each social or fund-raising activity shall include a description of and the value of each in-kind 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 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.

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

(g) In the case of a contribution received through the efforts of a political fundraiser, the fact that the contribution was received through those efforts and the name, occupation, and employer of that political fundraiser.

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

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

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

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

(d) The amount of each expenditure.

(C)(1) The statement of contributions and expenditures shall be signed by the person completing the form. If a statement of contributions and expenditures is filed by electronic means of transmission pursuant to this section or section 3517.106 of the Revised Code, the electronic signature of the person who executes the statement and transmits the statement by electronic means of

transmission, as provided in division (H) of section 3517.106 of the Revised Code, shall be attached to or associated with the statement and shall be binding on all persons and for all purposes under the campaign finance reporting law as if the signature had been handwritten in ink on a printed form.

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

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

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

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

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

(b) The secretary of state shall prescribe the form for all statements required to be filed under this section and shall furnish the forms to the boards of elections in the several counties. The boards of elections shall supply printed copies of those forms without charge. The secretary of state shall prescribe the appropriate methodology, protocol, and data file structure for statements required or permitted to be filed by electronic means of transmission under division (A) of this section, divisions (E), (F), and (G) of section 3517.106, division (D) of section 3517.1011, division (B) of section 3517.1012, and division (C) of section 3517.1013 of the Revised Code and for contribution and

expenditure information required to be reported on a campaign finance web site under division (C) of section 3517.1014 of the Revised Code. Subject to division (A) of this section, divisions (E), (F), and (G) of section 3517.106, division (D) of section 3517.1011, division (B) of section 3517.1012, and division (C) of section 3517.1013 of the Revised Code, the statements required to be stored on computer by the secretary of state under division (B) of section 3517.106 of the Revised Code shall be filed in whatever format the secretary of state considers necessary to enable the secretary of state to store the information contained in the statements on computer. Any such format shall be of a type and nature that is readily available to whoever is required to file the statements in that format.

(c) The secretary of state shall assess the need for training regarding the filing of campaign finance statements by electronic means of transmission, the reporting of contribution and expenditure information on a campaign finance web site, and ~~regarding~~ associated technologies for candidates, campaign committees, political action committees, ~~legislative campaign funds,~~ or political parties, for individuals, partnerships, or other entities, or for persons making disbursements to pay the direct costs of producing or airing electioneering communications, required or permitted to file statements by electronic means of transmission under this section or section 3517.105, 3517.106, 3517.1011, 3517.1012, or 3517.1013 of the Revised Code or required to report contribution and expenditure information on a campaign finance web site under division (C) of section 3517.1014 of the Revised Code. If, in the opinion of the secretary of state, training in these areas is necessary, the secretary of state shall arrange for the provision of voluntary training programs for candidates, campaign committees, political action committees, ~~legislative campaign funds,~~ or political parties, for individuals, partnerships, and other entities, or for persons making disbursements to pay the direct costs of producing or airing electioneering communications, as appropriate.

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

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

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

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

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

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

(c) A state or county political party ~~may~~shall establish a ~~state candidate~~ fund that is separate from an account that contains the public moneys received from the Ohio political party fund under section 3517.17 of the Revised Code ~~and from all other funds, separate from an account that contains any gifts given to the political party pursuant to section 3517.101 of the Revised Code, and separate from an account that contains any gifts given to a state political party for the party's Levin account pursuant to section 3517.1013 of the Revised Code.~~ A state or county political party ~~may~~shall deposit into ~~its state candidate~~this fund any amounts of monetary contributions that are made to or accepted by the political party subject to the applicable limitations, if any, prescribed in section 3517.102 of the Revised Code. ~~A state or county political party shall deposit, and all other monetary contributions~~moneys received by the party ~~into one or more accounts that are separate from its state candidate fund and from its account that contains~~other than the public moneys received from the Ohio political party fund under section 3517.17 of the Revised Code ~~and gifts received pursuant to sections 3517.101, 3517.1012, and 3517.1013 of the Revised Code. All amounts deposited into this fund shall be considered to be contributions for the purposes of this chapter, and all amounts expended from this fund shall be considered to be expenditures for the purposes of this chapter.~~

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

(4) Every expenditure in excess of twenty-five dollars shall be vouched for by a receipted bill, stating the purpose of the expenditure, that shall be filed with the statement of expenditures. A canceled check with a notation of the

purpose of the expenditure is a receipted bill for purposes of division (D)(4) of this section.

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

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

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

(b) The manner of immediately acknowledging, with date and time reported, and preserving the report of contribution and expenditure information reported on a campaign finance web site under division (C) of section 3517.1014 of the Revised Code;

(c) The manner of preserving the contribution and expenditure, contribution and disbursement, deposit and disbursement, or gift and disbursement information in the statements and reports described in ~~division~~ divisions (D)(6)(a) and (b) of this section. The secretary of state shall preserve the contribution and expenditure, contribution and disbursement, deposit and disbursement, or gift and disbursement information in those statements and reports for at least ten years after the year in which they are filed ~~by electronic means of transmission.~~

(7) The secretary of state, pursuant to division (I) of section 3517.106 of the Revised Code, shall make available online to the public through the internet the contribution and expenditure, contribution and disbursement, deposit and disbursement, or gift and disbursement information in all statements, all addenda, amendments, or other corrections to statements, and all amended statements filed with the secretary of state by electronic or other means of transmission under this section, division (B)(2)(b) or (C)(2)(b) of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.11 of the Revised Code and all contribution and expenditure information reported on a campaign finance web site under division (C) of section 3517.1014 of the Revised Code. The secretary of state may remove the information from the internet after a reasonable period of time.

(E)(1) Any person, political party, campaign committee, ~~legislative campaign fund,~~ or political action committee that makes a contribution in connection with the nomination or election of any candidate or in connection with any ballot issue or question at any election held or to be held in this state shall provide its full name and address to the recipient of the contribution, and to

the political fundraiser through which the contribution was raised, if any, at the time the contribution is made. The political action committee also shall provide the registration number assigned to the committee under division (D)(1) of this section to the recipient of the contribution at the time the contribution is made.

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

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

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

(5) Any political fundraiser that raises contributions for, at the request of, for the benefit of, or on behalf of a campaign committee, political party, or political action committee shall provide both of the following to the campaign committee, political party, or political action committee:

(a) The name, occupation, and employer of the political fundraiser;

(b) The identity of each contributor and the amount of each contribution raised through the efforts of the political fundraiser.

(F) As used in this section:

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

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

road, or highway name and number.

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

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

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

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

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

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

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

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

(2) In the case of a successful candidate at a primary election, if either the total contributions received by or the total expenditures made by the candidate's

campaign committee during the preprimary, postprimary, pregeneral, and postgeneral election periods combined equal more than five hundred dollars, the campaign committee may file the statement under division (H)(1) of this section only for the primary election. The first statement that the campaign committee files in regard to the general election shall reflect all contributions received and all expenditures made during the preprimary and postprimary election periods.

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

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

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

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

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

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

(5) As used in division (I) of this section, "partnership or other unincorporated business" includes, but is not limited to, a cooperative, a sole proprietorship, a general partnership, a limited partnership, a limited partnership association, a limited liability partnership, and a limited liability company.

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

(K)(1) In addition to filing a designation of appointment of a treasurer under division (D)(1) of this section, the campaign committee of any candidate for an elected municipal office that pays an annual amount of compensation of five thousand dollars or less, the campaign committee of any candidate for member of a board of education except member of the state board of education, or the campaign committee of any candidate for township trustee or township clerk may sign, under penalty of election falsification, a certificate attesting that

the committee will not accept contributions during an election period that exceed in the aggregate two thousand dollars from all contributors and one hundred dollars from any one individual, and that the campaign committee will not make expenditures during an election period that exceed in the aggregate two thousand dollars.

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

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

(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.

(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.

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

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

~~(2) "Statewide candidate" or "any one statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, chief justice of the supreme court, or justice of the supreme court.~~

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

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

~~(5)(a) "Primary election period" for a candidate begins on the beginning date of the candidate's pre-filing period specified in division (A)(9)(6) of section 3517.109 of the Revised Code and ends on the day of the primary election.~~

~~(b) In regard to any candidate, the "general election period" begins on the day after the primary election immediately preceding the general election at which the candidate seeks an office specified in division (A)(1) of this section and ends on the thirty-first day of December following that general election.~~

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

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

~~(8)(2) "Contribution" means any contribution that is required to be reported in the statement of contributions under section 3517.10 of the Revised Code.~~

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

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

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

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

~~(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~~Two 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~~Two 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~~primary election period or in a general election period;

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

~~(vi) Thirty~~(iii) Two thousand dollars to any one state political party ~~for the party's state candidate fund in a calendar year~~primary election period or in a general election period;

~~(vii) Ten~~(iv) Two thousand dollars to any one political action committee in a ~~calendar year~~primary election period or in a general election period

(v) A total of twenty-five thousand dollars to any combination of campaign committees, county political parties, state political parties, and political action committees in a calendar year.

(b) No individual shall make a contribution or contributions to ~~the state candidate fund of~~ a county political party of any county other than the county in which the individual's designated Ohio residence is located.

(c) No individual who is under seven years of age shall make any contribution.

~~(2)(a)~~ Subject to division (D)(1) of this section, no political action committee shall make a contribution or contributions aggregating more than:

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

~~(ii) Ten~~(b) Two thousand dollars to ~~the campaign committee of any one senate candidate~~any one county political party 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) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;~~

~~(v) Thirty~~(c) Two thousand dollars to any one state political party ~~for the party's state candidate fund~~ in a ~~calendar year~~primary election period or in a general election period;

~~(vi) Ten~~(d) Two thousand dollars to another political action committee in a ~~calendar year~~primary election period or in a general election period. This division does not apply to a political action committee that makes a contribution to a political action committee affiliated with it. For purposes of this division, a political action committee is affiliated with another political action committee if they are both established, financed, maintained, or controlled by, or if they are, the same corporation, organization, labor organization, continuing association, or other person, including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person.

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

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

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

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

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

~~(d) Ten~~Two thousand dollars to any one political action committee in a ~~calendar year~~primary election period or in a general election period.

(4)(a) Subject to division (D)(3) of this section, no political party shall make a contribution or contributions aggregating more than ~~ten~~two thousand dollars to any one political action committee in a ~~calendar year~~primary election period or in a general election period.

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

(5)(a) Subject to division (B)(5)(b) of this section, no campaign committee, ~~other than a designated state campaign committee~~, shall make a contribution or contributions aggregating in a ~~calendar year~~primary election period or in a general election period more than:

(i) ~~Thirty~~Two thousand dollars to any one state political party ~~for the~~

~~party's state candidate fund;~~

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

~~(iii) TenTwo thousand dollars to any one county political party for the party's state candidate fund.~~

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

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

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

~~(6)(a) No state candidate fund of a county political party 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 hundredtwo 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.~~

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

~~(e) 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 may make one or more contributions from other accounts to any one statewide candidate or to any one designated state campaign committee that do not exceed, in the aggregate, two thousand five hundred dollars in any primary election period or general election period. As used in this division, "other accounts" does not include an account that contains the public moneys received from the Ohio political party fund under section 3517.17 of the Revised Code.~~

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

~~(C)(1)(a) Subject to division (D)(1) of this section, no campaign committee of a statewide candidate shall do anyeither of the following:~~

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

~~(ii)(b) Accept a contribution or contributions aggregating more than tentwo thousand dollars from any one individual who is seven years of age or older, from any one political action committee, ~~or~~ from any one other campaign committee, from any one county political party, or from any one state political party in a primary election period or in a general election period;~~

~~(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 state candidate fund of a county political party, or from any one other campaign committee in a primary election period or in a general election period.~~

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

~~(3)(a) Subject to division (D)(1) of this section and except for a designated state campaign committee, no campaign committee of a house candidate shall do either of the following:~~

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

~~(ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one state candidate fund of a county political party, or from any one other campaign committee in a primary election period or in a general election period.~~

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

~~(4)(a)(i) Subject to division (C)(4)(2)(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~~two thousand dollars from any one individual whose designated Ohio residence is located within that county and who is seven years of age or older, from any one political action committee, or from any one campaign committee in a calendar year primary election period or in a general election period.~~

~~(ii) Subject to division (D)(1) of this section, ~~no~~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, or 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 holder of an elected public office that represents all or part of the population of that county at the time the contribution is accepted, or from any political action committee.~~

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

(b) Subject to division (D)(1) of this section, no state political party 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 for the party's state candidate fund aggregating more than ~~thirtytwo~~ thirtytwo thousand dollars from any one individual who is seven years of age or older, from any one political action committee, or from any one campaign committee, ~~other than a designated state campaign committee~~, in a calendar year primary election period or in a general election period.

~~(5) Subject to division (D)(1) of this section, no legislative campaign fund shall do either of the following:~~

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

~~(b) Accept a contribution or contributions aggregating more than fifteen thousand dollars from any one individual who is seven years of age or older, from any one political action committee, or from any one campaign committee, other than a designated state campaign committee, in a calendar year.~~

~~(6)(a) No designated state campaign committee shall accept a transfer or contribution of cash or cash equivalents from a state candidate fund of a state political party aggregating in a primary election period or a general election period more than:~~

~~(i) Five hundred thousand dollars, in the case of a campaign committee of a statewide candidate;~~

~~(ii) One hundred thousand dollars, in the case of a campaign committee of a senate candidate;~~

~~(iii) Fifty thousand dollars, in the case of a campaign committee of a house candidate.~~

~~(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:~~

~~(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;~~

~~(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.~~

~~(e) 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:~~

~~(i) One hundred thousand dollars, in the case of a campaign committee of a senate candidate;~~

~~(ii) Fifty thousand dollars, in the case of a campaign committee of a house candidate.~~

~~(7)(3)(a)~~ Subject to division (D)(3) of this section, no political action committee 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~~two 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~~primary election period or in a general election period.

(b) Subject to division (D)(1) of this section, no political action committee shall accept a contribution or contributions aggregating more than ~~ten~~two thousand dollars from another political action committee in a ~~calendar year~~primary election period or in a general election period. This division does not apply to a political action committee that accepts a contribution from a political action committee affiliated with it. For purposes of this division, a political action committee is affiliated with another political action committee if they are 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) 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)(3)(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 the same corporation, organization, labor organization, continuing association, or other person, including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person, are considered to have been made by or accepted from a single political action committee.

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

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

accepted from a national political party, a state political party, and a county political party are considered to have been made by or accepted from a single political party and shall be combined with each other to determine whether the limitations have been exceeded.

~~(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 (F) 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(e) 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. 3517.103. (A)(1) For purposes of this section:

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

(b)(i) "Personal funds" means contributions to the campaign committee of a candidate by the candidate or by the candidate's spouse, parents, children, sons-in-law, daughters-in-law, brothers, sisters, grandparents, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, or grandparents by marriage.

(ii) A loan obtained by, guaranteed by, or for the benefit of a ~~statewide candidate, senate candidate, or house~~ candidate shall be considered "personal funds" subject to the provisions of this section and section 3517.1010 of the Revised Code to the extent that the loan is obtained or guaranteed by the candidate or is for the benefit of the candidate and is obtained or guaranteed by the candidate's spouse, parents, children, sons-in-law, daughters-in-law, brothers, sisters, grandparents, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, or grandparents by marriage. A loan that is obtained or guaranteed and that is for the benefit of a ~~statewide candidate, senate candidate, or house~~ candidate shall not be considered "personal funds" for the purposes of this section and section 3517.1010 of the Revised Code but shall be considered to be a "contribution" for the purposes of this chapter if the loan is obtained or guaranteed by anyone other than the candidate or the candidate's spouse, parents, children, sons-in-law, daughters-in-law, brothers, sisters, grandparents, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, or grandparents by marriage.

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

(2) For purposes of this chapter, a candidate is an "opponent" when the candidate has indicated on the candidate's most recently filed designation of treasurer that the candidate seeks the same office at the same primary or general election as another candidate whose campaign committee has filed a personal funds notice required by division (C)(1) or (2) of this section.

(B)(1) Except as otherwise provided in division (B)(2) of this section, no ~~statewide candidate or candidate for the office of member of the general assembly~~ shall make an expenditure of personal funds to influence the results of an election for that candidate's nomination or election to office unless the personal funds are first deposited into the campaign fund of that candidate's campaign committee.

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

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

(2) If the campaign committee of any ~~senate candidate or house~~ other than a statewide candidate has received or expended or expects to expend more than twenty-five thousand dollars of personal funds during a primary election period or twenty-five thousand dollars of personal funds during a general election period, the campaign committee shall file a personal funds notice in the manner provided in division (C)(3) of this section indicating that the committee has received or expended or expects to expend more than that amount.

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

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

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

The personal funds notice required under divisions (C)(1) and (2) of this section and the declaration of no limits required under division (D)(2) of this section shall be filed wherever the campaign committee files statements of contributions and expenditures under section 3517.11 of the Revised Code. The

board of elections shall send to the secretary of state a copy of any personal funds notice or declaration of no limits filed by the campaign committee of a ~~senate~~any candidate ~~or house candidate~~ with the board of elections under division (C)(3) or (D)(2) of this section.

(D)(1) Whenever a campaign committee files a notice under division (C)(1) or (2) of this section, and the campaign committee of an opponent files a declaration of no limits pursuant to division (D)(2) of this section within thirty days of the filing of the personal funds notice under division (C)(1) or (2) of this section, the contribution limitations prescribed in section 3517.102 of the Revised Code no longer apply to the campaign committee of the candidate's opponent.

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

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

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

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

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

(a) No contribution from a contributor may thereafter be accepted that, when added to the aggregate total of all contributions received by that committee from that contributor during the primary election period or general election period, whichever is applicable, would cause that committee to exceed the

contribution limitations prescribed in section 3517.102 of the Revised Code for the applicable election period.

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

(E)(1) No campaign committee shall fail to file a personal funds notice as required under division (C)(1) or (2) of this section.

(2) No campaign committee shall accept any contribution in excess of the contribution limitations prescribed in section 3517.102 of the Revised Code:

(a) Unless a declaration of no limits has been filed under division (D)(2) of this section;

(b) In violation of division (D)(4) of this section once the candidate who filed a personal funds notice under division (C)(3) of this section fails to file a declaration of candidacy or nominating petition or that candidate dies or withdraws.

(3) No campaign committee that violates division (E)(1) of this section shall expend any personal funds in excess of the amount specified in division (C)(1) or (2) of this section, whichever is appropriate to the committee.

(4) The candidate of any campaign committee that violates division (E) of this section shall forfeit the candidate's nomination, if the candidate was nominated, or the office to which the candidate was elected, if the candidate was elected to office.

~~(F)(1) Whenever a campaign committee files a notice under division (C)(1) or (2) of this section or whenever the contribution limitations prescribed in section 3517.102 of the Revised Code do not apply to a campaign committee under division (D)(1) of this section, that committee is not a designated state campaign committee for the purpose of the limitations prescribed in section 3517.102 of the Revised Code with regard to contributions made by that campaign committee to a legislative campaign fund or to a state candidate fund of a state or county political party.~~

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

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

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

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.

(B)(1) Whenever a candidate, a campaign committee, or a political action committee with ten or more members, ~~or a legislative campaign fund~~ makes an independent expenditure, or whenever a political action committee with fewer than ten members makes an independent expenditure in excess of one hundred dollars for a local candidate, in excess of two hundred fifty dollars for a candidate for the office of member of the general assembly, or in excess of five hundred dollars for a statewide candidate, for the purpose of financing communications advocating the election or defeat of an identified candidate or solicits without the candidate's express consent a contribution for or against an identified candidate 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 candidate or the candidate's campaign committee;

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

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

(b) Whenever any individual, partnership, or other entity, except a corporation, labor organization, campaign committee, ~~legislative campaign fund~~, political action committee, or political party, makes one or more independent

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

(C)(1) Whenever a corporation, labor organization, campaign committee, ~~or political action committee with ten or more members, or legislative campaign fund~~ makes an independent expenditure, or whenever a political action committee with fewer than ten members makes an independent expenditure in excess of one hundred dollars for a local ballot issue or question, or in excess of five hundred 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, ~~fund,~~ 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,~~ party, or political action committee as part of its statement of contributions and expenditures pursuant to division (A) of section 3517.10 and division (A) of section 3517.11 of the Revised Code.

(b) Whenever any individual, partnership, or other entity, except a corporation, labor organization, campaign committee, ~~legislative campaign fund,~~

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

(3) No person, campaign committee, ~~legislative campaign fund~~, political action committee, corporation, labor organization, or other organization or association shall use or cause to be used a false or fictitious name in making an independent expenditure in support of or opposition to any candidate or any ballot issue or question. A name is false or fictitious if the person, campaign committee, ~~legislative campaign fund~~, political action committee, corporation, labor organization, or other organization or association does not actually exist or operate, if the corporation, labor organization, or other organization or association has failed to file a fictitious name or other registration with the secretary of state, if it is required to do so, or if the person, campaign committee, ~~legislative campaign fund~~, or political action committee has failed to file a designation of the appointment of a treasurer, if it is required 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 described in division (A)(1) of section 3517.11 of the Revised Code;
- (c) ~~Legislative campaign funds;~~
- ~~(d)~~ State political parties;
- ~~(e)~~(d) 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;
- ~~(f)~~(e) The campaign committees of candidates for the office of member of the general assembly;
- ~~(g) County political parties, with respect to their state candidate funds~~(f) The campaign committees of all other candidates required to file campaign finance statements by electronic means of transmission under division (F) of this section.

(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.

(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.

(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.

(5) The secretary of state shall store on computer the contribution and expenditure information required to be reported on a campaign finance web site under division (C) of section 3517.1014 of the Revised Code.

(C)(1) The secretary of state shall make available to the campaign committees, political action committees, ~~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.

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

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

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

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

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

Within five business days after the secretary of state receives from a campaign committee of a candidate for statewide office an addendum to the statement or an amended statement by electronic or other means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the 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.

(2) Subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to division (H)(1) of this section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, a political action committee described in division (B)(1)(b) of this section, ~~a legislative campaign fund~~, and a state political party may file the statements prescribed by section 3517.10 of the Revised Code by electronic means of transmission or, if the total amount of the contributions received or the total amount of the expenditures made by the political action committee, ~~legislative campaign fund~~, or state political party 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.

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

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

Within five business days after the secretary of state receives from a political action committee described in division (B)(1)(b) of this section, ~~a legislative campaign fund~~, or a state political party an addendum to the statement or an amended statement by electronic or other means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the 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.

~~(3) 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 county political party shall file the statements prescribed by section 3517.10 of the Revised Code with respect to its state candidate fund by electronic means of transmission to the office of the secretary of state.~~

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

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

~~Within five business days after the secretary of state receives from a 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~~an office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals ~~other than a statewide office~~ 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~~an office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals ~~other than a statewide office~~ is received by the secretary of state by electronic or other means of transmission, the secretary of state shall make available online to the public through the internet, as provided in division (I) of this section, the contribution and expenditure information in that statement. The secretary of state shall not make available online to the public through the internet any contribution or expenditure information contained in a statement for any candidate until the secretary of state is able to make available online to the public through the internet the

contribution and expenditure information for all candidates for a particular office, or until the applicable filing deadline for that statement has passed, whichever is sooner. As soon as the secretary of state has available all of the contribution and expenditure information for all candidates for a particular office, or as soon as the applicable filing deadline for a statement has passed, whichever is sooner, the secretary of state shall simultaneously make available online to the public through the internet the information for all candidates for that office.

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

Within five business days after the secretary of state receives from a campaign committee of a candidate for ~~the an office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals~~ other than a statewide office an addendum to the statement or an amended statement by electronic or other means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the 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.

(2) If a statement, addendum, or amended statement is not filed by electronic means of transmission to the office of the secretary of state but is filed by printed version only under division (A)(2) of section 3517.11 of the Revised Code with the appropriate board of elections, the campaign committee of a candidate for ~~the an office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals~~ other than a statewide office shall file two copies of the printed version of the statement, addendum, or amended statement with the board of elections. The board of elections shall send one of those copies by overnight delivery service to the secretary of state before the close of business on the day the board of elections receives the statement, addendum, or amended statement.

(G) Subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to division (H)(1) of this section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, any individual, partnership, or other entity that makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission or, if the total amount of independent expenditures made during the reporting period

under that division exceeds ten thousand dollars, shall file the statement specified in that division by electronic means of transmission.

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

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

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

(H)(1) The secretary of state, by rule adopted pursuant to section 3517.23 of the Revised Code, shall prescribe one or more techniques by which a person who executes and transmits by electronic means a statement of contributions and expenditures, a statement of independent expenditures, a disclosure of electioneering communications statement, a deposit and disbursement statement, or a gift and disbursement statement, an addendum to any of those statements, an amended statement of contributions and expenditures, an amended statement of independent expenditures, an amended disclosure of electioneering communications statement, an amended deposit and disbursement statement, or an amended gift and disbursement statement, under this section or section 3517.10, 3517.105, 3517.1011, 3517.1012, or 3517.1013 of the Revised Code or by which a person who reports contribution and expenditure information on a campaign finance web site under division (C) of section 3517.1014 of the Revised Code shall electronically sign the statement, addendum, ~~or~~ amended statement, or report. Any technique prescribed by the secretary of state pursuant to this division shall create an electronic signature that satisfies all of the following:

- (a) It is unique to the signer.
- (b) It objectively identifies the signer.

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

compromised.

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

(2) An electronic signature prescribed by the secretary of state under division (H)(1) of this section shall be attached to or associated with the statement of contributions and expenditures, the statement of independent expenditures, the disclosure of electioneering communications statement, the deposit and disbursement statement, or the gift and disbursement statement, the addendum to any of those statements, the amended statement of contributions and expenditures, the amended statement of independent expenditures, the amended disclosure of electioneering communications statement, the amended deposit and disbursement statement, or the amended gift and disbursement statement that is executed and transmitted by electronic means by the person to whom the electronic signature is attributed or, if applicable, attached to or associated with the contribution and expenditure information on the campaign finance web site that is reported and maintained by the person to whom the electronic signature is attributed. The electronic signature that is attached to or associated with ~~the~~ statement, addendum, ~~or~~ amended statement, or report on a campaign finance web site under this division shall be binding on all persons and for all purposes under the campaign finance reporting law as if the signature had been handwritten in ink on a printed form.

(I) The secretary of state shall make the contribution and expenditure, the contribution and disbursement, the deposit and disbursement, or the gift and disbursement information in all statements, all addenda to the statements, and all amended statements that are filed with the secretary of state by electronic or other means of transmission under this section or section 3517.10, 3517.105, 3517.1011, 3517.1012, 3517.1013, or 3517.11 of the Revised Code and the contribution and expenditure information required to be reported on a campaign finance web site under division (C) of section 3517.1014 of the Revised Code available online to the public by any means that are searchable, viewable, and accessible through the internet.

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

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

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

(2) The secretary of state shall notify all libraries of the location on the internet at which the contribution and expenditure, contribution and disbursement, deposit and disbursement, or gift and disbursement information, in campaign finance statements or reported on campaign finance web sites, which is required to be made available online to the public through the internet

pursuant to division (I) of this section may be accessed.

If that location is part of the world wide web and if the secretary of state has notified a library of that world wide web location as required by this division, the library shall include a link to that world wide web location on each internet-connected computer it maintains that is accessible to the public.

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

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

(K) It is an affirmative defense to a complaint or charge brought against any campaign committee, political action committee, ~~legislative campaign fund~~, or political party, any individual, partnership, or other entity, or any person making disbursements to pay the direct costs of producing or airing electioneering communications, for the failure to file by electronic means of transmission a campaign finance statement as required by this section or section 3517.10, 3517.105, 3517.1011, 3517.1012, or 3517.1013 of the Revised Code or for the failure to report contribution and expenditure information on a campaign finance web site as required by section 3517.1014 of the Revised Code that all of the following apply to the campaign committee, political action committee, ~~legislative campaign fund~~, or political party, the individual, partnership, or other entity, or the person making disbursements to pay the direct costs of producing or airing electioneering communications, ~~that failed to so file~~:

(1) The campaign committee, political action committee, ~~legislative campaign fund~~, or political party, the individual, partnership, or other entity, or the person making disbursements to pay the direct costs of producing or airing electioneering communications attempted to file the required statement by electronic means of transmission ~~the required statement~~ or attempted to report the required contribution and expenditure information on the campaign finance web site prior to the deadline set forth in the applicable section.

(2) The campaign committee, political action committee, ~~legislative campaign fund~~, or political party, the individual, partnership, or other entity, or the person making disbursements to pay the direct costs of producing or airing electioneering communications was unable to file by electronic means of transmission or report the required contribution and expenditure information on the campaign finance web site due to an expected or unexpected shutdown of the whole or part of the ~~applicable~~ electronic campaign finance statement filing system, such as for maintenance or because of hardware, software, or network

connection failure.

(3) The campaign committee, political action committee, ~~legislative campaign fund,~~ or political party, the individual, partnership, or other entity, or the person making disbursements to pay the direct costs of producing or airing electioneering ~~communications filed~~ the required statement by electronic means of transmission ~~the required statement or reported the required contribution and expenditure information on the campaign finance web site~~ within a reasonable period of time after being unable to so file or report it under the circumstance described in division (K)(2) of this section.

(L)(1) The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code to permit a campaign committee of a candidate for statewide office that makes expenditures of less than twenty-five thousand dollars during the filing period or a campaign committee for ~~the an office of member of the general assembly or the office of judge of a court of appeals~~ other than a statewide office 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 constitute a hardship for the candidate or for the eligible campaign committee.

(e) An eligible campaign committee that files a campaign finance statement on paper pursuant to division (L) of this section shall review the contribution and information made available online by the secretary of state with respect to that paper filing and shall notify the secretary of state of any errors

with respect to that filing that appear in the data made available on that web site.

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

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

(3) Notwithstanding any provision of the Revised Code to the contrary, any eligible campaign committee that files campaign finance statements on paper with the office of the secretary of state pursuant to division (L)(1) of this section shall be deemed to have filed those campaign finance statements by electronic means of transmission to the office of the secretary of state.

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

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

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

~~(3)~~(2) A "primary election period" begins on the first day of January of the year following the year in which the general election was held for the office that the candidate seeks, including any mid-term election, and ends on the day of the primary election.

(B) Whenever the campaign committee of a candidate has unpaid debt at the end of a primary election period or at the end of a general election period, the

committee may accept additional contributions during the immediately following election period up to the applicable limitation prescribed under section 3517.102 of the Revised Code from any individual, political action committee, or other campaign committee who, during the primary or general election period for which debt remains unpaid, has contributed less than the contribution limitations prescribed under section 3517.102 of the Revised Code applicable to that individual, political action committee, or other campaign committee. Any additional contribution that a campaign committee accepts under this division shall count toward the applicable limitations prescribed under section 3517.102 of the Revised Code for that primary or general election period at the end of which the debt remains unpaid, and shall not count toward the applicable limitations for any other primary or general election period if all of the following conditions apply:

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

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

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

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

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

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

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

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

~~(3)~~(2) "Senate candidate" means a candidate for the office of state senator.

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

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

~~(6)~~(3) "Aggregate contribution" means the total of all contributions from a contributor during the pre-filing period.

~~(7)~~(4) "Allowable aggregate contribution" means all of the following:

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

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

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

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

~~(8)~~(5) "Excess aggregate contribution" means, for each contributor, the amount by which that contributor's aggregate contribution exceeds that contributor's allowable aggregate contribution.

~~(9)~~(6) "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:

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

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

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

~~(10)~~(7) "Filing date" means the last date on which a candidacy petition may be filed for an office.

~~(11)~~(8) "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 one~~ of the following:

(a) Two hundred thousand dollars if the candidate is a statewide candidate other than a candidate for the state board of education;

(b) One hundred thousand dollars if the candidate is a senate candidate;

(c) Thirty-five thousand dollars if the candidate is other than a statewide candidate or a senate candidate.

~~(12)~~(9) "Campaign asset" means prepaid, purchased, or donated assets available to the candidate on the date of the filing deadline for the office the candidate is seeking that will be consumed or depleted in the course of the candidate's election campaign, including, but not limited to, postage, prepaid rent for campaign headquarters, prepaid radio, television, and newspaper advertising, and other prepaid consulting and personal services.

~~(13)~~(10) "Permitted funds" means the sum of the following:

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

(b) The applicable carry-in limit.

~~(14)~~(11) "Excess funds" means the amount by which the sum of the total cash on hand and total reported campaign assets exceeds permitted funds.

~~(15)~~(12) "Covered candidate" means ~~both of the following:~~

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

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

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

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

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

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

~~(3) Giving the amount to a corporation that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(e) of the Internal Revenue Code.~~

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

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

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

(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 aggregate contributions under this section shall include in that report the source and amount of each excess aggregate contribution disposed of ~~and shall describe the manner in which the campaign committee disposed of the excess amount.~~

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

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

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

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

(c) The total of all aggregate contributions;

(d) The total of all allowable aggregate contributions;

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

(3) In addition to the information required to be included in a report of filing-day finances filed under division (F)(1) of this section, the campaign committee of each covered candidate shall include both of the following in that report:

(a) The total of all excess aggregate contributions;

(b) For each contributor, if any, for whom there is an excess aggregate contribution, the name, address, aggregate contribution, and excess aggregate contribution.

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

(1) The campaign committee has not accepted, during the pre-filing period, any aggregate contribution greater than the applicable amount.

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

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

Sec. 3517.1010. (A) As used in this section:

(1) "Aggregate contribution," "allowable aggregate contribution," "excess aggregate contribution," and "pre-filing period" have the same meanings as in section 3517.109 of the Revised Code.

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

(3) "Campaign asset" means prepaid, purchased, or donated assets, goods, or services available to the candidate's campaign committee on the date

specified in the filing required under division (F) of this section that will be consumed, depleted, or used in the course of the candidate's election campaign, including, but not limited to, postage, rent for any campaign office, radio, television, and newspaper advertising, and consulting and personal services.

(4) "Permitted funds" means one of the following:

(a) In the case of a disposal of excess funds under division (B)(1) of this section, the sum of the primary carry-in amount and the product of both of the following:

(i) The sum of the campaign committee's net cash on hand and the campaign committee's total reported campaign assets on the day of the primary election less the primary carry-in amount;

(ii) The ratio of the sum of the allowable aggregate contributions of each contributor to the sum of all contributions received, during the period extending from the first day on which, in accordance with division (D) of section 3517.103 of the Revised Code, the contribution limitations prescribed in section 3517.102 of the Revised Code no longer apply to the campaign committee through the end of the primary election period.

For the purposes of division (A)(4)(a) of this section, the allowable aggregate contribution of each contributor is calculated as if the limitations on contributions prescribed in section 3517.102 of the Revised Code were in effect.

As used in division (A)(4)(a) of this section, "primary carry-in amount" is the sum of the campaign committee's cash on hand and reported campaign assets as reported on the campaign committee's declaration of no limits filed pursuant to division (D) of section 3517.103 of the Revised Code.

(b) In the case of a disposal of excess funds under division (B)(5) of this section, the product of both of the following:

(i) The sum of the cash on hand and reported campaign assets at the end of the thirty-first day of December immediately following the general election;

(ii) The ratio of the sum of the allowable aggregate contributions of each contributor and the general carry-in amount to the sum of all contributions received during the general election period and the general carry-in amount.

For the purposes of division (A)(4)(b) of this section, when a candidate has filed a declaration of no limits under division (D)(2) of section 3517.103 of the Revised Code, the allowable aggregate contribution calculated for each contributor is calculated as if the limitations on contributions prescribed in section 3517.102 of the Revised Code were in effect.

As used in division (A)(4)(b) of this section, "general carry-in amount" is the sum of the campaign committee's reported campaign assets and net cash on hand as of the day of the primary election, after the committee has disposed of excess funds under division (B)(1) of this section, if required. "General election period" has the same meaning as in section 3517.102 of the Revised Code.

(5) "Excess funds" means the amount by which the sum of the campaign committee's cash on hand on the date specified in the filing required to be made under division (F) of this section and total reported campaign assets exceeds permitted funds.

(6) "Net cash on hand" means the cash on hand on the day of the primary election less the sum of all debts and obligations reported under division (F) of this section.

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

(B)(1) Except as otherwise provided in division (G) of this section, the campaign committee of any candidate who has filed a declaration of no limits in accordance with division (D) of section 3517.103 of the Revised Code, and to which the contribution limitations prescribed in section 3517.102 of the Revised Code no longer apply during a primary election period, shall dispose of any excess funds not later than fourteen days after the day on which the primary election was held.

(2) The campaign committee of any candidate that has filed a personal funds notice under division (C)(1) or (2) of section 3517.103 of the Revised Code shall, at the end of the primary election period, do one of the following:

(a) Return that portion of the personal funds remaining in the candidate's campaign committee fund at the end of the primary election period that are excess funds not later than fourteen days after the day on which the primary election was held;

(b) Retain the personal funds remaining in the candidate's campaign committee fund at the end of the primary election period and file a statement with the secretary of state declaring that the campaign committee will retain those remaining personal funds in the committee's campaign fund and indicating the amount of remaining personal funds that would be characterized as excess funds.

(3) If a campaign committee elects to retain personal funds pursuant to division (B)(2)(b) of this section, ~~both of the following apply:~~

~~(a) The amount characterized as excess funds is considered to be an expenditure of personal funds for the purpose of determining whether the amount of personal funds the campaign committee has received under division (C)(1) or (2) of section 3517.103 of the Revised Code during an election period exceeds the amounts specified in those divisions.~~

~~(b) The campaign committee is not a designated state campaign committee for the purpose of making contributions to a legislative campaign fund or to the state candidate fund of a state or county political party.~~

(4) Except as otherwise provided in division (G) of this section, the

campaign committee of any candidate that has expended personal funds in excess of the amount specified in division (C)(1) or (2) of section 3517.103 of the Revised Code shall dispose of any excess funds not later than fourteen days after the day on which the primary election is held or the thirty-first day of December after the day on which the general election was held, whichever is applicable, or choose to retain personal funds under division (B)(2) of this section. The calculation of excess funds under this division shall be made in the same manner that a campaign committee is required to dispose of excess funds under division (B)(1) or (5) of this section, whichever election period is applicable. For the purposes of this division, the allowable aggregate contribution of each contributor, including one or more contributions from the candidate and from the candidate's spouse, parents, children, sons-in-law, daughters-in-law, brothers, sisters, grandparents, mothers-in-law, fathers-in-law, brothers-in-law, sisters-in-law, or grandparents by marriage, is calculated for that contributor as if the contribution limitations prescribed by section 3517.102 of the Revised Code were in effect.

(5) Except as otherwise provided in division (G) of this section, the campaign committee of any candidate to which, in accordance with division (D) of section 3517.103 of the Revised Code, the contribution limitations prescribed in section 3517.102 of the Revised Code no longer apply during a general election period shall dispose of any excess funds not later than the thirty-first day of December after the day on which the general election was held.

(6) Notwithstanding division (B) of section 3517.109 of the Revised Code, the amount of excess aggregate contributions required to be disposed of under that division by a candidate whose contribution limitations have been reimposed pursuant to division (D)(4) of section 3517.103 of the Revised Code is limited to no more than the sum of the following:

(a) The difference between the sum of the cash on hand and reported campaign assets on the date of the declaration of candidacy filing deadline, date of death, or date of withdrawal, whichever is applicable, less the sum of the cash on hand and reported campaign assets reported on the campaign committee's declaration of no limits under division (D)(2) of section 3517.103 of the Revised Code;

(b) The sum of the aggregate excess contributions of all contributors made from the beginning of the primary election period to the day immediately preceding the day on which contribution limitations prescribed in section 3517.102 of the Revised Code became inapplicable pursuant to division (D)(1) of section 3517.103 of the Revised Code.

(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 the excess amount or amounts in accordance with division (C) of section 3517.109 of the Revised Code.

(D)(1) Any candidate who knowingly fails to dispose of excess funds or

excess aggregate contributions as required by divisions (B) and (C) of this section, except a candidate whose campaign committee has been given a letter of substantial compliance as provided for in division (D)(2) of this section, shall not appear on the ballot, even if the candidate has been certified to appear on the ballot.

(2) The secretary of state shall, after initially examining and reviewing any declaration provided for in division (F) of this section and making a determination that a campaign committee has substantially complied with the disposal requirements of division (B) of this section, promptly issue to the candidate's campaign committee a letter certifying that committee's substantial compliance.

(3) The campaign committee of a candidate for ~~state~~statewide office as defined in division (A) of section 3517.109 of the Revised Code has not substantially complied with the disposal requirements of division (B) of this section if, upon initial review of a declaration filed pursuant to division (F) of this section, it is discovered that the candidate's campaign committee has failed to dispose of excess funds or excess aggregate contributions totaling in the aggregate more than ten thousand dollars.

(4) The campaign committee of a candidate for ~~member of the general assembly~~an office other than a statewide office has not substantially complied with the disposal requirements of division (B) of this section if, upon initial review of a declaration filed pursuant to division (F) of this section, it is discovered that the candidate's campaign committee has failed to dispose of excess funds or excess aggregate contributions totaling in the aggregate more than twenty-five hundred dollars.

(5) Any campaign committee that has received a letter indicating substantial compliance as provided for in division (D)(2) of this section shall, within thirty days after receiving such a letter, fully comply with the disposal requirements of division (B) of this section.

(E) When the campaign committee of a candidate files a personal funds notice in accordance with division (C), or a declaration of no limits in accordance with division (D), of section 3517.103 of the Revised Code, the campaign committee of each such candidate shall file in the case of a primary election period a declaration of primary-day finances not later than fourteen days after the day on which the primary election was held, or shall file in the case of a general election period a declaration of year-end finances not later than the last business day of January of the next calendar year immediately following the day on which the general election was held.

(F) The declaration of primary-day finances and declaration of year-end finances shall be filed on a form prescribed by the secretary of state and shall list all of the following:

(1) The amount of net cash on hand in the candidate's campaign committee fund at the end of the day on which the primary election was held or

cash on hand on the thirty-first day of December immediately following the day on which the general election was held, whichever is appropriate;

(2) In the case of a declaration of primary-day finances, any debt or other obligation incurred by the committee during the primary election period and related to the primary election of the campaign committee's candidate;

(3) The value and description of all campaign assets worth five hundred dollars or more available to the candidate at the end of the day on which the primary election was held or on the thirty-first day of December immediately following the day on which the general election was held;

(4) The total of all aggregate contributions received by the candidate's campaign committee during the primary or general election period;

(5) The total of all allowable aggregate contributions received by the candidate's campaign committee during the primary or general election period, whichever is applicable. The allowable aggregate contribution of each contributor shall be calculated as if the contribution limitations prescribed by section 3517.102 of the Revised Code were in effect.

(6) A description of all excess funds and excess aggregate contributions disposed of by the candidate's campaign committee in accordance with division (B) of this section for that election.

(G) The campaign committee of a candidate is not required to dispose of excess funds or excess aggregate contributions under division (B) of this section if both of the following apply:

(1) The campaign committee has not accepted any aggregate contribution greater than the amount applicable under that division.

(2) The campaign committee files 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, stating that the committee has not accepted aggregate contributions as described in division (G)(1) of this section.

Sec. 3517.1014. (A) As used in this section, "statewide office" means any of 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 justice and chief justice of the supreme court.

(B)(1)(a) On and after January 1, 2006, the secretary of state shall establish a publicly viewable campaign finance web site that meets the requirements of divisions (H) and (I) of section 3517.106 of the Revised Code for each campaign committee.

(b)(i) The secretary of state shall establish the web site for the campaign committee of a candidate for statewide office promptly after the person becomes a candidate.

(ii) A board of elections promptly shall notify the secretary of state when a person becomes a candidate for any office other than a statewide office. The secretary of state promptly shall establish the web site for that candidate's campaign committee after being notified of the person's candidacy.

(2) On and after January 1, 2006, the secretary of state shall establish a publicly viewable campaign finance web site that meets the requirements of divisions (H) and (I) of section 3517.106 of the Revised Code for each political action committee and political party.

(C) Each campaign finance web site established under division (B) of this section shall be made available to the campaign committee, political action committee, or political party for which it is established. The applicable campaign committee, political action committee, or political party shall report on that web site, in accordance with the requirements of divisions (D) and (E) of this section, each contribution received that exceeds, in the aggregate, two hundred fifty dollars from a single contributor and each expenditure made that exceeds two hundred fifty dollars.

(D)(1)(a) Subject to division (D)(1)(b) of this section, each contribution required to be reported on a campaign finance web site under division (C) of this section shall be reported on that web site within seventy-two hours after the contribution is received.

(b) Each contribution required to be reported on a campaign finance web site under division (C) of this section that is received within thirty days prior to the day of an election or that is received on the day of an election shall be reported on that web site within twenty-four hours after the contribution is received.

(2) Each expenditure required to be reported on a campaign finance web site under division (C) of this section shall be reported on that web site within thirty days after the expenditure is made.

(3) For each contribution and expenditure required to be reported on a campaign finance web site under division (C) of this section, the information to be reported on that web site shall be the same as the contribution and expenditure information required to be reported on statements of contributions and expenditures under section 3517.10 of the Revised Code.

(E) The secretary of state shall determine, by rule adopted under Chapter 119. of the Revised Code, both of the following:

(1) The manner in which a campaign finance web site shall be structured and maintained;

(2) The process by which information required to be reported on a campaign finance web site shall be verified for accuracy and timeliness of reporting.

(F) The reporting of contributions and expenditures under this section

shall be in addition to any reporting required under other provisions of the campaign finance reporting law.

Sec. 3517.11. (A)(1) Campaign committees of candidates for statewide office or the state board of education, political action committees that make contributions to campaign committees of candidates that are required to file the statements prescribed by section 3517.10 of the Revised Code with the secretary of state, political action committees that make contributions to campaign committees of candidates for member of the general assembly, political action committees that make contributions to state and national political parties ~~and to legislative campaign funds~~, political action committees that receive contributions or make expenditures in connection with a statewide ballot issue, political action committees that make contributions to other political action committees, political parties, and campaign committees, except as set forth in division (A)(3) of this section, ~~legislative campaign funds~~, and state and national political parties shall file the statements prescribed by section 3517.10 of the Revised Code with the secretary of state.

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

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

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

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

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

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

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

The provisions of sections 3517.10, 3517.106, 3517.1011, 3517.1012, and 3517.1013 of the Revised Code pertaining to the filing of statements of contributions and expenditures, statements of independent expenditures, disclosure of electioneering communications statements, deposit and disbursement statements, and gift and disbursement statements by electronic means of transmission apply to the filing of addenda, amendments, or other corrections to those statements by electronic means of transmission and the filing of amended statements by electronic means of transmission.

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

(4)(a) The secretary of state or the board of elections shall examine all

statements for compliance with sections 3517.08 to 3517.17 of the Revised Code.

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

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

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

(2) For purposes of division (C)(1) of this section, a statement ~~or~~ a report, an addendum, amendment, or other correction to a statement, or an amended statement required to be filed under sections 3517.081 to 3517.17 of the Revised Code is incomplete or inaccurate under this section if the statement, report, addendum, amendment, other correction, or amended statement fails to disclose substantially all contributions or gifts that are received or deposits that are made that are required to be reported under sections 3517.10, 3517.107, 3517.108, 3517.1011, 3517.1012, ~~and~~ 3517.1013, and 3517.1014 of the Revised Code or if the statement, addendum, amendment, other correction, or amended statement fails to disclose at least ninety per cent of the total contributions or gifts received or deposits made or of the total expenditures or disbursements made during the reporting period.

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

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

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

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

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

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

(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)(a) No person shall knowingly conceal or misrepresent contributions given or received; that are required to be reported by a provision in sections 3517.08 to 3517.13 of the Revised Code.

(b) No person shall knowingly conceal or misrepresent 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, ~~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 advertising a rate in excess of the rate ~~such that~~ person would charge if the campaign committee were a general rate advertiser whose advertising was directed to promoting its business within the same area as that encompassed by the particular office that the candidate of the campaign committee is seeking. The rate shall take into account the amount of space used, as well as the type of advertising copy submitted by or on behalf of the campaign committee. All discount privileges otherwise offered by a newspaper or periodical to general rate advertisers shall be available upon equal terms to all campaign committees.

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

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

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

(I) 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 any individual, partnership, association, including, without limitation, a professional association organized under Chapter 1785. of the Revised Code, estate, or trust if the individual has made or the individual's spouse has 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 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 actions of the controlling board.

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

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

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

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

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

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

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

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

(b) Raising funds for a political party, ~~political action committee, legislative campaign fund,~~ campaign committee, or other candidate;

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

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

For purposes of this division, an expense is incurred whenever a beneficiary 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 received on account.

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

(Q) No candidate or public official or employee shall accept for personal

or business use anything of value from a political party, political action committee, ~~legislative campaign fund~~, or campaign committee other than the candidate's or public official's or employee's own campaign committee, and no person shall knowingly give to a candidate or public official or employee anything of value from a political party, political action committee, ~~legislative campaign fund~~, or such a campaign committee, except for the following:

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

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

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

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

(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, ~~legislative campaign fund~~, or such campaign committee for any legitimate activity of the political party, political action committee, ~~legislative campaign fund~~, or such campaign committee.

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, ~~legislative campaign fund~~, or campaign committee other than the candidate's or public official's or employee's own campaign committee, anything of value for activities primarily related to the candidate's or public official's or employee's own campaign for election, except for contributions to the candidate's or public official's or employee's campaign committee.

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

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

(2) If any expense that may be reimbursed under division (O), (P), or (Q)

of this section is part of other expenses that may not be paid or reimbursed, the separation of the two types of expenses for the purpose of allocating for payment or reimbursement those expenses that may be paid or reimbursed may be by any reasonable accounting method, considering all of the surrounding circumstances.

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

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

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

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

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

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

(3) No campaign committee of a person who is a candidate for ~~state elective~~an office other than a federal 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)(e) of section 3517.102 of the Revised Code, a state or county political party shall not disburse moneys from any account other than a state candidate fund to make contributions to any of the following:~~

~~(a) A state candidate fund;~~

~~(b) A legislative campaign fund;~~

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

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

~~this section.~~

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

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

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

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

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

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

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

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

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

(5) No state or county political party shall knowingly fail to file a

statement required under section 3517.1012 of the Revised Code.

(X) No campaign committee, political action committee, or political party shall fail to report a contribution or an expenditure as required to be reported on a campaign finance web site under division (C) of section 3517.1014 of the Revised Code.

(Y) No candidate, campaign committee, political action committee, political party, separate segregated fund, or other entity that accepts a contribution or contributions from any corporation shall make a contribution or promise, either expressly or implicitly, to make a contribution to any candidate or campaign committee.

(Z) No candidate, campaign committee, political action committee, or political party shall fail to include, on a statement filed under section 3517.10 of the Revised Code or on a report of contribution information under division (C) of section 3517.1014 of the Revised Code, the information required to be reported under division (B)(4)(g) of section 3517.10 of the Revised Code for any contribution received through the efforts of a political fundraiser.

(AA) No candidate or holder of a public office shall solicit contributions on behalf of a political action committee.

(BB)(1) No candidate, campaign committee, political action committee, political party, continuing association, or other person, association, or entity shall do either of the following:

(a) Pay or offer to pay any political fundraiser if that payment or the amount of that payment is contingent upon the amount of contributions raised by the political fundraiser;

(b) Provide or offer to provide any type of bonus to any political fundraiser.

(2) No political fundraiser shall do either of the following:

(a) Accept any payment or offer of payment from a candidate, campaign committee, political action committee, political party, continuing association, or other person, association, or entity if the payment or the amount of the payment is contingent upon the amount of contributions raised by the political fundraiser;

(b) Accept any type of bonus from a candidate, campaign committee, political action committee, political party, continuing association, or other person, association, or entity.

(CC)(1) No person shall make a contribution to a political party or political action committee and designate or attempt to designate that the contribution be used, partially or exclusively, for a particular candidate.

(2) No political party or political action committee shall accept any contribution that has been specifically designated for the partial or exclusive use of a particular candidate. Any contribution so designated shall be returned to the

contributor and shall not be used or expended by or on behalf of the candidate.

Sec. 3517.151. (A) ~~On and after January 1, 1996, complaints~~ **Complaints** with respect to acts or failures to act under the sections listed in division (A) of section 3517.153 of the Revised Code shall be filed with the Ohio elections commission created under section 3517.152 of the Revised Code.

(B)(1) If a complaint filed with the Ohio elections commission created under section 3517.152 of the Revised Code alleges an act or failure to act that occurred before August 24, 1995, and the commission imposes a fine, sections 3517.99 and 3517.991 of the Revised Code, and not sections 3517.992 and 3517.993 of the Revised Code, shall apply.

(2) If a complaint filed with the Ohio elections commission created under section 3517.152 of the Revised Code alleges an act or failure to act that is a violation of section 3517.13 of the Revised Code, former divisions (A) to (R) of that section apply to the act or failure to act if it occurred before August 24, 1995, former divisions (A) to (U) of that section apply to the act or failure to act if it occurs on or after August 24, 1995, but before July 13, 1998, former divisions (A) to (V) of that section apply to the act or failure to act if it occurs on or after July 13, 1998, but before December 22, 1999, former divisions (A) to (W) of that section apply to the act or failure to act if it occurs on or after December 22, 1999, but before the ~~effective date of this amendment~~ March 31, 2005, and former divisions (A) to (X) of that section apply to the act or failure to act if it occurs on or after ~~the effective date of this amendment~~ March 31, 2005, but before the effective date of this amendment, and divisions (A) to (CC) of that section apply to the act or failure to act if it occurs on or after the effective date of this amendment.

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

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

Not later than forty-five days after August 24, 1995, the speaker of the house of representatives and the leader in the senate of the political party of which the speaker is a member shall jointly submit to the governor a list of five persons who are affiliated with that political party. Not later than forty-five days after August 24, 1995, the two legislative leaders in the two houses of the general assembly of the major political party of which the speaker is not a member shall jointly submit to the governor a list of five persons who are affiliated with the major political party of which the speaker is not a member. Not later than fifteen days after receiving each list, the governor shall appoint three persons from each list to the commission. The governor shall appoint one person from each list to a term that ends on December 31, 1996, one person from each list to a term that ends on December 31, 1997, and one person from each list to a term that ends on December 31, 1998.

Not later than thirty days after the governor appoints these six members,

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

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

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

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

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

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

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

of the remaining members of the commission.

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

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

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

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

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

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

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

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

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

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

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

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

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

of the Revised Code are subject to section 121.22 of the Revised Code.

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

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

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

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

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

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

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

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

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

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

Sec. 3517.154. (A)(1) The full-time attorney for the Ohio elections

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

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

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

(c) If the attorney determines that the complaint sets forth a failure to comply with or a violation of a section of the Revised Code over which the commission has jurisdiction to hear complaints other than the sections described in divisions (A)(2)(a) and (b) of this section, and unless the attorney makes a determination as provided for in division (A)(3) of this section, the attorney shall recommend to the commission that the complaint be submitted to the commission under section 3517.155 of the Revised Code. After the attorney makes that recommendation, the attorney shall notify all parties to the complaint of the attorney's recommendation.

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

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

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

(iii) If the complaint involves contributions and expenditures, contributions and disbursements, deposits and disbursements, or gifts and disbursements required to be reported under section 3517.10, ~~division (E) of section 3517.102, or section 3517.105, 3517.107, 3517.108, 3517.109, 3517.1011, 3517.1012, or 3517.1013,~~ or 3517.1014 of the Revised Code that are either not reported or reported late, the number of contributions and expenditures, contributions and disbursements, deposits and disbursements, or gifts and disbursements not reported or how late they were reported;

(iv) If the complaint involves contributions required to be reported by a campaign committee under section 3517.10, ~~division (E) of section 3517.102, or section 3517.105, 3517.107, 3517.108, or 3517.109,~~ or 3517.1014 of the Revised Code that are not reported, whether any of the contributors of the contributions not reported have a personal or professional relationship with the campaign committee's candidate;

(v) If the complaint involves a statement required to be filed under section 3517.10, ~~division (E) of section 3517.102, or section 3517.103, 3517.105, 3517.107, 3517.108, 3517.109, 3517.1011, 3517.1012, or 3517.1013~~ of the Revised Code that is incomplete or a report required to be made on a campaign finance web site under section 3517.1014 of the Revised Code that is incomplete, the degree to which it is incomplete;

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

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

(viii) If the complaint sets forth a failure to comply with or a violation of a section of the Revised Code described in division (A)(2)(c) of this section, whether the person or entity against whom the complaint has been made has committed more than one such failure or violation within a reasonable amount of time, or whether the cumulative nature of the failures or violations indicates a systematic disregard for the law.

(b) Prior to making a determination under division (A)(3)(a) of this section that the complaint should receive an expedited hearing under section 3517.156 of the Revised Code, the attorney shall take into consideration the number of panels of the commission that have cases pending before them and the

number of cases pending before the panels and shall not make a determination that will place an undue burden on a panel of the commission.

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

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

(B) Whenever a person or other entity files a complaint with the commission setting forth a failure to comply with or a violation of a section of the Revised Code as described in division (A)(2)(c) of this section and the complaint is filed during one of the periods of time specified in division (B)(1) of section 3517.156 of the Revised Code, the person or entity may request an expedited hearing under that section at the time the complaint is filed. The attorney for the commission shall inform the members of the commission of that request at the time the attorney makes a recommendation under division (A) of this section. The commission may grant the request for an expedited hearing under this division if it determines that an expedited hearing is practicable.

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

- (a) Enter a finding that good cause has been shown not to impose a fine or not to refer the matter to the appropriate prosecutor;
- (b) Impose a fine under section 3517.993 of the Revised Code;
- (c) Refer the matter to the appropriate prosecutor;

(d) Direct the secretary of state or appropriate board of elections with the authority to certify a candidate to the ballot to remove a candidate's name from the ballot if the candidate is barred from the ballot under division (D) of section 3517.1010 of the Revised Code.

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

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

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

(i) The prosecutor of Franklin county;

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

(B) If the commission decides that the evidence is insufficient for it to determine whether or not the failure to act or the violation alleged in the complaint has occurred, the commission, by the affirmative vote of five members, may request that an investigatory attorney investigate the complaint. Upon that request, an investigatory attorney shall make an investigation in order to produce sufficient evidence for the commission to decide the matter. If the commission requests an investigation under this division, for good cause shown by the investigatory attorney, the commission may extend by sixty days the deadline for holding its first hearing on the complaint as required in division (A) of this section.

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

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

(2) If the commission finds a violation of division (B) of section 3517.21

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

(E) In an action before the commission or a panel of the commission, if the allegations of the complainant are not proved, and the commission takes the action described in division (A)(1)(a) of this section or a panel of the commission takes the action described in division (C)(1) of section 3517.156 of the Revised Code, the commission or a panel of the commission may find that the complaint is frivolous, and, if the commission or panel so finds, the commission shall order the complainant to pay reasonable attorney's fees and to pay the costs of the commission or panel as determined by a majority of the members of the commission. The costs paid to the commission or panel under this division shall be deposited into the Ohio elections commission fund.

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

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

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

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

(d) "Statewide candidate" has the same meaning as in division (F)(2) of section 3517.10~~3517.10~~ of the Revised Code.

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

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

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

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

(i) "Designated amount" means one hundred dollars in the case of a local candidate or a local ballot issue, two hundred fifty dollars in the case of a legislative candidate, or five hundred dollars in the case of a statewide candidate or a statewide ballot issue.

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

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

(2) No candidate, campaign committee, ~~legislative campaign fund~~ political action committee, political party, or other entity, ~~except a political action committee~~, shall issue a form of political publication for or against a candidate, or shall make an expenditure for the purpose of financing political communications in support of or opposition to a candidate through public political advertising, unless the name and residence or business address of the candidate or the chairperson, treasurer, or secretary of the campaign committee, ~~legislative campaign fund~~ the political action committee, the political party, or the other entity that issues or otherwise is responsible for that political publication or that makes an expenditure for that political communication appears in a conspicuous place on that political publication or is contained within that political communication.

(3) ~~No limited political action committee shall do either of the following unless the name and residence or business address of the chairperson, treasurer, or secretary of the limited political action committee involved appears in a conspicuous place in the political publication for or against a candidate described in division (A)(3)(a) of this section or is contained within the political communication described in division (A)(3)(b) of this section:~~

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

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

~~(4) No political action committee with ten or more members shall issue a form of political publication for or against a candidate, or shall make an expenditure for the purpose of financing political communications in support of or opposition to a candidate through public political advertising, unless the name~~

~~and residence or business address of the chairperson, treasurer, or secretary of the political action committee that issues or otherwise is responsible for that political publication or that makes an expenditure for that political communication through public political advertising appears in a conspicuous place in that political publication or is contained within that political communication.~~

(5) No corporation, nonprofit corporation, labor organization, campaign committee, ~~legislative campaign fund~~political action committee, political party, or other entity, ~~except a political action committee~~, shall issue a form of political publication for or against an issue, or shall make an expenditure for the purpose of financing political communications in support of or opposition to a ballot issue or question through public political advertising, unless the name and residence or business address of the chairperson, treasurer, or secretary of the corporation, nonprofit corporation, labor organization, campaign committee, ~~legislative campaign fund~~political action committee, political party, or other entity that issues or otherwise is responsible for that political publication or that makes an expenditure for that political communication through public political advertising appears in a conspicuous place in that political publication or is contained within that political communication.

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

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

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

(7) ~~No political action committee with ten or more members shall issue a form of political publication for or against an issue, or shall make an expenditure for the purpose of financing political communications in support of or opposition~~

~~to a ballot issue or question through public political advertising, unless the name and residence or business address of the chairperson, treasurer, or secretary of the political action committee that issues or otherwise is responsible for that political publication or that makes an expenditure for that political communication appears in a conspicuous place in that political publication or is contained within that political communication.~~

~~(8)~~(4) The disclaimer "paid political advertisement" is not sufficient to meet the requirements of this section.

~~(9)~~(5) If the political publication described in division (A) of this section is issued by the regularly constituted central or executive committee of a political party that is organized as provided in this chapter, it shall be sufficiently identified if it bears the name of the committee and its chairperson or treasurer.

~~(10)~~(6) If more than one piece of printed matter or printed political communications are mailed as a single packet, the requirements of division (A) of this section are met if one of the pieces of printed matter or printed political communications in the packet contains the name and residence or business address of the chairperson, treasurer, or secretary of the organization or entity that issues or is responsible for the printed matter or other printed political communications.

~~(11)~~(7) This section does not apply to the transmittal of personal correspondence that is not reproduced by machine for general distribution.

~~(12)~~(8) The secretary of state, by rule, may exempt from the requirements of this section, printed matter and certain other kinds of printed communications such as campaign buttons, balloons, pencils, or similar items, the size or nature of which makes it unreasonable to add an identification or disclaimer.

~~(13)~~(9) The disclaimer or identification described in division (A) of this section, when paid for by a campaign committee, shall be identified by the words "paid for by" followed by the name and address of the campaign committee and the appropriate officer of the committee, identified by name and title. The identification or disclaimer may use reasonable abbreviations for common terms such as "treasurer" or "committee".

(B)(1) No candidate, campaign committee, ~~legislative campaign fund, political contributing entity,~~ political party, political action committee, ~~limited political action committee,~~ or other entity shall utter or cause to be uttered, over the broadcasting facilities of any radio or television station within this state, any communication that is designed to promote the nomination, election, or defeat of a candidate, or the adoption or defeat of an issue or to influence the voters in an election, unless the speaker identifies the speaker with the speaker's name and residence address or unless the communication identifies the chairperson, treasurer, or secretary of the organization responsible for the communication with the name and residence or business address of that officer, except that communications by radio need not broadcast the residence or business address of the officer. However, a radio station, for a period of at least six months, shall

keep the residence or business address on file and divulge it to any person upon request.

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

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

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

(C) No candidate, campaign committee, ~~legislative campaign fund~~, political party, political action committee, ~~limited political action committee~~, or other person or entity shall conduct a telephone bank for the purpose of promoting the nomination, election, or defeat of a candidate or the adoption or defeat of an issue or to influence the voters in an election, unless the call includes a disclaimer that identifies the name of the candidate, campaign committee, ~~legislative campaign fund~~, political party, political action committee, ~~limited political action committee~~, or other person or entity paying for the telephone bank.

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

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

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

(A)(1) A candidate whose campaign committee violates division (A), (B), (C), (D), or ~~(V)~~(U) 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.

(2) Whoever violates division (E) or ~~(X)~~(W)(5) of section 3517.13 of the

Revised Code shall be fined not more than one hundred dollars for each day of violation.

(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.

(C) Whoever violates division (F)(2) of section 3517.101 or division (G)(1)(b) or (2) of section 3517.13 of the Revised Code shall be fined not more than ten thousand dollars or, if the offender is a person who was nominated or elected to public office, shall forfeit the nomination or the office to which the offender was elected, or both.

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

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

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

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

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

(I)(1)(a)(i) Except as otherwise provided in division (I)(1)(a)(ii) of this section, an individual who violates division (B)(1)(a)(i) of section 3517.102 of the Revised Code is guilty of a misdemeanor of the first degree.

(ii) An individual who has been convicted of a violation of division (B)(1)(a)(i) of section 3517.102 of the Revised Code and is again convicted of a violation of that division is, on the second conviction and on any subsequent conviction, guilty of a felony of the third degree.

(b) Any individual who violates division (B)(1)(a)(ii), (iii), or (iv) of section 3517.102 of the Revised Code and knows that the contribution the individual makes violates that division shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.

(c)(i) Except as otherwise provided in division (I)(1)(c)(ii) of this section, an individual who violates division (B)(1)(a)(v) of section 3517.102 of the Revised Code is guilty of a misdemeanor of the first degree.

(ii) An individual who has been convicted of a violation of division (B)(1)(a)(v) of section 3517.102 of the Revised Code and is again convicted of a violation of that division is, on the second conviction and on any subsequent conviction, guilty of a felony of the third degree.

(2)(a)(i) Except as otherwise provided in division (I)(2)(a)(ii) of this section, any political action committee that violates division (B)(2)(a) of section 3517.102 of the Revised Code is guilty of a misdemeanor of the first degree.

(ii) Any political action committee that has been convicted of a violation of division (B)(2)(a) of section 3517.102 of the Revised Code and is again convicted of a violation of that division is, on the second conviction and on any subsequent conviction, guilty of a felony of the third degree.

(b) Any political action committee that violates division (B)(2)(b), (c), or (d) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.

(3)(a)(i) Except as otherwise provided in division (I)(3)(a)(ii) of this section, any campaign committee that violates division (B)(3)(a) of section 3517.102 of the Revised Code is guilty of a misdemeanor of the first degree.

(ii) Any campaign committee that has been convicted of a violation of division (B)(3)(a) of section 3517.102 of the Revised Code and is again convicted of a violation of that division is, on the second conviction and on any subsequent conviction, guilty of a felony of the third degree.

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

(c) Any campaign committee that violates division (B)(5)(b) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed.

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

~~(b) Any (i) Except as otherwise provided in division (I)(4)(a)(ii) of this section, any state political party, county political party, or state candidate fund of a state political party or county political party that violates division (B)(6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount transferred or contributed in excess of the amount permitted by that division, as applicable is guilty of a misdemeanor of the first degree.~~

(ii) Any state political party or county political party that has been convicted of a violation of division (B)(6) of section 3517.102 of the Revised Code and is again convicted of a violation of that division is, on the second conviction and on any subsequent conviction, guilty of a felony of the third degree.

(5) Any political party that violates division (B)(4) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount

contributed in excess of the amount permitted by that division.

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

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

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

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

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

(b) Any county political party that violates division (C)~~(4)~~(2)(a)(i) of section 3517.102 of the Revised Code shall be fined an amount ~~from its state candidate fund~~ equal to three times the amount accepted in excess of the amount permitted by that division.

(c) Any state political party that violates division (C)~~(4)~~(2)(b) of section 3517.102 of the Revised Code shall be fined an amount ~~from its state candidate fund~~ equal to three times the amount accepted in excess of the amount permitted by that division.

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

~~(4)~~ Any political action committee that violates division (C)~~(7)~~(3) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.

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

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

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

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

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

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

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

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

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

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

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

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

~~(R)~~(P) 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)~~(Q) 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)~~(R) 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)~~(S) Whoever violates section 3517.20 of the Revised Code shall be fined not more than five hundred dollars.

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

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

~~(AA)~~(Y)(1) Whoever knowingly violates division ~~(W)~~(V)(1) of section

3517.13 of the Revised Code shall be fined an amount equal to three times the amount contributed, expended, or promised in violation of that division or ten thousand dollars, whichever amount is greater.

(2) Whoever knowingly violates division ~~(W)(V)~~(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.

~~(BB)(Z)~~ 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.

~~(CC)(AA)~~(1) Subject to division ~~(CC)(AA)~~(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.

(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.

~~(DD)(BB)~~(1) Any corporation or labor organization that violates division ~~(X)(W)~~(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.

(2) Any state or county political party that violates division ~~(X)(W)~~(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.

~~(CC)~~(1) Except as otherwise provided in division ~~(CC)~~(2) of this section, whoever violates division (G)(1)(a) of section 3517.13 of the Revised Code is guilty of a felony of the fifth degree.

(2) Whoever has been convicted of a violation of division (G)(1)(a) of section 3517.13 of the Revised Code and is again convicted of a violation of that division is, on the second conviction and on any subsequent conviction, guilty of a felony of the third degree.

~~(DD)~~(1) Except as otherwise provided in division ~~(DD)~~(2) of this section, whoever violates division (X) of section 3517.13 of the Revised Code is guilty of a misdemeanor of the first degree.

(2) Whoever has been convicted of a violation of division (X) of section 3517.13 of the Revised Code and is again convicted of a violation of that division is, on the second conviction and on any subsequent conviction, guilty of a felony of the third degree.

~~(EE)~~(1) Except as otherwise provided in division ~~(EE)~~(2) of this section,

whoever violates division (Y) of section 3517.13 of the Revised Code is guilty of a misdemeanor of the first degree.

(2) Whoever has been convicted of a violation of division (Y) of section 3517.13 of the Revised Code and is again convicted of a violation of that division is, on the second conviction and on any subsequent conviction, guilty of a felony of the third degree.

(FF)(1)(a) Except as otherwise provided in division (FF)(1)(b) of this section, whoever violates division (Z) of section 3517.13 of the Revised Code is guilty of a misdemeanor of the first degree and shall give to the treasurer of state for deposit into the state treasury to the credit of the office of the secretary of state any contribution that was the subject of the violation of that division.

(b) Whoever has been convicted of a violation of division (Z) of section 3517.13 of the Revised Code and is again convicted of a violation of that division is, on the second conviction and on any subsequent conviction, guilty of a felony of the third degree and shall give to the treasurer of state for deposit into the state treasury to the credit of the office of the secretary of state any contribution that was the subject of the violation of that division.

(2) Any contribution deposited into the state treasury to the credit of the office of the secretary of state under division (FF)(1) of this section shall be used by that office for the purpose of employing additional special investigators.

(GG)(1) Whoever attempts to violate division (CC)(1) of section 3517.13 of the Revised Code and has the contribution attempted to be made under that division refused by the political party or political action committee to which it was attempted to be made is guilty of a misdemeanor of the first degree.

(2)(a) Except as otherwise provided in division (GG)(2)(b) of this section, whoever violates division (CC) of section 3517.13 of the Revised Code is guilty of a felony of the fourth degree.

(b) Except as otherwise provided in division (B) of section 2923.32 of the Revised Code, whoever has been convicted of a violation of division (CC) of section 3517.13 of the Revised Code and is again convicted of a violation of that division is, on the second and on any subsequent conviction, guilty of a felony of the third degree.

Sec. 3599.03. (A)(1) Except to carry on activities specified in sections 3517.082 and 3517.1011, division (A)(2) of section 3517.1012, division (B) of section 3517.1013, and section 3599.031 of the Revised Code and except as provided in divisions (D), (E), and (F) of this section, no corporation, no nonprofit corporation, and no labor organization, directly or indirectly, shall pay or use, or offer, advise, consent, or agree to pay or use, the corporation's money or property, or the labor organization's money, including dues, initiation fees, or other assessments paid by members, or property, for or in aid of or opposition to a political party, a candidate for election or nomination to public office, a political action committee including a political action committee of the

corporation or labor organization, ~~a legislative campaign fund~~, or any organization that supports or opposes any such candidate, or for any partisan political purpose, shall violate any law requiring the filing of an affidavit or statement respecting such use of those funds, or shall pay or use the corporation's or labor organization's money for the expenses of a social fund-raising event for its political action committee if an employee's or labor organization member's right to attend such an event is predicated on the employee's or member's contribution to the corporation's or labor organization's political action committee.

(2) Whoever violates division (A)(1) of this section shall be fined not less than five hundred nor more than five thousand dollars.

(B)(1) No officer, stockholder, attorney, or agent of a corporation or nonprofit corporation, no member, including an officer, attorney, or agent, of a labor organization, and no candidate, political party official, or other individual shall knowingly aid, advise, solicit, or receive money or other property in violation of division (A)(1) of this section.

(2) Whoever violates division (B)(1) of this section shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both.

(C) A corporation, a nonprofit corporation, or a labor organization may use its funds or property for or in aid of or opposition to a proposed or certified ballot issue. Such use of funds or property shall be reported on a form prescribed by the secretary of state. Reports of contributions in connection with statewide ballot issues shall be filed with the secretary of state. Reports of contributions in connection with local issues shall be filed with the board of elections of the most populous county of the district in which the issue is submitted or to be submitted to the electors. Reports made pursuant to this division shall be filed by the times specified in divisions (A)(1) and (2) of section 3517.10 of the Revised Code.

(D)(1) Any gift made pursuant to section 3517.101 of the Revised Code does not constitute a violation of this section or of any other section of the Revised Code.

(2) Any gift made pursuant to division (A)(2) of section 3517.1012 of the Revised Code does not constitute a violation of this section.

(3) Any gift made pursuant to division (B) of section 3517.1013 of the Revised Code does not constitute a violation of this section.

(E) Any compensation or fees paid by a financial institution to a state political party for services rendered pursuant to division (B) of section 3517.19 of the Revised Code do not constitute a violation of this section or of any other section of the Revised Code.

(F)(1) The use by a nonprofit corporation of its money or property for communicating information for a purpose specified in division (A) of this section is not a violation of that division if the stockholders, members, donors, trustees, or officers of the nonprofit corporation are the predominant recipients

of the communication.

(2) The placement of a campaign sign on the property of a corporation, nonprofit corporation, or labor organization is not a use of property in violation of division (A) of this section by that corporation, nonprofit corporation, or labor organization.

(3) The use by a corporation or labor organization of its money or property for communicating information for a purpose specified in division (A) of this section is not a violation of that division if it is not a communication made by mass broadcast such as radio or television or made by advertising in a newspaper of general circulation but is a communication sent exclusively to members, employees, officers, or trustees of that labor organization or shareholders, employees, officers, or directors of that corporation or to members of the immediate families of any such individuals or if the communication intended to be so sent exclusively is unintentionally sent as well to a de minimis number of other individuals.

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

(H) As used in this section, "labor organization" has the same meaning as in section 3517.01 of the Revised Code.

Sec. 3599.031. (A) Notwithstanding any provision of the Revised Code to the contrary and subject to division (C) of section 3517.09 of the Revised Code and division (B) of this section, any employer may deduct from the wages and salaries of its employees amounts for an account described in division (B) of this section, a separate segregated fund, a political action committee of the employer, a political action committee of a labor organization of the employer's employees, a political action committee of an association of which the employer is a member, a political party, a person making disbursements to pay the direct costs of producing or airing electioneering communications, or a ballot issue that the employee by written authorization may designate and shall transmit any amounts so deducted as a separate written authorization described in division (B) of this section shall direct. Any authorization authorizing a deduction from an employee's wages or salary may be on a form that is used to apply for or authorize membership in or authorize payment of dues or fees to any organization, but the authorization for a deduction shall be stated and signed separately from the application for membership or the authorization for the payment of dues or fees. The employer either may deduct from the amount to be so transmitted a uniform amount determined by the employer to be necessary to defray the actual cost of making such deduction and transmittal, or may utilize its own funds in an amount it determines is necessary to defray the actual administrative cost, including making the deduction and transmittal.

(B) If an employer establishes a separate account in the name of an employee for the purpose of depositing into the account amounts deducted from the wages and salary of the employee pursuant to division (A) of this section or amounts directly given by the employee to the employer for the support of a candidate, a separate segregated fund, a political action committee of the employer, a political action committee of a labor organization of the employer's employees, a political action committee of an association of which the employer is a member, a political party, ~~a legislative campaign fund~~, a person making disbursements to pay the direct costs of producing or airing electioneering communications, or a ballot issue, the employee shall sign a written authorization designating the recipient of a disbursement from that account. The written authorization required under this division is separate and distinct from a written authorization required under division (A) of this section. The authorization required under this division shall clearly identify and designate the candidate, separate segregated fund, political action committee of the employer, political action committee of a labor organization of the employer's employees, political action committee of an association of which the employer is a member, political party, ~~legislative campaign fund~~, person making disbursements to pay the direct costs of producing or airing electioneering communications, or ballot issue that is to receive any disbursement from the account established pursuant to this division. No person shall designate the recipient of a disbursement from the account except the employee from whose account the disbursement is made. No employer shall make a disbursement from the account of an employee established under this division unless the employer has received the written authorization required under this division.

(C) An employer shall furnish the recipient of any amount transmitted pursuant to this section with the employer's full name and the full name of the labor organization of which the employee whose amount is being transmitted is a member, if any. An employer shall keep and maintain the authorization forms of all its employees from whose wages and salaries any amounts were deducted pursuant to division (A) of this section and the authorizations of disbursements from accounts established under division (B) of this section for a period of at least six years after the year in which the deductions and disbursements were made.

(D) An employee who has made an authorization pursuant to division (A) or (B) of this section may revoke that authorization at any time. A revocation of the authorization does not affect any deduction already made from an employee's wages and salary or any amounts already transmitted or disbursed under this section.

(E) For purposes of this section and for the purpose of the information required to be filed under division (B)(4)(b)(iii) of section 3517.10 of the Revised Code:

(1) If an employer is a corporation, each subsidiary of a parent corporation shall be considered an entity separate and distinct from any other

subsidiary and separate and distinct from the parent corporation.

(2) Each national, regional, state, and local affiliate of a labor organization shall be considered a distinct entity.

(F) Whoever violates division (B) of this section shall be fined not less than fifty nor more than five hundred dollars for each disbursement made in violation of that division.

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

(H) As used in this section:

(1) "Electioneering communication," ~~"legislative campaign fund,"~~ "labor organization," "political action committee," and "separate segregated fund" have the same meanings as in section 3517.01 of the Revised Code.

(2) "Public employer" means an employer that is the state or a state agency, authority, commission, or board, a political subdivision of the state, a school district or state institution of higher learning, a public or special district, or any other public employer.

(3) "Employee" includes only an employee who is a resident of or is employed in this state."

Between lines 1585 and 1586, insert:

"Sec. 5727.61. Every public utility required by law to make returns, statements, or reports to the tax commissioner under sections 5727.01 to 5727.62 of the Revised Code shall file ~~therewith~~ with them, in ~~such~~ the form as the commissioner prescribes, an affidavit, subscribed and sworn to by a person or officer having knowledge of the facts, setting forth that ~~such~~ the public utility has not, during the preceding year, except as permitted by sections 3517.082, 3599.03, and 3599.031 of the Revised Code, directly or indirectly paid, used, or offered, consented, or agreed to pay or use any of its money or property for or in aid of or opposition to a political party, a candidate for election or nomination to public office, or a political action committee, ~~legislative campaign fund,~~ or organization that supports or opposes any such candidate or in any manner used any of its money or property for any partisan political purpose whatever, or for the reimbursement or indemnification of any person for money or property so used. Such forms of affidavit as the commissioner prescribes shall be attached to or made a part of the return, statement, or report required to be made by ~~such~~ the public utility under sections 5727.01 to 5727.62 of the Revised Code.

As used in this section, "political action committee" and "political party" have the same meanings as in section 3517.01 of the Revised Code.

Sec. 5733.27. Every corporation required by law to make returns, statements, or reports to the tax commissioner shall file ~~therewith~~~~with them~~, in ~~such~~~~the~~ form as the commissioner prescribes, an affidavit, subscribed and sworn to by a person or officer having knowledge of the facts, setting forth that ~~such~~~~the~~ corporation has not, during the preceding year, except as permitted by sections 3517.082, 3599.03, and 3599.031 of the Revised Code, directly or indirectly paid, used, or offered, consented, or agreed to pay or use any of its money or property for or in aid of or opposition to a political party, a candidate for election or nomination to public office, or a political action committee, ~~legislative campaign fund~~, or organization that supports or opposes any such candidate or in any manner used any of its money or property for any partisan political purpose whatever, or for the reimbursement or indemnification of any person for money or property so used. Such forms of affidavit as the commissioner prescribes shall be attached to or made a part of the return, statement, or report required to be made by ~~such~~~~the~~ corporation.

As used in this section, "political action committee" and "political party" have the same meanings as in section 3517.01 of the Revised Code.

In line 1586, after "sections" insert "101.34, 101.99, 102.03, 121.99, 127.13, 2921.01, 2921.43, 2923.31, 3501.05,"

In line 1588, after "3511.09," insert "3517.01, 3517.03, 3517.06, 3517.08, 3517.09, 3517.092, 3517.10, 3517.102, 3517.103, 3517.105, 3517.106, 3517.108, 3517.109, 3517.1010, 3517.11, 3517.13, 3517.151, 3517.152, 3517.154, 3517.155, 3517.20, 3517.23, 3517.992, 3599.03, 3599.031,"; delete "and"

In line 1589, after "4109.06" insert ", 5727.61, and 5733.27"

In line 1590, after "3." insert "All accounts of a political party, other than the account that contains the public moneys received from the Ohio political party fund under section 3517.17 of the Revised Code or that contains any gifts given to the political party pursuant to section 3517.101, 3517.1012, or 3517.1013 of the Revised Code, shall be combined into a single account pursuant to division (D)(3)(c) of section 3517.10 of the Revised Code. Except as otherwise provided in that division, all other accounts of a political party, including any state candidate fund maintained by a state or county political party prior to the effective date of this section shall be abolished within ninety days after the effective date of this section. Not later than the date on which such a state candidate fund is abolished, any moneys contained in the fund shall be returned to the contributors to the fund in the full amount each contributed or, if there is not a sufficient amount in the fund to return the full amount to each, be returned to each proportionately.

Section 4. On and after the effective date of this section, all records of a political party shall be considered to be public records and shall be open to public inspection and copying as provided in division (D) of section 3517.03 of the Revised Code. All records of a political party in existence on the effective

date of this section shall be maintained and open to public inspection and copying for a period of ten years from the date that each record was created or, if the date that the record was created cannot be determined, shall be maintained and open to public inspection and copying for a period of ten years from the effective date of this section.

Section 5. Within ninety days after the effective date of this section, each legislative campaign fund established by a state political party under the versions of sections 3517.01 and 3517.10 of the Revised Code that were in effect prior to the effective date of this section shall be abolished. Not later than the date on which the legislative campaign fund is abolished, any moneys contained in any account of the legislative campaign fund shall be returned to the contributors to the fund in the full amount each contributed or, if there is not a sufficient amount in the fund to return the full amount to each, be returned to each proportionately.

Section 6. "

The question being, "Shall the motion be agreed to?"

Senator Jacobson rose to a point of order.

The Chair ruled the point well taken and the amendment out of order, pursuant to Senate Rule No. 48.

Senator Dann appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the judgment of the Senate?"

The yeas and nays were taken and resulted - yeas 21, nays 11, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Carey
Cates	Clancy	Coughlin	Gardner
Goodman	Grendell	Hottinger	Jacobson
Jordan	Mumper	Niehaus	Padgett
Schuler	Schuring	Spada	Wachtmann
			Harris-21.

Those who voted in the negative were: Senators

Brady	Dann	Fedor	Fingerhut
Hagan	Mallory	Miller	Prentiss
Roberts	Wilson		Zurz-11.

The decision of the Chair was sustained.

The question recurred, "Shall the bill, **Sub. H. B. No. 234**, pass?"

On the motion of Senator Jacobson the Senate recessed.

The Senate met pursuant to the recess.

Senator Carey demanded the previous question, which was properly

supported with a second and a third.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 22, nays 10, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Carey
Cates	Clancy	Coughlin	Gardner
Goodman	Grendell	Hottinger	Jacobson
Jordan	Mumper	Niehaus	Padgett
Roberts	Schuler	Schuring	Spada
Wachtmann			Harris-22.

Those who voted in the negative were: Senators

Brady	Dann	Fedor	Fingerhut
Hagan	Mallory	Miller	Prentiss
Wilson			Zurz-10.

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 234**, pass?"

The yeas and nays were taken and resulted - yeas 21, nays 11, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Carey
Cates	Clancy	Coughlin	Gardner
Goodman	Grendell	Hottinger	Jacobson
Jordan	Mumper	Niehaus	Padgett
Schuler	Schuring	Spada	Wachtmann
			Harris-21.

Those who voted in the negative were: Senators

Brady	Dann	Fedor	Fingerhut
Hagan	Mallory	Miller	Prentiss
Roberts	Wilson		Zurz-11.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Cates moved to amend the title as follows:

Add the names: "Grendell, Clancy, Coughlin, Goodman, Padgett, Austria, Harris."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. H. B. No. 140-Representatives Carmichael, D. Stewart, Setzer, T.

Patton, Barrett, Beatty, Blasdel, Brown, Buehrer, Carano, Cassell, Chandler, Coley, DeGeeter, Domenick, D. Evans, Faber, Harwood, Hughes, Key, McGregor, Otterman, Perry, Seaver, Seitz, Yuko, Trakas.

To amend section 4301.252 and to enact section 4303.251 of the Revised Code to authorize the Liquor Control Commission to issue an order allowing a permit holder to pay a forfeiture rather than have the holder's permit revoked and to authorize entities involved in the manufacture or distribution of beer or intoxicating liquor to conduct consumer product instruction, or provide sample servings of their products, at a retail permit holder's premises without having to obtain a retail liquor permit, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 140**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Brady
Carey	Cates	Clancy	Coughlin
Dann	Fedor	Fingerhut	Gardner
Goodman	Grendell	Hagan	Hottinger
Jacobson	Jordan	Mallory	Miller
Mumper	Niehaus	Padgett	Prentiss
Roberts	Schuler	Schuring	Spada
Wachtmann	Wilson	Zurz	Harris-32.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Mumper moved to amend the title as follows:

Add the names: "Austria, Mumper, Niehaus, Schuler."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. S. B. No. 53-Senators Carey, Zurz, Harris, Jacobson, Padgett, Clancy, Grendell, Fedor, Miller, Austria, Goodman, Schuring.

To amend sections 109.60, 2151.022, 2152.02, 2919.22, 2925.01, 2925.04, 2925.041, 2925.14, 2925.52, and 4301.61 and to enact sections 2927.30, 2927.31, 2927.32, 2927.33, 2933.33, 3715.05, and 3715.06 of the Revised Code to govern pseudoephedrine sales in Ohio, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 53**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Amstutz	Armbruster	Austria	Brady
Carey	Cates	Clancy	Coughlin
Dann	Fedor	Fingerhut	Gardner
Goodman	Grendell	Hagan	Hottinger
Jacobson	Jordan	Mallory	Miller
Mumper	Niehaus	Padgett	Prentiss
Roberts	Schuler	Schuring	Spada
Wachtmann	Wilson	Zurz	Harris-32.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Carey moved to amend the title as follows:

Add the names: "Amstutz, Cates, Coughlin, Gardner, Hottinger, Armbruster, Brady, Dann, Fingerhut, Hagan, Jordan, Mallory, Mumper, Niehaus, Prentiss, Roberts, Schuler, Spada, Wilson."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 206-Senators Coughlin, Fedor.

To amend sections 742.63, 5505.12, and 5505.18 and to enact sections 5505.50 to 5505.59 of the Revised Code to provide for the establishment of the State Highway Patrol Retirement System deferred retirement option plan.

OFFERING OF RESOLUTIONS

Senator Gardner offered the following resolution:

S. R. No. 125-Senator Gardner.

Honoring Margaret C. Danziger as the 2005 Ohio Librarian of the Year.

The question being, "Shall the resolution, **S. R. No. 125**, be adopted?"

So the resolution was adopted.

COMMUNICATIONS FROM THE GOVERNOR

The President handed down the following messages from the Governor which were read by the Clerk:

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Mary Beth Carroll, Republican, from Akron, Summit County, Ohio, as a Member of the Workers Compensation Oversight Commission for a term beginning October 7, 2005 and ending at the close of business September 1, 2008.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of October in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Charlie Luken, Democrat, from Cincinnati, Hamilton County, Ohio, as a Member of the State Racing Commission for a term beginning October 7, 2005, and ending at the close of business March 31, 2009, replacing L. Rainy Gates Stitzlein, who resigned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of October in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, James F. Patterson, Republican, from Chesterland, Geauga County, Ohio, as a Member of the Ohio Board of Regents for a term beginning October 7, 2005, and ending at the close of business September 20, 2014, replacing Gerald Miller,

whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of October in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Walter A. Reiling, Republican, from Centerville, Montgomery County, Ohio, as a Member of the Ohio Board of Regents for a term beginning October 7, 2005, and ending at the close of business September 20, 2014, replacing J. Gilbert Reese, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of October in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Elizabeth B. Seif, Republican, from Waverly, Pike County, Ohio, as a Member of the Shawnee State University Board of Trustees for a term beginning October 7, 2005, and ending at the close of business June 30, 2014, replacing Burton A. Payne, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of October in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, Keith D. Shy, Republican, from Munroe Falls, Summit County, Ohio, as a Member of the Ohio Parks and Recreation Council for a new term beginning October 7, 2005, and ending at the close of business January 31, 2007, replacing Steven W. Weber, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of October in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Bob Taft, Governor of the State of Ohio, do hereby appoint, James M. Tuschman, Republican, from Toledo, Lucas County, Ohio, as a Member of the Ohio Board of Regents for a term beginning September 23, 2005 and ending at the close of business September 20, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of October in the year of our Lord, two thousand and five.

[Seal]

Bob Taft,
Governor.

Said appointments were referred to the Committee on Rules.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

Sub. H. B. No. 81 - Representatives Smith, G., Webster, McGregor, J., Patton, S., Ujvagi, Perry, Wolpert, Woodard, Peterson, Barrett, Strahorn, Kearns, Taylor, Allen, Law, Reidelbach, Stewart, D., Carano, Flowers, Beatty, Blessing, Brown, Buehrer, Chandler, Collier, DeBose, DeGeeter, Distel,

Domenick, Evans, D., Hagan, Hughes, Key, Mason, Otterman, Patton, T., Schneider, Seitz, Willamowski, Williams, Yuko

To amend sections 109.71, 109.73, 109.79, 119.01, 1121.05, 1155.18, 1163.22, 1317.01, 1733.04, 1733.16, 1733.22, 1733.24, 1733.25, 1733.251, 1733.29 to 1733.33, 1733.37, 1733.38, 1733.412, 1733.44, 2101.161, 2105.31, 2109.13, 2109.372, 2109.41, 4705.09, 4973.17, 4973.171, and 5725.01 of the Revised Code to make changes in the Credit Union Law relating to fields of membership, expansion of authorities, meetings of directors, compensation of officers, fees and interest chargeable on certain loans, record keeping, eligible investments, liquidity fund requirements, public records, amendments to articles, and use of name; to authorize accounts to be held by credit unions under laws relating to probate and intestate succession; to authorize a credit union insured by a credit union share guaranty corporation to maintain interest-bearing trust accounts on behalf of attorneys; to authorize and specify qualifications for designees acting for or on the premises of a financial institution, including a credit union, as police officers; to revise the conditions under which banks, savings and loan associations, and credit unions may achieve parity of authority with other financial institutions; and to exempt credit union transactions involving a credit card from the Retail Installment Sales Act and the Consumer Sales Practices Act.

Sub. H. B. No. 139 - Representatives Harwood, Carano, Patton, S., Law, Williams, Domenick, Chandler, Wolpert, Mitchell, Beatty, Boccieri, Book, Cassell, Distel, Evans, C., Fende, Flowers, Hughes, Miller, Oelslager, Otterman, Patton, T., Skindell, Stewart, J., Wagoner, Yuko

To authorize the conveyance to Liberty Township of all of the state's right, title, and interest in certain real estate located in Trumbull County.

Sub. H. B. No. 141 - Representatives Willamowski, Aslanides, Combs, McGregor, J., Seitz, Perry, Hartnett, Faber, Barrett, Taylor, Gilb, Hagan, Reidelbach, Schaffer, Bubb, Domenick, Evans, C., Flowers, Latta, Otterman, Schneider, Setzer, Smith, G.

To amend sections 149.43, 2921.24, 2921.25, and 4501.271 of the Revised Code to give prosecuting attorneys, assistant prosecuting attorneys, and certain correctional and youth services employees the same options as peace officers with respect to confidentiality of certain personal information.

Attest:

Laura P. Clemens,
Clerk.

Said bills were considered the first time.

CLERK'S NOTATION

Pursuant to section 10, Article II of the Constitution of the State of Ohio, the following protest was filed by Senator Marc E. Dann on October 18, 2005:

Although we support the provisions of substitute House Bill 234 that allow no-fault, no-excuse absentee voting, we protest the decision of the Ohio Senate today to pass HB 234 because:

1.HB 234 violates the Article II, Section 15(D) of the Ohio Constitution, which provides, in pertinent part, "No bill shall contain more than one subject."

2.HB 234 unfairly and perhaps unlawfully burdens the right to vote by requiring absentee voters to produce identification which they may not have;

3.The timing of the vote on HB 234, just three weeks before Ohio voters will be asked to amend the Constitution to include a substantially similar proposal, appears to be calculated to undermine voter support for the ballot initiative.

We are pleased that the Ohio Senate has finally adopted a measure to allow no-fault, no excuse absentee voting. We simply protest the undue burdens on voting and the process.

/s/ C.J. PRENTISS
/s/ DANIEL BRADY
/s/ KIMBERLY ZURZ
/s/ RAY MILLER
/s/ ROBERT F. HAGAN
/s/ TERESA FEDOR
/s/ TOM ROBERTS
/s/ MARK MALLORY
/s/ CHARLIE A. WILSON
/s/ ERIC FINGERHUT
/s/ MARC E. DANN

On the motion of Senator Gardner, the Senate adjourned until Wednesday, October 19, 2005 at 1:30 p.m.

Attest:

DAVID A. BATTOCLETTI,
Clerk.