

As Introduced

133rd General Assembly

Regular Session

2019-2020

S. B. No. 347

Senator Manning

**Cosponsors: Senators Obhof, Brenner, Rulli, Huffman, S., Huffman, M., Peterson,
Hottinger, Schaffer, Kunze**

A BILL

To amend sections 3517.01, 3517.105, 3517.1011, 1
3517.13, 3517.992, 3599.03, 5727.61, and 5733.27 2
of the Revised Code and to amend the versions of 3
sections 3517.105 and 3517.1011 of the Revised 4
Code that are scheduled to take effect January 5
1, 2021, to modify the Campaign Finance Law 6
regarding independent expenditures and political 7
action committees. 8

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

Section 1. That sections 3517.01, 3517.105, 3517.1011, 9
3517.13, 3517.992, 3599.03, 5727.61, and 5733.27 of the Revised 10
Code be amended to read as follows: 11

Sec. 3517.01. (A) (1) A political party within the meaning 12
of Title XXXV of the Revised Code is any group of voters that 13
meets either of the following requirements: 14

(a) Except as otherwise provided in this division, at the 15
most recent regular state election, the group polled for its 16
candidate for governor in the state or nominees for presidential 17

electors at least three per cent of the entire vote cast for 18
that office. A group that meets the requirements of this 19
division remains a political party for a period of four years 20
after meeting those requirements. 21

(b) The group filed with the secretary of state, 22
subsequent to its failure to meet the requirements of division 23
(A) (1) (a) of this section, a party formation petition that meets 24
all of the following requirements: 25

(i) The petition is signed by qualified electors equal in 26
number to at least one per cent of the total vote for governor 27
or nominees for presidential electors at the most recent 28
election for such office. 29

(ii) The petition is signed by not fewer than five hundred 30
qualified electors from each of at least a minimum of one-half 31
of the congressional districts in this state. If an odd number 32
of congressional districts exists in this state, the number of 33
districts that results from dividing the number of congressional 34
districts by two shall be rounded up to the next whole number. 35

(iii) The petition declares the petitioners' intention of 36
organizing a political party, the name of which shall be stated 37
in the declaration, and of participating in the succeeding 38
general election, held in even-numbered years, that occurs more 39
than one hundred twenty-five days after the date of filing. 40

(iv) The petition designates a committee of not less than 41
three nor more than five individuals of the petitioners, who 42
shall represent the petitioners in all matters relating to the 43
petition. Notice of all matters or proceedings pertaining to the 44
petition may be served on the committee, or any of them, either 45
personally or by registered mail, or by leaving such notice at 46

the usual place of residence of each of them. 47

(2) No such group of electors shall assume a name or 48
designation that is similar, in the opinion of the secretary of 49
state, to that of an existing political party as to confuse or 50
mislead the voters at an election. 51

(B) A campaign committee shall be legally liable for any 52
debts, contracts, or expenditures incurred or executed in its 53
name. 54

(C) Notwithstanding the definitions found in section 55
3501.01 of the Revised Code, as used in this section and 56
sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the 57
Revised Code: 58

(1) "Campaign committee" means a candidate or a 59
combination of two or more persons authorized by a candidate 60
under section 3517.081 of the Revised Code to receive 61
contributions and make expenditures. 62

(2) "Campaign treasurer" means an individual appointed by 63
a candidate under section 3517.081 of the Revised Code. 64

(3) "Candidate" has the same meaning as in division (H) of 65
section 3501.01 of the Revised Code and also includes any person 66
who, at any time before or after an election, receives 67
contributions or makes expenditures or other use of 68
contributions, has given consent for another to receive 69
contributions or make expenditures or other use of 70
contributions, or appoints a campaign treasurer, for the purpose 71
of bringing about the person's nomination or election to public 72
office. When two persons jointly seek the offices of governor 73
and lieutenant governor, "candidate" means the pair of 74
candidates jointly. "Candidate" does not include candidates for 75

election to the offices of member of a county or state central 76
committee, presidential elector, and delegate to a national 77
convention or conference of a political party. 78

(4) "Continuing association" means an association, other 79
than a campaign committee, political party, legislative campaign 80
fund, political contributing entity, or labor organization, that 81
is intended to be a permanent organization that has a primary 82
purpose other than supporting or opposing specific candidates, 83
political parties, or ballot issues, and that functions on a 84
regular basis throughout the year. "Continuing association" 85
includes organizations that are determined to be not organized 86
for profit under subsection 501 and that are described in 87
subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal 88
Revenue Code. 89

(5) "Contribution" means a loan, gift, deposit, 90
forgiveness of indebtedness, donation, advance, payment, or 91
transfer of funds or anything of value, including a transfer of 92
funds from an inter vivos or testamentary trust or decedent's 93
estate, and the payment by any person other than the person to 94
whom the services are rendered for the personal services of 95
another person, which contribution is made, received, or used 96
for the purpose of influencing the results of an election. Any 97
loan, gift, deposit, forgiveness of indebtedness, donation, 98
advance, payment, or transfer of funds or of anything of value, 99
including a transfer of funds from an inter vivos or 100
testamentary trust or decedent's estate, and the payment by any 101
campaign committee, political action committee, legislative 102
campaign fund, political party, political contributing entity, 103
or person other than the person to whom the services are 104
rendered for the personal services of another person, that is 105
made, received, or used by a state or county political party, 106

other than the moneys an entity may receive under sections 107
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 108
considered to be a "contribution" for the purpose of section 109
3517.10 of the Revised Code and shall be included on a statement 110
of contributions filed under that section. 111

"Contribution" does not include any of the following: 112

(a) Services provided without compensation by individuals 113
volunteering a portion or all of their time on behalf of a 114
person; 115

(b) Ordinary home hospitality; 116

(c) The personal expenses of a volunteer paid for by that 117
volunteer campaign worker; 118

(d) Any gift given to an entity pursuant to section 119
3517.101 of the Revised Code; 120

(e) Any contribution as defined in section 3517.1011 of 121
the Revised Code that is made, received, or used to pay the 122
direct costs of producing or airing an electioneering 123
communication; 124

(f) Any gift given to a state or county political party 125
for the party's restricted fund under division (A) (2) of section 126
3517.1012 of the Revised Code; 127

(g) Any gift given to a state political party for deposit 128
in a Levin account pursuant to section 3517.1013 of the Revised 129
Code. As used in this division, "Levin account" has the same 130
meaning as in that section. 131

(h) Any donation given to a transition fund under section 132
3517.1014 of the Revised Code. 133

(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 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, that has more than two thousand five 164
hundred dollars in its treasury and makes aggregate total 165
contributions and expenditures of one thousand dollars or more 166
per calendar year, and the primary or major purpose of which is 167
to support or oppose any candidate, political party, or issue, 168
or to influence the result of any election through express 169
advocacy, and that is not a political party, a campaign 170
committee, a political contributing entity, or a legislative 171
campaign fund. "Political action committee" does not include 172
~~either of the following:-~~ 173

~~(a) A~~ a continuing association that makes disbursements 174
for the direct costs of producing or airing electioneering 175
communications and that does not engage in express advocacy. ~~7-~~ 176

~~(b) A political club that is formed primarily for social~~ 177
~~purposes and that consists of one hundred members or less, has~~ 178
~~officers and periodic meetings, has less than two thousand five~~ 179
~~hundred dollars in its treasury at all times, and makes an~~ 180
~~aggregate total contribution of one thousand dollars or less per~~ 181
~~calendar year.~~ 182

(9) "Public office" means any state, county, municipal, 183
township, or district office, except an office of a political 184
party, that is filled by an election and the offices of United 185
States senator and representative. 186

(10) "Anything of value" has the same meaning as in 187
section 1.03 of the Revised Code. 188

(11) "Beneficiary of a campaign fund" means a candidate, a 189
public official or employee for whose benefit a campaign fund 190
exists, and any other person who has ever been a candidate or 191
public official or employee and for whose benefit a campaign 192

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| fund exists. | 193 |
| (12) "Campaign fund" means money or other property, including contributions. | 194 195 |
| (13) "Public official or employee" has the same meaning as in section 102.01 of the Revised Code. | 196 197 |
| (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. | 198 199 200 |
| (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. | 201 202 203 |
| (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, political action committee, or political contributing entity and that is made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of the benefited candidate, committee, fund, party, or entity. The financing of the dissemination, distribution, or republication, in whole or part, of any broadcast or of any written, graphic, or other form of campaign materials prepared by the candidate, the candidate's campaign committee, or their authorized agents is an in-kind contribution to the candidate and an expenditure by the candidate. | 204 205 206 207 208 209 210 211 212 213 214 215 216 217 |
| (17) "Independent expenditure" means an expenditure by a person advocating the election or defeat of an identified candidate or candidates, that is not made with the consent of, in coordination, cooperation, or consultation with, or at the | 218 219 220 221 |

request or suggestion of any candidate or candidates or of the 222
campaign committee or agent of the candidate or candidates. As 223
used in division (C) (17) of this section: 224

(a) "Person" means an individual, partnership, 225
unincorporated business organization or association, political 226
action committee, political contributing entity, separate 227
segregated fund, association, corporation, labor organization, 228
or other organization or group of persons, ~~but not a labor~~ 229
~~organization or a corporation unless the labor organization or~~ 230
~~corporation is a political contributing entity.~~ 231

(b) "Advocating" means any communication containing a 232
message advocating election or defeat. 233

(c) "Identified candidate" means that the name of the 234
candidate appears, a photograph or drawing of the candidate 235
appears, or the identity of the candidate is otherwise apparent 236
by unambiguous reference. 237

(d) "Made in coordination, cooperation, or consultation 238
with, or at the request or suggestion of, any candidate or the 239
campaign committee or agent of the candidate" means made 240
pursuant to any arrangement, coordination, or direction by the 241
candidate, the candidate's campaign committee, or the 242
candidate's agent prior to the publication, distribution, 243
display, or broadcast of the communication. An expenditure is 244
presumed to be so made when it is any of the following: 245

(i) Based on information about the candidate's plans, 246
projects, or needs provided to the person making the expenditure 247
by the candidate, or by the candidate's campaign committee or 248
agent, with a view toward having an expenditure made; 249

(ii) Made by or through any person who is, or has been, 250

authorized to raise or expend funds, who is, or has been, an 251
officer of the candidate's campaign committee, or who is, or has 252
been, receiving any form of compensation or reimbursement from 253
the candidate or the candidate's campaign committee or agent; 254

(iii) Except as otherwise provided in division (D) of 255
section 3517.105 of the Revised Code, made by a political party 256
in support of a candidate, unless the expenditure is made by a 257
political party to conduct voter registration or voter education 258
efforts. 259

(e) "Agent" means any person who has actual oral or 260
written authority, either express or implied, to make or to 261
authorize the making of expenditures on behalf of a candidate, 262
or means any person who has been placed in a position with the 263
candidate's campaign committee or organization such that it 264
would reasonably appear that in the ordinary course of campaign- 265
related activities the person may authorize expenditures. 266

(18) "Labor organization" means a labor union; an employee 267
organization; a federation of labor unions, groups, locals, or 268
other employee organizations; an auxiliary of a labor union, 269
employee organization, or federation of labor unions, groups, 270
locals, or other employee organizations; or any other bona fide 271
organization in which employees participate and that exists for 272
the purpose, in whole or in part, of dealing with employers 273
concerning grievances, labor disputes, wages, hours, and other 274
terms and conditions of employment. 275

(19) "Separate segregated fund" means a separate 276
segregated fund established pursuant to the Federal Election 277
Campaign Act. 278

(20) "Federal Election Campaign Act" means the "Federal 279

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| Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et seq., as amended. | 280 281 |
| (21) "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. | 282 283 284 |
| (22) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code. | 285 286 |
| (23) "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. | 287 288 289 290 291 |
| (24) "Political committee" has the same meaning as in section 3517.1011 of the Revised Code. | 292 293 |
| (25) "Political contributing entity" means any entity, including a corporation or labor organization, that may lawfully make contributions and <u>or</u> expenditures and that is not an individual or a political action committee, continuing association, campaign committee, political party, legislative campaign fund, designated state campaign committee, or state candidate fund. For purposes of this division, "lawfully" means not prohibited by any section of the Revised Code, or authorized by a final judgment of a court of competent jurisdiction. | 294 295 296 297 298 299 300 301 302 |
| (26) "Internet identifier of record" has the same meaning as in section 9.312 of the Revised Code. | 303 304 |
| 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 | 305 306 307 308 |

by any other means of advertising to the general public. 309

(2) For purposes of this section and section 3517.20 of 310
the Revised Code, a person is a member of a political action 311
committee if the person makes one or more contributions to that 312
political action committee, and a person is a member of a 313
political contributing entity if the person makes one or more 314
contributions to, or pays dues, membership fees, or other 315
assessments to, that political contributing entity. 316

(B) (1) Whenever a candidate, a campaign committee, a 317
political action committee or political contributing entity ~~with~~ 318
~~ten or more members, a corporation, a labor organization, or a~~ 319
legislative campaign fund makes an independent expenditure, ~~or~~ 320
~~whenever a political action committee or political contributing~~ 321
~~entity with fewer than ten members makes an independent~~ 322
~~expenditure in excess of one hundred dollars for a local~~ 323
~~candidate, in excess of two hundred fifty dollars for a~~ 324
~~candidate for the office of member of the general assembly, or~~ 325
~~in excess of five hundred dollars for a statewide candidate, or~~ 326
more for the purpose of financing communications advocating the 327
election or defeat of an identified candidate or solicits 328
without the candidate's express consent a contribution for or 329
against an identified candidate through public political 330
advertising, a statement shall appear or be presented in a clear 331
and conspicuous manner in the advertising that does both of the 332
following: 333

(a) Clearly indicates that the communication or public 334
political advertising is not authorized by the candidate or the 335
candidate's campaign committee; 336

(b) Clearly identifies the candidate, campaign committee, 337
political action committee, political contributing entity, 338

corporation, labor organization, or legislative campaign fund 339
that has paid for the communication or public political 340
advertising in accordance with section 3517.20 of the Revised 341
Code. 342

(2) (a) ~~Whenever~~ Subject to division (B) (2) (c) of this 343
section, whenever any campaign committee, legislative campaign 344
fund, political action committee, political contributing entity, 345
or political party makes an independent expenditure of five 346
hundred dollars or more in support of or opposition to any 347
candidate, the committee, entity, fund, or party shall report 348
the independent expenditure and identify the candidate on a 349
statement prescribed by the secretary of state and filed by the 350
committee, entity, fund, or party as part of its statement of 351
contributions and expenditures pursuant to division (A) of 352
section 3517.10 and division (A) of section 3517.11 of the 353
Revised Code. 354

(b) ~~Whenever~~ Subject to division (B) (2) (c) of this 355
section, whenever any individual, partnership, corporation, 356
labor organization, or other entity, except a ~~corporation, labor~~ 357
~~organization,~~ campaign committee, legislative campaign fund, 358
political action committee, political contributing entity, or 359
political party, makes one or more independent expenditures of 360
five hundred dollars or more in support of or opposition to any 361
candidate, the individual, partnership, corporation, labor 362
organization, or other entity shall file with the secretary of 363
state in the case of a statewide candidate, or with the board of 364
elections in the county in which the candidate files the 365
candidate's petitions for nomination or election for district or 366
local office, not later than the dates specified in divisions 367
(A) (1), (2), (3), and (4) of section 3517.10 of the Revised 368
Code, and, except as otherwise provided in that section, a 369

statement itemizing all independent expenditures made during the 370
period since the close of business on the last day reflected in 371
the last previously filed such statement, if any. The statement 372
shall be made on a form prescribed by the secretary of state or 373
shall be filed by electronic means of transmission pursuant to 374
division (G) of section 3517.106 of the Revised Code as 375
authorized or required by that division. The statement shall 376
indicate the date and the amount of each independent expenditure 377
and the candidate on whose behalf it was made and shall be made 378
under penalty of election falsification. 379

(c) Any independent expenditure of ten thousand dollars or 380
more in support of or opposition to any candidate that is made 381
during the period beginning on the ninetieth day before the 382
primary election and ending on the day of the general election 383
shall be deemed an electioneering communication for the purpose 384
of section 3517.1011 of the Revised Code and shall be reported 385
in accordance with the requirements of that section. 386

(d) If a corporation or labor organization files a 387
statement under division (B) (2) (b) or (c) of this section, the 388
statement also shall identify the source of any amounts the 389
corporation or labor organization received during the period 390
since the close of business on the last day reflected in the 391
last previously filed such statement that, in the aggregate, 392
exceed five thousand dollars and that were not received in the 393
ordinary course of business and were not received in exchange 394
for goods and services provided by the corporation or labor 395
organization. 396

(C) (1) Whenever a corporation, labor organization, 397
campaign committee, political action committee ~~with ten or more~~ 398
~~members~~, or legislative campaign fund makes an independent 399

~~expenditure, or whenever a political action committee with fewer~~ 400
~~than ten members makes an independent expenditure in excess of~~ 401
~~one hundred dollars for a local ballot issue or question, or in~~ 402
~~excess of five hundred dollars for a statewide ballot issue or~~ 403
~~question, or more~~ for the purpose of financing communications 404
advocating support of or opposition to an identified ballot 405
issue or question or solicits without the express consent of the 406
ballot issue committee a contribution for or against an 407
identified ballot issue or question through public political 408
advertising, a statement shall appear or be presented in a clear 409
and conspicuous manner in the advertising that does both of the 410
following: 411

(a) Clearly indicates that the communication or public 412
political advertising is not authorized by the identified ballot 413
issue committee; 414

(b) Clearly identifies the corporation, labor 415
organization, campaign committee, legislative campaign fund, or 416
political action committee that has paid for the communication 417
or public political advertising in accordance with section 418
3517.20 of the Revised Code. 419

(2) (a) Whenever any corporation, labor organization, 420
campaign committee, legislative campaign fund, political party, 421
or political action committee makes an independent expenditure 422
of five hundred dollars or more in support of or opposition to 423
any ballot issue or question, the corporation or labor 424
organization shall report the independent expenditure in 425
accordance with division (C) of section 3599.03 of the Revised 426
Code, and the campaign committee, legislative campaign fund, 427
political party, or political action committee shall report the 428
independent expenditure and identify the ballot issue or 429

question on a statement prescribed by the secretary of state and 430
filed by the committee, fund, or party as part of its statement 431
of contributions and expenditures pursuant to division (A) of 432
section 3517.10 and division (A) of section 3517.11 of the 433
Revised Code. 434

(b) Whenever any individual, partnership, or other entity, 435
except a corporation, labor organization, campaign committee, 436
legislative campaign fund, political action committee, or 437
political party, makes one or more independent expenditures ~~in~~ 438
~~excess of one~~ five hundred dollars or more in support of or 439
opposition to any ballot issue or question, the individual, 440
partnership, or other entity shall file with the secretary of 441
state in the case of a statewide ballot issue or question, or 442
with the board of elections in the county that certifies the 443
issue or question for placement on the ballot in the case of a 444
district or local issue or question, not later than the dates 445
specified in divisions (A) (1), (2), (3), and (4) of section 446
3517.10 of the Revised Code, and, except as otherwise provided 447
in that section, a statement itemizing all independent 448
expenditures made during the period since the close of business 449
on the last day reflected in the last previously filed such 450
statement, if any. The statement shall be made on a form 451
prescribed by the secretary of state or shall be filed by 452
electronic means of transmission pursuant to division (G) of 453
section 3517.106 of the Revised Code as authorized or required 454
by that division. The statement shall indicate the date and the 455
amount of each independent expenditure and the ballot issue or 456
question in support of or opposition to which it was made and 457
shall be made under penalty of election falsification. 458

(3) No person, campaign committee, legislative campaign 459
fund, political action committee, corporation, labor 460

organization, or other organization or association shall use or 461
cause to be used a false or fictitious name in making an 462
independent expenditure in support of or opposition to any 463
candidate or any ballot issue or question. A name is false or 464
fictitious if the person, campaign committee, legislative 465
campaign fund, political action committee, corporation, labor 466
organization, or other organization or association does not 467
actually exist or operate, if the corporation, labor 468
organization, or other organization or association has failed to 469
file a fictitious name or other registration with the secretary 470
of state, if it is required to do so, or if the person, campaign 471
committee, legislative campaign fund, or political action 472
committee has failed to file a designation of the appointment of 473
a treasurer, if it is required to do so by division (D) (1) of 474
section 3517.10 of the Revised Code. 475

(D) Any expenditure by a political party for the purpose 476
of financing communications advocating the election or defeat of 477
a candidate for judicial office shall be deemed to be an 478
independent expenditure subject to the provisions of this 479
section. 480

Sec. 3517.1011. (A) As used in this section: 481

(1) "Address" has the same meaning as in section 3517.10 482
of the Revised Code. 483

(2) "Broadcast, cable, or satellite communication" means a 484
communication that is publicly distributed by a television 485
station, radio station, cable television system, or satellite 486
system. 487

(3) "Candidate" has the same meaning as in section 3501.01 488
of the Revised Code. 489

(4) "Contribution" means any loan, gift, deposit, 490
forgiveness of indebtedness, donation, advance, payment, or 491
transfer of funds or of anything of value, including a transfer 492
of funds from an inter vivos or testamentary trust or decedent's 493
estate, and the payment by any person other than the person to 494
whom the services are rendered for the personal services of 495
another person, that is made, received, or used to pay the 496
direct costs of producing or airing electioneering 497
communications. 498

(5) (a) "Coordinated electioneering communication" means 499
any electioneering communication that is made pursuant to any 500
arrangement, coordination, or direction by a candidate or a 501
candidate's campaign committee, by an officer, agent, employee, 502
or consultant of a candidate or a candidate's campaign 503
committee, or by a former officer, former agent, former 504
employee, or former consultant of a candidate or a candidate's 505
campaign committee prior to the airing, broadcasting, or 506
cablecasting of the communication. An electioneering 507
communication is presumed to be a "coordinated electioneering 508
communication" when it is either of the following: 509

(i) Based on information about a candidate's plans, 510
projects, or needs provided to the person making the 511
disbursement by the candidate or the candidate's campaign 512
committee, by an officer, agent, employee, or consultant of the 513
candidate or the candidate's campaign committee, or by a former 514
officer, former agent, former employee, or former consultant of 515
the candidate or the candidate's campaign committee, with a view 516
toward having the communication made; 517

(ii) Made by or through any person who is, or has been, 518
authorized to raise or expend funds on behalf of a candidate or 519

the candidate's campaign committee, who is, or has been, an 520
officer, agent, employee, or consultant of the candidate or of 521
the candidate's campaign committee, or who is, or has been, 522
receiving any form of compensation or reimbursement from the 523
candidate or the candidate's campaign committee or from an 524
officer, agent, employee, or consultant of the candidate or of 525
the candidate's campaign committee. 526

(b) An electioneering communication shall not be presumed 527
to be a "coordinated electioneering communication" under 528
division (A) (5) (a) (ii) of this section if the communication is 529
made through any person who provides a service that does not 530
affect the content of the communication, such as communications 531
placed through the efforts of a media buyer, unless that person 532
also affects the content of the communication. 533

(6) "Disclosure date" means both of the following: 534

(a) The first date during any calendar year by which a 535
person makes disbursements for the direct costs of producing or 536
airing electioneering communications aggregating in excess of 537
ten thousand dollars; 538

(b) The same day of the week of each remaining week in the 539
same calendar year as the day of the week of the initial 540
disclosure date established under division (A) (6) (a) of this 541
section, if, during that remaining week, the person makes 542
disbursements for the direct costs of producing or airing 543
electioneering communications aggregating in excess of one 544
dollar. 545

(7) (a) "Electioneering communication" means any broadcast, 546
cable, or satellite communication that refers to a clearly 547
identified candidate and that is made during either of the 548

following periods of time: 549

(i) If the person becomes a candidate before the day of 550
the primary election at which candidates will be nominated for 551
election to that office, between the date that the person 552
becomes a candidate and the thirtieth day prior to that primary 553
election, and between the date of the primary election and the 554
thirtieth day prior to the general election at which a candidate 555
will be elected to that office; 556

(ii) If the person becomes a candidate after the day of 557
the primary election at which candidates were nominated for 558
election to that office, between the date of the primary 559
election and the thirtieth day prior to the general election at 560
which a candidate will be elected to that office. 561

(b) "Electioneering communication" does not include any of 562
the following: 563

(i) A communication that is publicly disseminated through 564
a means of communication other than a broadcast, cable, or 565
satellite television or radio station. For example, 566
"electioneering communication" does not include communications 567
appearing in print media, including a newspaper or magazine, 568
handbill, brochure, bumper sticker, yard sign, poster, 569
billboard, and other written materials, including mailings; 570
communications over the internet, including electronic mail; or 571
telephone communications. 572

(ii) A communication that appears in a news story, 573
commentary, public service announcement, bona fide news 574
programming, or editorial distributed through the facilities of 575
any broadcast, cable, or satellite television or radio station, 576
unless those facilities are owned or controlled by any political 577

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| party, political committee, or candidate; | 578 |
| (iii) A communication that constitutes an expenditure or an independent expenditure under section 3517.01 of the Revised Code; | 579 580 581 |
| (iv) A communication that constitutes a candidate debate or forum or that solely promotes a candidate debate or forum and is made by or on behalf of the person sponsoring the debate or forum. | 582 583 584 585 |
| (8) "Filing date" has the same meaning as in section 3517.109 of the Revised Code. | 586 587 |
| (9) "Immigration and Nationality Act" means the Immigration and Nationality Act, 110 Stat. 309 (1996), 8 U.S.C. 1101 et seq., as amended. | 588 589 590 |
| (10) "Person" has the same meaning as in section 1.59 of the Revised Code and includes any political organization considered exempt from income taxation under section 527 of the Internal Revenue Code. | 591 592 593 594 |
| (11) "Political committee" means any of the following: | 595 |
| (a) Any committee, club, association, or other group of persons that receives contributions aggregating in excess of one thousand dollars during a calendar year or that makes expenditures aggregating in excess of one thousand dollars during a calendar year; | 596 597 598 599 600 |
| (b) Any separate segregated fund; | 601 |
| (c) Any state, county, or local committee of a political party that does any of the following: | 602 603 |
| (i) Receives contributions aggregating in excess of five | 604 |

thousand dollars during a calendar year; 605

(ii) Makes payments that do not constitute contributions 606
or expenditures aggregating in excess of five thousand dollars 607
during a calendar year; 608

(iii) Makes contributions or expenditures aggregating in 609
excess of one thousand dollars during a calendar year. 610

(12) "Publicly distributed" means aired, broadcast, 611
cablecast, or otherwise disseminated for a fee. 612

(13) "Refers to a clearly identified candidate" means that 613
the candidate's name, nickname, photograph, or drawing appears, 614
or the identity of the candidate is otherwise apparent through 615
an unambiguous reference to the person such as "the chief 616
justice," "the governor," "member of the Ohio senate," "member 617
of the Ohio house of representatives," "county auditor," 618
"mayor," or "township trustee" or through an unambiguous 619
reference to the person's status as a candidate. 620

(B) For the purposes of this section, a person shall be 621
considered to have made a disbursement if the person has entered 622
into a contract to make the disbursement. 623

(C) Any person intending to make a disbursement or 624
disbursements for the direct costs of producing or airing 625
electioneering communications, prior to making the first 626
disbursement for the direct costs of producing or airing an 627
electioneering communication, shall file a notice with the 628
office of the secretary of state that the person is intending to 629
make such disbursements. 630

(D) (1) Every person that makes a disbursement or 631
disbursements for the direct costs of producing and airing 632
electioneering communications aggregating in excess of ten 633

thousand dollars during any calendar year shall file, within 634
twenty-four hours of each disclosure date, a disclosure of 635
electioneering communications statement containing the following 636
information: 637

(a) The full name and address of the person making the 638
disbursement, of any person sharing or exercising direction or 639
control over the activities of the person making the 640
disbursement, and of the custodian of the books and accounts of 641
the person making the disbursement; 642

(b) The principal place of business of the person making 643
the disbursement, if not an individual; 644

(c) The amount of each disbursement of more than one 645
dollar during the period covered by the statement and the 646
identity of the person to whom the disbursement was made; 647

(d) The nominations or elections to which the 648
electioneering communications pertain and the names, if known, 649
of the candidates identified or to be identified; 650

(e) If the disbursements were paid out of a segregated 651
bank account that consists of funds contributed solely by 652
individuals who are United States citizens or nationals or 653
lawfully admitted for permanent residence as defined in section 654
101(a)(20) of the Immigration and Nationality Act directly to 655
the account for electioneering communications, the information 656
specified in division (D)(2) of this section for all 657
contributors who contributed an aggregate amount of two hundred 658
dollars or more to the segregated bank account and whose 659
contributions were used for making the disbursement or 660
disbursements required to be reported under division (D) of this 661
section during the period covered by the statement. Nothing in 662

this division prohibits or shall be construed to prohibit the 663
use of funds in such a segregated bank account for a purpose 664
other than electioneering communications. 665

(f) If the disbursements were paid out of funds not 666
described in division (D) (1) (e) of this section, the information 667
specified in division (D) (2) of this section for all 668
contributors who contributed an aggregate amount of two hundred 669
dollars or more to the person making the disbursement and whose 670
contributions were used for making the disbursement or 671
disbursements required to be reported under division (D) of this 672
section during the period covered by the statement. 673

(2) For each contributor for which information is required 674
to be reported under division (D) (1) (e) or (f) of this section, 675
all of the following shall be reported: 676

(a) The month, day, and year that the contributor made the 677
contribution or contributions aggregating two hundred dollars or 678
more; 679

(b) (i) The full name and address of the contributor, and, 680
if the contributor is a political action committee, the 681
registration number assigned to the political action committee 682
under division (D) (1) of section 3517.10 of the Revised Code; 683

(ii) If the contributor is an individual, the name of the 684
individual's current employer, if any, or, if the individual is 685
self-employed, the individual's occupation and the name of the 686
individual's business, if any; 687

(iii) If the contribution is transmitted pursuant to 688
section 3599.031 of the Revised Code from amounts deducted from 689
the wages and salaries of two or more employees that exceed in 690
the aggregate one hundred dollars during the period specified in 691

division (D) (1) (e) or (f) of this section, as applicable, the 692
full name of the employees' employer and the full name of the 693
labor organization of which the employees are members, if any. 694

(c) A description of the contribution, if other than 695
money; 696

(d) The value in dollars and cents of the contribution. 697

(3) Subject to the secretary of state having implemented, 698
tested, and verified the successful operation of any system the 699
secretary of state prescribes pursuant to divisions (C) (6) (b) 700
and (D) (6) of section 3517.10 and division (H) (1) of section 701
3517.106 of the Revised Code for the filing of campaign finance 702
statements by electronic means of transmission, a person shall 703
file the disclosure of electioneering communications statement 704
prescribed under divisions (D) (1) and (2) of this section by 705
electronic means of transmission to the office of the secretary 706
of state. 707

Within five business days after the secretary of state 708
receives a disclosure of electioneering communications statement 709
under this division, the secretary of state shall make available 710
online to the public through the internet, as provided in 711
division (I) of section 3517.106 of the Revised Code, the 712
contribution and disbursement information in that statement. 713

If a filed disclosure of electioneering communications 714
statement is found to be incomplete or inaccurate after its 715
examination for completeness and accuracy pursuant to division 716
(B) (3) (a) of section 3517.11 of the Revised Code, the person 717
shall file by electronic means of transmission to the office of 718
the secretary of state any addendum, amendment, or other 719
correction to the statement that provides the information 720

necessary to complete or correct the statement or, if required 721
by the secretary of state under that division, an amended 722
statement. 723

Within five business days after the secretary of state 724
receives an addendum, amendment, or other correction to a 725
disclosure of electioneering communications statement or an 726
amended statement by electronic means of transmission under this 727
division or division (B) (3) (a) of section 3517.11 of the Revised 728
Code, the secretary of state shall make the contribution and 729
disbursement information in the addendum, amendment, or other 730
correction to the statement or amended statement available 731
online to the public through the internet as provided in 732
division (I) of section 3517.106 of the Revised Code. 733

(E) (1) Any person who makes a contribution for the purpose 734
of funding the direct costs of producing or airing an 735
electioneering communication under this section shall provide 736
the person's full name and address to the recipient of the 737
contribution at the time the contribution is made. 738

(2) Any individual who makes a contribution or 739
contributions aggregating two hundred dollars or more for the 740
purpose of funding the direct costs of producing or airing an 741
electioneering communication under this section shall provide 742
the name of the individual's current employer, if any, or, if 743
the individual is self-employed, the individual's occupation and 744
the name of the individual's business, if any, to the recipient 745
of the contribution at the time the contribution is made. 746

(F) In each electioneering communication, a statement 747
shall appear or be presented in a clear and conspicuous manner 748
that does both of the following: 749

(1) Clearly indicates that the electioneering 750
communication is not authorized by the candidate or the 751
candidate's campaign committee; 752

(2) Clearly identifies the person making the disbursement 753
for the electioneering communication in accordance with section 754
3517.20 of the Revised Code. 755

(G) Any coordinated electioneering communication is an in- 756
kind contribution, subject to the applicable contribution limits 757
prescribed in section 3517.102 of the Revised Code, to the 758
candidate by the person making disbursements to pay the direct 759
costs of producing or airing the communication. 760

~~(H) No person shall make, during the thirty days preceding 761
a primary election or during the thirty days preceding a general 762
election, any broadcast, cable, or satellite communication that 763
refers to a clearly identified candidate using any contributions 764
received from a corporation or labor organization. 765~~

Sec. 3517.13. (A) (1) No campaign committee of a statewide 766
candidate shall fail to file a complete and accurate statement 767
required under division (A) (1) of section 3517.10 of the Revised 768
Code. 769

(2) No campaign committee of a statewide candidate shall 770
fail to file a complete and accurate monthly statement, and no 771
campaign committee of a statewide candidate or a candidate for 772
the office of chief justice or justice of the supreme court 773
shall fail to file a complete and accurate two-business-day 774
statement, as required under section 3517.10 of the Revised 775
Code. 776

As used in this division, "statewide candidate" has the 777
same meaning as in division (F) (2) of section 3517.10 of the 778

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| Revised Code. | 779 |
| (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. | 780 781 782 |
| (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. | 783 784 785 |
| (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. | 786 787 788 |
| (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. | 789 790 791 |
| (F) No person shall make cash contributions to any person totaling more than one hundred dollars in each primary, special, or general election. | 792 793 794 |
| (G) (1) No person shall knowingly conceal or misrepresent contributions given or received, expenditures made, or any other information required to be reported by a provision in sections 3517.08 to 3517.13 of the Revised Code. | 795 796 797 798 |
| (2) (a) No person shall make a contribution to a campaign committee, political action committee, political contributing entity, legislative campaign fund, political party, or person making disbursements to pay the direct costs of producing or airing electioneering communications in the name of another person. | 799 800 801 802 803 804 |
| (b) A person does not make a contribution in the name of another when either of the following applies: | 805 806 |

(i) An individual makes a contribution from a partnership 807
or other unincorporated business account, if the contribution is 808
reported by listing both the name of the partnership or other 809
unincorporated business and the name of the partner or owner 810
making the contribution as required under division (I) of 811
section 3517.10 of the Revised Code. 812

(ii) A person makes a contribution in that person's 813
spouse's name or in both of their names. 814

(H) No person within this state, publishing a newspaper or 815
other periodical, shall charge a campaign committee for 816
political advertising a rate in excess of the rate such person 817
would charge if the campaign committee were a general rate 818
advertiser whose advertising was directed to promoting its 819
business within the same area as that encompassed by the 820
particular office that the candidate of the campaign committee 821
is seeking. The rate shall take into account the amount of space 822
used, as well as the type of advertising copy submitted by or on 823
behalf of the campaign committee. All discount privileges 824
otherwise offered by a newspaper or periodical to general rate 825
advertisers shall be available upon equal terms to all campaign 826
committees. 827

No person within this state, operating a radio or 828
television station or network of stations in this state, shall 829
charge a campaign committee for political broadcasts a rate that 830
exceeds: 831

(1) During the forty-five days preceding the date of a 832
primary election and during the sixty days preceding the date of 833
a general or special election in which the candidate of the 834
campaign committee is seeking office, the lowest unit charge of 835
the station for the same class and amount of time for the same 836

period; 837

(2) At any other time, the charges made for comparable use 838
of that station by its other users. 839

(I) Subject to divisions (K), (L), (M), and (N) of this 840
section, no agency or department of this state or any political 841
subdivision shall award any contract, other than one let by 842
competitive bidding or a contract incidental to such contract or 843
which is by force account, for the purchase of goods costing 844
more than five hundred dollars or services costing more than 845
five hundred dollars to any individual, partnership, 846
association, including, without limitation, a professional 847
association organized under Chapter 1785. of the Revised Code, 848
estate, or trust if the individual has made or the individual's 849
spouse has made, or any partner, shareholder, administrator, 850
executor, or trustee or the spouse of any of them has made, as 851
an individual, within the two previous calendar years, one or 852
more contributions totaling in excess of one thousand dollars to 853
the holder of the public office having ultimate responsibility 854
for the award of the contract or to the public officer's 855
campaign committee. 856

(J) Subject to divisions (K), (L), (M), and (N) of this 857
section, no agency or department of this state or any political 858
subdivision shall award any contract, other than one let by 859
competitive bidding or a contract incidental to such contract or 860
which is by force account, for the purchase of goods costing 861
more than five hundred dollars or services costing more than 862
five hundred dollars to a corporation or business trust, except 863
a professional association organized under Chapter 1785. of the 864
Revised Code, if an owner of more than twenty per cent of the 865
corporation or business trust or the spouse of that person has 866

made, as an individual, within the two previous calendar years, 867
taking into consideration only owners for all of that period, 868
one or more contributions totaling in excess of one thousand 869
dollars to the holder of a public office having ultimate 870
responsibility for the award of the contract or to the public 871
officer's campaign committee. 872

(K) For purposes of divisions (I) and (J) of this section, 873
if a public officer who is responsible for the award of a 874
contract is appointed by the governor, whether or not the 875
appointment is subject to the advice and consent of the senate, 876
excluding members of boards, commissions, committees, 877
authorities, councils, boards of trustees, task forces, and 878
other such entities appointed by the governor, the office of the 879
governor is considered to have ultimate responsibility for the 880
award of the contract. 881

(L) For purposes of divisions (I) and (J) of this section, 882
if a public officer who is responsible for the award of a 883
contract is appointed by the elected chief executive officer of 884
a municipal corporation, or appointed by the elected chief 885
executive officer of a county operating under an alternative 886
form of county government or county charter, excluding members 887
of boards, commissions, committees, authorities, councils, 888
boards of trustees, task forces, and other such entities 889
appointed by the chief executive officer, the office of the 890
chief executive officer is considered to have ultimate 891
responsibility for the award of the contract. 892

(M) (1) Divisions (I) and (J) of this section do not apply 893
to contracts awarded by the board of commissioners of the 894
sinking fund, municipal legislative authorities, boards of 895
education, boards of county commissioners, boards of township 896

trustees, or other boards, commissions, committees, authorities, 897
councils, boards of trustees, task forces, and other such 898
entities created by law, by the supreme court or courts of 899
appeals, by county courts consisting of more than one judge, 900
courts of common pleas consisting of more than one judge, or 901
municipal courts consisting of more than one judge, or by a 902
division of any court if the division consists of more than one 903
judge. This division shall apply to the specified entity only if 904
the members of the entity act collectively in the award of a 905
contract for goods or services. 906

(2) Divisions (I) and (J) of this section do not apply to 907
actions of the controlling board. 908

(N) (1) Divisions (I) and (J) of this section apply to 909
contributions made to the holder of a public office having 910
ultimate responsibility for the award of a contract, or to the 911
public officer's campaign committee, during the time the person 912
holds the office and during any time such person was a candidate 913
for the office. Those divisions do not apply to contributions 914
made to, or to the campaign committee of, a candidate for or 915
holder of the office other than the holder of the office at the 916
time of the award of the contract. 917

(2) Divisions (I) and (J) of this section do not apply to 918
contributions of a partner, shareholder, administrator, 919
executor, trustee, or owner of more than twenty per cent of a 920
corporation or business trust made before the person held any of 921
those positions or after the person ceased to hold any of those 922
positions in the partnership, association, estate, trust, 923
corporation, or business trust whose eligibility to be awarded a 924
contract is being determined, nor to contributions of the 925
person's spouse made before the person held any of those 926

positions, after the person ceased to hold any of those 927
positions, before the two were married, after the granting of a 928
decree of divorce, dissolution of marriage, or annulment, or 929
after the granting of an order in an action brought solely for 930
legal separation. Those divisions do not apply to contributions 931
of the spouse of an individual whose eligibility to be awarded a 932
contract is being determined made before the two were married, 933
after the granting of a decree of divorce, dissolution of 934
marriage, or annulment, or after the granting of an order in an 935
action brought solely for legal separation. 936

(0) No beneficiary of a campaign fund or other person 937
shall convert for personal use, and no person shall knowingly 938
give to a beneficiary of a campaign fund or any other person, 939
for the beneficiary's or any other person's personal use, 940
anything of value from the beneficiary's campaign fund, 941
including, without limitation, payments to a beneficiary for 942
services the beneficiary personally performs, except as 943
reimbursement for any of the following: 944

(1) Legitimate and verifiable prior campaign expenses 945
incurred by the beneficiary; 946

(2) Legitimate and verifiable ordinary and necessary prior 947
expenses incurred by the beneficiary in connection with duties 948
as the holder of a public office, including, without limitation, 949
expenses incurred through participation in nonpartisan or 950
bipartisan events if the participation of the holder of a public 951
office would normally be expected; 952

(3) Legitimate and verifiable ordinary and necessary prior 953
expenses incurred by the beneficiary while doing any of the 954
following: 955

(a) Engaging in activities in support of or opposition to 956
a candidate other than the beneficiary, political party, or 957
ballot issue; 958

(b) Raising funds for a political party, political action 959
committee, political contributing entity, legislative campaign 960
fund, campaign committee, or other candidate; 961

(c) Participating in the activities of a political party, 962
political action committee, political contributing entity, 963
legislative campaign fund, or campaign committee; 964

(d) Attending a political party convention or other 965
political meeting. 966

For purposes of this division, an expense is incurred 967
whenever a beneficiary has either made payment or is obligated 968
to make payment, as by the use of a credit card or other credit 969
procedure or by the use of goods or services received on 970
account. 971

(P) No beneficiary of a campaign fund shall knowingly 972
accept, and no person shall knowingly give to the beneficiary of 973
a campaign fund, reimbursement for an expense under division (O) 974
of this section to the extent that the expense previously was 975
reimbursed or paid from another source of funds. If an expense 976
is reimbursed under division (O) of this section and is later 977
paid or reimbursed, wholly or in part, from another source of 978
funds, the beneficiary shall repay the reimbursement received 979
under division (O) of this section to the extent of the payment 980
made or reimbursement received from the other source. 981

(Q) No candidate or public official or employee shall 982
accept for personal or business use anything of value from a 983
political party, political action committee, political 984

contributing entity, legislative campaign fund, or campaign 985
committee other than the candidate's or public official's or 986
employee's own campaign committee, and no person shall knowingly 987
give to a candidate or public official or employee anything of 988
value from a political party, political action committee, 989
political contributing entity, legislative campaign fund, or 990
such a campaign committee, except for the following: 991

(1) Reimbursement for legitimate and verifiable ordinary 992
and necessary prior expenses not otherwise prohibited by law 993
incurred by the candidate or public official or employee while 994
engaged in any legitimate activity of the political party, 995
political action committee, political contributing entity, 996
legislative campaign fund, or such campaign committee. Without 997
limitation, reimbursable expenses under this division include 998
those incurred while doing any of the following: 999

(a) Engaging in activities in support of or opposition to 1000
another candidate, political party, or ballot issue; 1001

(b) Raising funds for a political party, legislative 1002
campaign fund, campaign committee, or another candidate; 1003

(c) Attending a political party convention or other 1004
political meeting. 1005

(2) Compensation not otherwise prohibited by law for 1006
actual and valuable personal services rendered under a written 1007
contract to the political party, political action committee, 1008
political contributing entity, legislative campaign fund, or 1009
such campaign committee for any legitimate activity of the 1010
political party, political action committee, political 1011
contributing entity, legislative campaign fund, or such campaign 1012
committee. 1013

Reimbursable expenses under this division do not include, 1014
and it is a violation of this division for a candidate or public 1015
official or employee to accept, or for any person to knowingly 1016
give to a candidate or public official or employee from a 1017
political party, political action committee, political 1018
contributing entity, legislative campaign fund, or campaign 1019
committee other than the candidate's or public official's or 1020
employee's own campaign committee, anything of value for 1021
activities primarily related to the candidate's or public 1022
official's or employee's own campaign for election, except for 1023
contributions to the candidate's or public official's or 1024
employee's campaign committee. 1025

For purposes of this division, an expense is incurred 1026
whenever a candidate or public official or employee has either 1027
made payment or is obligated to make payment, as by the use of a 1028
credit card or other credit procedure, or by the use of goods or 1029
services on account. 1030

(R) (1) Division (O) or (P) of this section does not 1031
prohibit a campaign committee from making direct advance or post 1032
payment from contributions to vendors for goods and services for 1033
which reimbursement is permitted under division (O) of this 1034
section, except that no campaign committee shall pay its 1035
candidate or other beneficiary for services personally performed 1036
by the candidate or other beneficiary. 1037

(2) If any expense that may be reimbursed under division 1038
(O), (P), or (Q) of this section is part of other expenses that 1039
may not be paid or reimbursed, the separation of the two types 1040
of expenses for the purpose of allocating for payment or 1041
reimbursement those expenses that may be paid or reimbursed may 1042
be by any reasonable accounting method, considering all of the 1043

surrounding circumstances. 1044

(3) For purposes of divisions (O), (P), and (Q) of this 1045
section, mileage allowance at a rate not greater than that 1046
allowed by the internal revenue service at the time the travel 1047
occurs may be paid instead of reimbursement for actual travel 1048
expenses allowable. 1049

(S) (1) As used in division (S) of this section: 1050

(a) "State elective office" has the same meaning as in 1051
section 3517.092 of the Revised Code. 1052

(b) "Federal office" means a federal office as defined in 1053
the Federal Election Campaign Act. 1054

(c) "Federal campaign committee" means a principal 1055
campaign committee or authorized committee as defined in the 1056
Federal Election Campaign Act. 1057

(2) No person who is a candidate for state elective office 1058
and who previously sought nomination or election to a federal 1059
office shall transfer any funds or assets from that person's 1060
federal campaign committee for nomination or election to the 1061
federal office to that person's campaign committee as a 1062
candidate for state elective office. 1063

(3) No campaign committee of a person who is a candidate 1064
for state elective office and who previously sought nomination 1065
or election to a federal office shall accept any funds or assets 1066
from that person's federal campaign committee for that person's 1067
nomination or election to the federal office. 1068

(T) (1) Except as otherwise provided in division (B) (6) (c) 1069
of section 3517.102 of the Revised Code, a state or county 1070
political party shall not disburse moneys from any account other 1071

than a state candidate fund to make contributions to any of the 1072
following: 1073

(a) A state candidate fund; 1074

(b) A legislative campaign fund; 1075

(c) A campaign committee of a candidate for the office of 1076
governor, lieutenant governor, secretary of state, auditor of 1077
state, treasurer of state, attorney general, member of the state 1078
board of education, or member of the general assembly. 1079

(2) No state candidate fund, legislative campaign fund, or 1080
campaign committee of a candidate for any office described in 1081
division (T) (1) (c) of this section shall knowingly accept a 1082
contribution in violation of division (T) (1) of this section. 1083

(U) No person shall fail to file a statement required 1084
under section 3517.12 of the Revised Code. 1085

(V) No campaign committee shall fail to file a statement 1086
required under division (K) (3) of section 3517.10 of the Revised 1087
Code. 1088

(W) (1) No foreign national shall, directly or indirectly 1089
through any other person or entity, make a contribution, 1090
expenditure, disbursement for the direct costs of producing and 1091
airing electioneering communications, or independent expenditure 1092
or promise, either expressly or implicitly, to make a 1093
contribution, expenditure, disbursement for the direct costs of 1094
producing and airing electioneering communications, or 1095
independent expenditure in support of or opposition to a 1096
candidate for any elective office in this state, including an 1097
office of a political party. 1098

(2) No candidate, campaign committee, political action 1099

committee, political contributing entity, legislative campaign 1100
fund, state candidate fund, political party, or separate 1101
segregated fund shall solicit or accept a contribution, 1102
expenditure, disbursement for the direct costs of producing and 1103
airing electioneering communications, or independent expenditure 1104
from a foreign national. The secretary of state may direct any 1105
candidate, committee, entity, fund, or party that accepts a 1106
contribution, expenditure, disbursement for the direct costs of 1107
producing and airing electioneering communications, or 1108
independent expenditure in violation of this division to return 1109
the contribution, expenditure, disbursement for the direct costs 1110
of producing and airing electioneering communications, or 1111
independent expenditure or, if it is not possible to return the 1112
contribution, expenditure, disbursement for the direct costs of 1113
producing and airing electioneering communications, or 1114
independent expenditure, then to return instead the value of it, 1115
to the contributor. 1116

(3) As used in division (W) of this section, "foreign 1117
national" has the same meaning as in section 441e(b) of the 1118
Federal Election Campaign Act. 1119

(X) (1) No state or county political party shall transfer 1120
any moneys from its restricted fund to any account of the 1121
political party into which contributions may be made or from 1122
which contributions or expenditures may be made. 1123

(2) (a) No state or county political party shall deposit a 1124
contribution or contributions that it receives into its 1125
restricted fund. 1126

(b) No state or county political party shall make a 1127
contribution or an expenditure from its restricted fund. 1128

(3) (a) No corporation or labor organization shall make a 1129
gift or gifts from the corporation's or labor organization's 1130
money or property aggregating more than ten thousand dollars to 1131
any one state or county political party for the party's 1132
restricted fund in a calendar year. 1133

(b) No state or county political party shall accept a gift 1134
or gifts for the party's restricted fund aggregating more than 1135
ten thousand dollars from any one corporation or labor 1136
organization in a calendar year. 1137

(4) No state or county political party shall transfer any 1138
moneys in the party's restricted fund to any other state or 1139
county political party. 1140

(5) No state or county political party shall knowingly 1141
fail to file a statement required under section 3517.1012 of the 1142
Revised Code. 1143

(Y) The administrator of workers' compensation and the 1144
employees of the bureau of workers' compensation shall not 1145
conduct any business with or award any contract, other than one 1146
awarded by competitive bidding, for the purchase of goods 1147
costing more than five hundred dollars or services costing more 1148
than five hundred dollars to any individual, partnership, 1149
association, including, without limitation, a professional 1150
association organized under Chapter 1785. of the Revised Code, 1151
estate, or trust, if the individual has made, or the 1152
individual's spouse has made, or any partner, shareholder, 1153
administrator, executor, or trustee, or the spouses of any of 1154
those individuals has made, as an individual, within the two 1155
previous calendar years, one or more contributions totaling in 1156
excess of one thousand dollars to the campaign committee of the 1157
governor or lieutenant governor or to the campaign committee of 1158

any candidate for the office of governor or lieutenant governor. 1159

(Z) The administrator of workers' compensation and the 1160
employees of the bureau of workers' compensation shall not 1161
conduct business with or award any contract, other than one 1162
awarded by competitive bidding, for the purchase of goods 1163
costing more than five hundred dollars or services costing more 1164
than five hundred dollars to a corporation or business trust, 1165
except a professional association organized under Chapter 1785. 1166
of the Revised Code, if an owner of more than twenty per cent of 1167
the corporation or business trust, or the spouse of the owner, 1168
has made, as an individual, within the two previous calendar 1169
years, taking into consideration only owners for all of such 1170
period, one or more contributions totaling in excess of one 1171
thousand dollars to the campaign committee of the governor or 1172
lieutenant governor or to the campaign committee of any 1173
candidate for the office of governor or lieutenant governor. 1174

(AA) (1) No foreign corporation shall make an independent 1175
expenditure, make a disbursement for the direct costs of 1176
producing and airing electioneering communications, or make a 1177
contribution to another entity for the purpose of funding the 1178
direct costs of producing and airing electioneering 1179
communications. 1180

(2) For the purpose of division (AA) of this section, the 1181
determination of whether a corporation is a foreign corporation 1182
shall be made as of the date the independent expenditure, 1183
disbursement for the direct costs of producing or airing 1184
electioneering communications, or contribution to another entity 1185
for the purpose of funding the direct costs of producing or 1186
airing electioneering communications is made. 1187

(3) As used in division (AA) of this section, "foreign 1188

corporation" has the same meaning as defined by section 7701 of 1189
the Internal Revenue Code, 26 U.S.C. 7701. 1190

Sec. 3517.992. This section establishes penalties only 1191
with respect to acts or failures to act that occur on and after 1192
August 24, 1995. 1193

(A) (1) A candidate whose campaign committee violates 1194
division (A), (B), (C), (D), or (V) of section 3517.13 of the 1195
Revised Code, or a treasurer of a campaign committee who 1196
violates any of those divisions, shall be fined not more than 1197
one hundred dollars for each day of violation. 1198

(2) Whoever violates division (E) or (X) (5) of section 1199
3517.13 or division (E) (1) of section 3517.1014 of the Revised 1200
Code shall be fined not more than one hundred dollars for each 1201
day of violation. 1202

(B) An entity that violates division (G) (1) of section 1203
3517.101 of the Revised Code shall be fined not more than one 1204
hundred dollars for each day of violation. 1205

(C) Whoever violates division (G) (2) of section 3517.101, 1206
division (G) of section 3517.13, or division (E) (2) or (3) of 1207
section 3517.1014 of the Revised Code shall be fined not more 1208
than ten thousand dollars or, if the offender is a person who 1209
was nominated or elected to public office, shall forfeit the 1210
nomination or the office to which the offender was elected, or 1211
both. 1212

(D) Whoever violates division (F) of section 3517.13 of 1213
the Revised Code shall be fined not more than three times the 1214
amount contributed. 1215

(E) Whoever violates division (H) of section 3517.13 of 1216
the Revised Code shall be fined not more than one hundred 1217

dollars. 1218

(F) Whoever violates division (O), (P), or (Q) of section 1219
3517.13 of the Revised Code is guilty of a misdemeanor of the 1220
first degree. 1221

(G) A state or county committee of a political party that 1222
violates division (B) (1) of section 3517.18 of the Revised Code 1223
as that section existed before its repeal by H.B. 166 of the 1224
133rd general assembly shall be fined not more than twice the 1225
amount of the improper expenditure. 1226

(H) An entity that violates division (H) of section 1227
3517.101 of the Revised Code shall be fined not more than twice 1228
the amount of the improper expenditure or use. 1229

(I) (1) Any individual who violates division (B) (1) of 1230
section 3517.102 of the Revised Code and knows that the 1231
contribution the individual makes violates that division shall 1232
be fined an amount equal to three times the amount contributed 1233
in excess of the amount permitted by that division. 1234

(2) Any political action committee that violates division 1235
(B) (2) of section 3517.102 of the Revised Code shall be fined an 1236
amount equal to three times the amount contributed in excess of 1237
the amount permitted by that division. 1238

(3) Any campaign committee that violates division (B) (3) 1239
or (5) of section 3517.102 of the Revised Code shall be fined an 1240
amount equal to three times the amount contributed in excess of 1241
the amount permitted by that division. 1242

(4) (a) Any legislative campaign fund that violates 1243
division (B) (6) of section 3517.102 of the Revised Code shall be 1244
fined an amount equal to three times the amount transferred or 1245
contributed in excess of the amount permitted by that division, 1246

as applicable. 1247

(b) Any state political party, county political party, or 1248
state candidate fund of a state political party or county 1249
political party that violates division (B)(6) of section 1250
3517.102 of the Revised Code shall be fined an amount equal to 1251
three times the amount transferred or contributed in excess of 1252
the amount permitted by that division, as applicable. 1253

(c) Any political contributing entity that violates 1254
division (B)(7) of section 3517.102 of the Revised Code shall be 1255
fined an amount equal to three times the amount contributed in 1256
excess of the amount permitted by that division. 1257

(5) Any political party that violates division (B)(4) of 1258
section 3517.102 of the Revised Code shall be fined an amount 1259
equal to three times the amount contributed in excess of the 1260
amount permitted by that division. 1261

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and 1262
(5) of this section, no violation of division (B) of section 1263
3517.102 of the Revised Code occurs, and the secretary of state 1264
shall not refer parties to the Ohio elections commission, if the 1265
amount transferred or contributed in excess of the amount 1266
permitted by that division meets either of the following 1267
conditions: 1268

(a) It is completely refunded within five business days 1269
after it is accepted. 1270

(b) It is completely refunded on or before the tenth 1271
business day after notification to the recipient of the excess 1272
transfer or contribution by the board of elections or the 1273
secretary of state that a transfer or contribution in excess of 1274
the permitted amount has been received. 1275

(J) (1) Any campaign committee that violates division (C) 1276
(1), (2), (3), or (6) of section 3517.102 of the Revised Code 1277
shall be fined an amount equal to three times the amount 1278
accepted in excess of the amount permitted by that division. 1279

(2) (a) Any county political party that violates division 1280
(C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code 1281
shall be fined an amount equal to three times the amount 1282
accepted. 1283

(b) Any county political party that violates division (C) 1284
(4) (a) (i) of section 3517.102 of the Revised Code shall be fined 1285
an amount from its state candidate fund equal to three times the 1286
amount accepted in excess of the amount permitted by that 1287
division. 1288

(c) Any state political party that violates division (C) 1289
(4) (b) of section 3517.102 of the Revised Code shall be fined an 1290
amount from its state candidate fund equal to three times the 1291
amount accepted in excess of the amount permitted by that 1292
division. 1293

(3) Any legislative campaign fund that violates division 1294
(C) (5) of section 3517.102 of the Revised Code shall be fined an 1295
amount equal to three times the amount accepted in excess of the 1296
amount permitted by that division. 1297

(4) Any political action committee or political 1298
contributing entity that violates division (C) (7) of section 1299
3517.102 of the Revised Code shall be fined an amount equal to 1300
three times the amount accepted in excess of the amount 1301
permitted by that division. 1302

(5) Notwithstanding divisions (J) (1), (2), (3), and (4) of 1303
this section, no violation of division (C) of section 3517.102 1304

of the Revised Code occurs, and the secretary of state shall not 1305
refer parties to the Ohio elections commission, if the amount 1306
transferred or contributed in excess of the amount permitted to 1307
be accepted by that division meets either of the following 1308
conditions: 1309

(a) It is completely refunded within five business days 1310
after its acceptance. 1311

(b) It is completely refunded on or before the tenth 1312
business day after notification to the recipient of the excess 1313
transfer or contribution by the board of elections or the 1314
secretary of state that a transfer or contribution in excess of 1315
the permitted amount has been received. 1316

(K) (1) Any legislative campaign fund that violates 1317
division (F) (1) of section 3517.102 of the Revised Code shall be 1318
fined twenty-five dollars for each day of violation. 1319

(2) Any legislative campaign fund that violates division 1320
(F) (2) of section 3517.102 of the Revised Code shall give to the 1321
treasurer of state for deposit into the state treasury to the 1322
credit of the Ohio elections commission fund all excess 1323
contributions not disposed of as required by division (E) of 1324
section 3517.102 of the Revised Code. 1325

(L) Whoever violates section 3517.105 of the Revised Code 1326
shall be fined one thousand dollars. 1327

(M) (1) Whoever solicits a contribution in violation of 1328
section 3517.092 or violates division (B) of section 3517.09 of 1329
the Revised Code is guilty of a misdemeanor of the first degree. 1330

(2) Whoever knowingly accepts a contribution in violation 1331
of division (B) or (C) of section 3517.092 of the Revised Code 1332
shall be fined an amount equal to three times the amount 1333

accepted in violation of either of those divisions and shall 1334
return to the contributor any amount so accepted. Whoever 1335
unknowingly accepts a contribution in violation of division (B) 1336
or (C) of section 3517.092 of the Revised Code shall return to 1337
the contributor any amount so accepted. 1338

(N) Whoever violates division (S) of section 3517.13 of 1339
the Revised Code shall be fined an amount equal to three times 1340
the amount of funds transferred or three times the value of the 1341
assets transferred in violation of that division. 1342

(O) Any campaign committee that accepts a contribution or 1343
contributions in violation of section 3517.108 of the Revised 1344
Code, uses a contribution in violation of that section, or fails 1345
to dispose of excess contributions in violation of that section 1346
shall be fined an amount equal to three times the amount 1347
accepted, used, or kept in violation of that section. 1348

(P) Any political party, state candidate fund, legislative 1349
candidate fund, or campaign committee that violates division (T) 1350
of section 3517.13 of the Revised Code shall be fined an amount 1351
equal to three times the amount contributed or accepted in 1352
violation of that section. 1353

(Q) A treasurer of a committee or another person who 1354
violates division (U) of section 3517.13 of the Revised Code 1355
shall be fined not more than two hundred fifty dollars. 1356

(R) Whoever violates division (I) or (J) of section 1357
3517.13 of the Revised Code shall be fined not more than one 1358
thousand dollars. Whenever a person is found guilty of violating 1359
division (I) or (J) of section 3517.13 of the Revised Code, the 1360
contract awarded in violation of either of those divisions shall 1361
be rescinded if its terms have not yet been performed. 1362

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

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

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

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

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

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

(Y) (1) Any campaign committee that fails to dispose of 1392
excess funds or excess aggregate contributions under division 1393
(B) of section 3517.109 of the Revised Code in the manner 1394
required by division (C) of that section shall give to the 1395
treasurer of state for deposit into the Ohio elections 1396
commission fund created under division (I) of section 3517.152 1397
of the Revised Code all funds not disposed of pursuant to that 1398
division. 1399

(2) Any treasurer of a transition fund that fails to 1400
dispose of assets remaining in the transition fund as required 1401
under division (H) (1) or (2) of section 3517.1014 of the Revised 1402
Code shall give to the treasurer of state for deposit into the 1403
Ohio elections commission fund all assets not disposed of 1404
pursuant to that division. 1405

(Z) Any individual, campaign committee, political action 1406
committee, political contributing entity, legislative campaign 1407
fund, political party, treasurer of a transition fund, or other 1408
entity that violates any provision of sections 3517.09 to 1409
3517.12 of the Revised Code for which no penalty is provided for 1410
under any other division of this section shall be fined not more 1411
than one thousand dollars. 1412

(AA) (1) Whoever knowingly violates division (W) (1) of 1413
section 3517.13 of the Revised Code shall be fined an amount 1414
equal to three times the amount contributed, expended, or 1415
promised in violation of that division or ten thousand dollars, 1416
whichever amount is greater. 1417

(2) Whoever knowingly violates division (W) (2) of section 1418
3517.13 of the Revised Code shall be fined an amount equal to 1419
three times the amount solicited or accepted in violation of 1420
that division or ten thousand dollars, whichever amount is 1421

greater. 1422

(BB) Whoever knowingly violates division (C) or (D) of 1423
section 3517.1011 of the Revised Code shall be fined not more 1424
than ten thousand dollars plus not more than one thousand 1425
dollars for each day of violation. 1426

~~(CC) (1) Subject to division (CC) (2) of this section, 1427
whoever violates division (H) of section 3517.1011 of the 1428
Revised Code shall be fined an amount up to three times the 1429
amount disbursed for the direct costs of airing the 1430
communication made in violation of that division. 1431~~

~~(2) Whoever has been ordered by the Ohio elections 1432
commission or by a court of competent jurisdiction to cease 1433
making communications in violation of division (H) of section 1434
3517.1011 of the Revised Code who again violates that division 1435
shall be fined an amount equal to three times the amount 1436
disbursed for the direct costs of airing the communication made 1437
in violation of that division. 1438~~

~~(DD) (1) Any corporation or labor organization that 1439
violates division (X) (3) (a) of section 3517.13 of the Revised 1440
Code shall be fined an amount equal to three times the amount 1441
given in excess of the amount permitted by that division. 1442~~

(2) Any state or county political party that violates 1443
division (X) (3) (b) of section 3517.13 of the Revised Code shall 1444
be fined an amount equal to three times the amount accepted in 1445
excess of the amount permitted by that division. 1446

(DD) Whoever knowingly violates division (AA) (1) of 1447
section 3517.13 of the Revised Code shall be fined an amount 1448
equal to three times the amount expended, disbursed, or 1449
contributed in violation of that division. 1450

(EE) (1) Any campaign committee or person who violates 1451
division (C) (1) (b) or (c) of section 3517.1014 of the Revised 1452
Code shall be fined an amount equal to three times the amount 1453
donated in excess of the amount permitted by that division. 1454

(2) Any officeholder or treasurer of a transition fund who 1455
violates division (C) (3) (a) or (b) of section 3517.1014 of the 1456
Revised Code shall be fined an amount equal to three times the 1457
amount accepted in excess of the amount permitted by that 1458
division. 1459

Sec. 3599.03. (A) (1) ~~Except to carry on activities~~ 1460
~~specified in sections 3517.082, 3517.101, and 3517.1011,~~ 1461
~~division (A) (2) of section 3517.1012, division (B) of section~~ 1462
~~3517.1013, division (C) (1) of section 3517.1014, and section~~ 1463
~~3599.031 of the Revised Code and except as provided in divisions~~ 1464
~~(D), (E), and (F) of this section, no~~ No corporation, no 1465
nonprofit corporation, and no labor organization, directly or 1466
indirectly, shall pay or use, or offer, advise, consent, or 1467
agree to pay or use, the corporation's money or property, or the 1468
labor organization's money, including dues, initiation fees, or 1469
other assessments paid by members, or property, ~~for or in aid of~~ 1470
~~or opposition to make a contribution~~ to a political party, a 1471
candidate for election or nomination to public office, a 1472
political action committee including a political action 1473
committee of the corporation or labor organization, or a 1474
legislative campaign fund, ~~or any organization that supports or~~ 1475
~~opposes any such candidate, or for any partisan political~~ 1476
~~purpose,~~ shall violate any law requiring the filing of an 1477
affidavit or statement respecting such use of those funds, or 1478
shall pay or use the corporation's or labor organization's money 1479
for the expenses of a social fund-raising event for its 1480
political action committee if an employee's or labor 1481

organization member's right to attend such an event is 1482
predicated on the employee's or member's contribution to the 1483
corporation's or labor organization's political action 1484
committee. 1485

(2) Whoever violates division (A) (1) of this section shall 1486
be fined not less than five hundred nor more than five thousand 1487
dollars. 1488

(B) (1) No officer, stockholder, attorney, or agent of a 1489
corporation or nonprofit corporation, no member, including an 1490
officer, attorney, or agent, of a labor organization, and no 1491
candidate, political party official, or other individual shall 1492
knowingly aid, advise, solicit, or receive money or other 1493
property in violation of division (A) (1) of this section. 1494

(2) Whoever violates division (B) (1) of this section shall 1495
be fined not more than one thousand dollars, or imprisoned not 1496
more than one year, or both. 1497

(C) (1) A corporation, a nonprofit corporation, or a labor 1498
organization may use its funds or property to make an 1499
independent expenditure for or in aid of or opposition to a 1500
candidate or a proposed or certified ballot issue. Such use of 1501
funds or property shall be reported on a form prescribed by the 1502
secretary of state. ~~Reports~~ 1503

(2) Reports of independent expenditures regarding a 1504
candidate shall be filed under division (B) (2) (b) of section 1505
3517.105 of the Revised Code. 1506

(3) Reports of contributions in connection with statewide 1507
ballot issues shall be filed with the secretary of state. 1508
Reports of contributions in connection with local issues shall 1509
be filed with the board of elections of the most populous county 1510

of the district in which the issue is submitted or to be 1511
submitted to the electors. Reports made pursuant to this 1512
division shall be filed by the times specified in divisions (A) 1513
(1) and (2) of section 3517.10 of the Revised Code. 1514

(D) A nonprofit corporation that is a membership 1515
association and that is exempt from taxation under subsection 1516
501(c)(6) of the Internal Revenue Code may transfer 1517
contributions received as part of a regular dues payment from 1518
member partnerships and other unincorporated businesses as 1519
defined in division (I)(6) of section 3517.10 of the Revised 1520
Code to its political action committee. Contributions received 1521
under this division shall be itemized and allocated to 1522
individuals subject to contribution limits. 1523

(E) (1) Any gift made pursuant to section 3517.101 of the 1524
Revised Code does not constitute a violation of this section or 1525
of any other section of the Revised Code. 1526

(2) Any gift made pursuant to division (A)(2) of section 1527
3517.1012 of the Revised Code does not constitute a violation of 1528
this section. 1529

(3) Any gift made pursuant to division (B) of section 1530
3517.1013 of the Revised Code does not constitute a violation of 1531
this section. 1532

(4) Any donation made pursuant to division (C)(1) of 1533
section 3517.1014 of the Revised Code does not constitute a 1534
violation of this section. 1535

(F) Any compensation or fees paid by a financial 1536
institution to a state political party for services rendered 1537
pursuant to division (B) of section 3517.19 of the Revised Code 1538
do not constitute a violation of this section or of any other 1539

section of the Revised Code. 1540

(G) (1) ~~The use by a~~ A nonprofit corporation of that uses 1541
its money or property for communicating information for a 1542
political purpose specified in division (A) of this section is 1543
~~not a violation of that division required to report that~~ 1544
communication as an independent expenditure or an electioneering 1545
communication if the stockholders, members, donors, trustees, or 1546
officers of the nonprofit corporation are the predominant 1547
recipients of the communication. 1548

(2) The placement of a campaign sign on the property of a 1549
corporation, nonprofit corporation, or labor organization is not 1550
a ~~use of property contribution~~ in violation of division (A) of 1551
this section by that corporation, nonprofit corporation, or 1552
labor organization. 1553

(3) ~~The use by a~~ A corporation or labor organization of 1554
that uses its money or property for communicating information 1555
for a political purpose specified in division (A) of this 1556
~~section is not a violation of that division required to report~~ 1557
that communication as an independent expenditure or an 1558
electioneering communication if it is not a communication made 1559
by mass broadcast such as radio or television or made by 1560
advertising in a newspaper of general circulation but is a 1561
communication sent exclusively to members, employees, officers, 1562
or trustees of that labor organization or shareholders, 1563
employees, officers, or directors of that corporation or to 1564
members of the immediate families of any such individuals or if 1565
the communication intended to be so sent exclusively is 1566
unintentionally sent as well to a de minimis number of other 1567
individuals. 1568

(H) In addition to the laws listed in division (A) of 1569

section 4117.10 of the Revised Code that prevail over 1570
conflicting agreements between employee organizations and public 1571
employers, this section prevails over any conflicting provisions 1572
of agreements between labor organizations and public employers 1573
that are entered into on or after March 31, 2005, pursuant to 1574
Chapter 4117. of the Revised Code. 1575

(I) As used in this section, "labor organization" has the 1576
same meaning as in section 3517.01 of the Revised Code. 1577

Sec. 5727.61. Every public utility required by law to make 1578
returns, statements, or reports to the tax commissioner under 1579
sections 5727.01 to 5727.62 of the Revised Code shall file 1580
therewith, in such form as the commissioner prescribes, an 1581
affidavit subscribed and sworn to by a person or officer having 1582
knowledge of the facts setting forth that such public utility 1583
has not, during the preceding year, except as permitted by 1584
~~sections 3517.082, 3599.03, and 3599.031~~ under Title XXXV of the 1585
Revised Code, directly or indirectly paid, used or offered, 1586
consented, or agreed to pay or use any of its money or property 1587
~~for or in aid of or opposition to make a contribution to a~~ 1588
political party, a candidate for election or nomination to 1589
public office, ~~or~~ a political action committee, or legislative 1590
campaign fund, ~~or organization that supports or opposes any such~~ 1591
~~candidate or in any manner used any of its money or property for~~ 1592
~~any partisan political purpose whatever,~~ or for the 1593
reimbursement or indemnification of any person for money or 1594
property so used. Such forms of affidavit as the commissioner 1595
prescribes shall be attached to or made a part of the return, 1596
statement, or report required to be made by such public utility 1597
under sections 5727.01 to 5727.62 of the Revised Code. 1598

Sec. 5733.27. Every corporation required by law to make 1599

returns, statements, or reports to the tax commissioner shall 1600
file therewith, in such form as the commissioner prescribes, an 1601
affidavit subscribed and sworn to by a person or officer having 1602
knowledge of the facts setting forth that such corporation has 1603
not, during the preceding year, except as permitted ~~by sections~~ 1604
~~3517.082, 3599.03, and 3599.031~~ under Title XXXV of the Revised 1605
Code, directly or indirectly paid, used or offered, consented, 1606
or agreed to pay or use any of its money or property ~~for or in~~ 1607
~~aid of or opposition to make a contribution~~ to a political 1608
party, a candidate for election or nomination to public office, 1609
~~or~~ a political action committee, or legislative campaign fund, 1610
~~or organization that supports or opposes any such candidate or~~ 1611
~~in any manner used any of its money or property for any partisan~~ 1612
~~political purpose whatever,~~ or for the reimbursement or 1613
indemnification of any person for money or property so used. 1614
Such forms of affidavit as the commissioner prescribes shall be 1615
attached to or made a part of the return, statement, or report 1616
required to be made by such corporation. 1617

Section 2. That existing sections 3517.01, 3517.105, 1618
3517.1011, 3517.13, 3517.992, 3599.03, 5727.61, and 5733.27 of 1619
the Revised Code are hereby repealed. 1620

Section 3. That the versions of sections 3517.105 and 1621
3517.1011 of the Revised Code that are scheduled to take effect 1622
January 1, 2021, be amended to read as follows: 1623

Sec. 3517.105. (A) (1) As used in this section, "public 1624
political advertising" means advertising to the general public 1625
through a broadcasting station, newspaper, magazine, poster, 1626
yard sign, or outdoor advertising facility, by direct mail, or 1627
by any other means of advertising to the general public. 1628

(2) For purposes of this section and section 3517.20 of 1629

the Revised Code, a person is a member of a political action 1630
committee if the person makes one or more contributions to that 1631
political action committee, and a person is a member of a 1632
political contributing entity if the person makes one or more 1633
contributions to, or pays dues, membership fees, or other 1634
assessments to, that political contributing entity. 1635

(B) (1) Whenever a candidate, a campaign committee, a 1636
political action committee or political contributing entity ~~with~~ 1637
~~ten or more members, a corporation, a labor organization, or a~~ 1638
legislative campaign fund makes an independent expenditure, ~~or~~ 1639
~~whenever a political action committee or political contributing~~ 1640
~~entity with fewer than ten members makes an independent~~ 1641
~~expenditure in excess of one hundred dollars for a local~~ 1642
~~candidate, in excess of two hundred fifty dollars for a~~ 1643
~~candidate for the office of member of the general assembly, or~~ 1644
~~in excess of five hundred dollars for a statewide candidate, or~~ 1645
more for the purpose of financing communications advocating the 1646
election or defeat of an identified candidate or solicits 1647
without the candidate's express consent a contribution for or 1648
against an identified candidate through public political 1649
advertising, a statement shall appear or be presented in a clear 1650
and conspicuous manner in the advertising that does both of the 1651
following: 1652

(a) Clearly indicates that the communication or public 1653
political advertising is not authorized by the candidate or the 1654
candidate's campaign committee; 1655

(b) Clearly identifies the candidate, campaign committee, 1656
political action committee, political contributing entity, 1657
corporation, labor organization, or legislative campaign fund 1658
that has paid for the communication or public political 1659

advertising in accordance with section 3517.20 of the Revised Code. 1660
1661

(2) (a) ~~Whenever~~ Subject to division (B) (2) (c) of this 1662
section, whenever any campaign committee, legislative campaign 1663
fund, political action committee, political contributing entity, 1664
or political party makes an independent expenditure of five 1665
hundred dollars or more in support of or opposition to any 1666
candidate, the committee, entity, fund, or party shall report 1667
the independent expenditure and identify the candidate on a 1668
statement prescribed by the secretary of state and filed by the 1669
committee, entity, fund, or party as part of its statement of 1670
contributions and expenditures pursuant to division (A) of 1671
section 3517.10 and division (A) of section 3517.11 of the 1672
Revised Code. 1673

(b) ~~Whenever~~ Subject to division (B) (2) (c) of this 1674
section, whenever any individual, partnership, corporation, 1675
labor organization, or other entity, except a ~~corporation, labor~~ 1676
~~organization,~~ campaign committee, legislative campaign fund, 1677
political action committee, political contributing entity, or 1678
political party, makes one or more independent expenditures of 1679
five hundred dollars or more in support of or opposition to any 1680
candidate, the individual, partnership, corporation, labor 1681
organization, or other entity shall file with the secretary of 1682
state in the case of a statewide candidate, or with the board of 1683
elections in the county in which the candidate files the 1684
candidate's petitions for nomination or election for district or 1685
local office, not later than the dates specified in divisions 1686
(A) (1), (2), (3), and (4) of section 3517.10 of the Revised 1687
Code, and, except as otherwise provided in that section, a 1688
statement itemizing all independent expenditures made during the 1689
period since the close of business on the last day reflected in 1690

the last previously filed such statement, if any. The statement 1691
shall be made on a form prescribed by the secretary of state or 1692
shall be filed by electronic means of transmission pursuant to 1693
division (E) of section 3517.106 of the Revised Code as 1694
authorized or required by that division. The statement shall 1695
indicate the date and the amount of each independent expenditure 1696
and the candidate on whose behalf it was made and shall be made 1697
under penalty of election falsification. 1698

(c) Any independent expenditure of ten thousand dollars or 1699
more in support of or opposition to any candidate that is made 1700
during the period beginning on the ninetieth day before the 1701
primary election and ending on the day of the general election 1702
shall be deemed an electioneering communication for the purpose 1703
of section 3517.1011 of the Revised Code and shall be reported 1704
in accordance with the requirements of that section. 1705

(d) If a corporation or labor organization files a 1706
statement under division (B)(2)(b) or (c) of this section, the 1707
statement also shall identify the source of any amounts the 1708
corporation or labor organization received during the period 1709
since the close of business on the last day reflected in the 1710
last previously filed such statement that, in the aggregate, 1711
exceed five thousand dollars and that were not received in the 1712
ordinary course of business and were not received in exchange 1713
for goods and services provided by the corporation or labor 1714
organization. 1715

(C) (1) Whenever a corporation, labor organization, 1716
campaign committee, political action committee ~~with ten or more~~ 1717
~~members~~, or legislative campaign fund makes an independent 1718
expenditure, ~~or whenever a political action committee with fewer~~ 1719
~~than ten members makes an independent expenditure in excess of~~ 1720

~~one hundred dollars for a local ballot issue or question, or in~~ 1721
~~excess of five hundred dollars for a statewide ballot issue or~~ 1722
~~question, or more~~ for the purpose of financing communications 1723
advocating support of or opposition to an identified ballot 1724
issue or question or solicits without the express consent of the 1725
ballot issue committee a contribution for or against an 1726
identified ballot issue or question through public political 1727
advertising, a statement shall appear or be presented in a clear 1728
and conspicuous manner in the advertising that does both of the 1729
following: 1730

(a) Clearly indicates that the communication or public 1731
political advertising is not authorized by the identified ballot 1732
issue committee; 1733

(b) Clearly identifies the corporation, labor 1734
organization, campaign committee, legislative campaign fund, or 1735
political action committee that has paid for the communication 1736
or public political advertising in accordance with section 1737
3517.20 of the Revised Code. 1738

(2) (a) Whenever any corporation, labor organization, 1739
campaign committee, legislative campaign fund, political party, 1740
or political action committee makes an independent expenditure 1741
of five hundred dollars or more in support of or opposition to 1742
any ballot issue or question, the corporation or labor 1743
organization shall report the independent expenditure in 1744
accordance with division (C) of section 3599.03 of the Revised 1745
Code, and the campaign committee, legislative campaign fund, 1746
political party, or political action committee shall report the 1747
independent expenditure and identify the ballot issue or 1748
question on a statement prescribed by the secretary of state and 1749
filed by the committee, fund, or party as part of its statement 1750

of contributions and expenditures pursuant to division (A) of 1751
section 3517.10 and division (A) of section 3517.11 of the 1752
Revised Code. 1753

(b) Whenever any individual, partnership, or other entity, 1754
except a corporation, labor organization, campaign committee, 1755
legislative campaign fund, political action committee, or 1756
political party, makes one or more independent expenditures ~~in~~ 1757
~~excess of one five hundred dollars or more~~ in support of or 1758
opposition to any ballot issue or question, the individual, 1759
partnership, or other entity shall file with the secretary of 1760
state in the case of a statewide ballot issue or question, or 1761
with the board of elections in the county that certifies the 1762
issue or question for placement on the ballot in the case of a 1763
district or local issue or question, not later than the dates 1764
specified in divisions (A) (1), (2), (3), and (4) of section 1765
3517.10 of the Revised Code, and, except as otherwise provided 1766
in that section, a statement itemizing all independent 1767
expenditures made during the period since the close of business 1768
on the last day reflected in the last previously filed such 1769
statement, if any. The statement shall be made on a form 1770
prescribed by the secretary of state or shall be filed by 1771
electronic means of transmission pursuant to division (E) of 1772
section 3517.106 of the Revised Code as authorized or required 1773
by that division. The statement shall indicate the date and the 1774
amount of each independent expenditure and the ballot issue or 1775
question in support of or opposition to which it was made and 1776
shall be made under penalty of election falsification. 1777

(3) No person, campaign committee, legislative campaign 1778
fund, political action committee, corporation, labor 1779
organization, or other organization or association shall use or 1780
cause to be used a false or fictitious name in making an 1781

independent expenditure in support of or opposition to any 1782
candidate or any ballot issue or question. A name is false or 1783
fictitious if the person, campaign committee, legislative 1784
campaign fund, political action committee, corporation, labor 1785
organization, or other organization or association does not 1786
actually exist or operate, if the corporation, labor 1787
organization, or other organization or association has failed to 1788
file a fictitious name or other registration with the secretary 1789
of state, if it is required to do so, or if the person, campaign 1790
committee, legislative campaign fund, or political action 1791
committee has failed to file a designation of the appointment of 1792
a treasurer, if it is required to do so by division (D) (1) of 1793
section 3517.10 of the Revised Code. 1794

(D) Any expenditure by a political party for the purpose 1795
of financing communications advocating the election or defeat of 1796
a candidate for judicial office shall be deemed to be an 1797
independent expenditure subject to the provisions of this 1798
section. 1799

Sec. 3517.1011. (A) As used in this section: 1800

(1) "Address" has the same meaning as in section 3517.10 1801
of the Revised Code. 1802

(2) "Broadcast, cable, or satellite communication" means a 1803
communication that is publicly distributed by a television 1804
station, radio station, cable television system, or satellite 1805
system. 1806

(3) "Candidate" has the same meaning as in section 3501.01 1807
of the Revised Code. 1808

(4) "Contribution" means any loan, gift, deposit, 1809
forgiveness of indebtedness, donation, advance, payment, or 1810

transfer of funds or of anything of value, including a transfer 1811
of funds from an inter vivos or testamentary trust or decedent's 1812
estate, and the payment by any person other than the person to 1813
whom the services are rendered for the personal services of 1814
another person, that is made, received, or used to pay the 1815
direct costs of producing or airing electioneering 1816
communications. 1817

(5) (a) "Coordinated electioneering communication" means 1818
any electioneering communication that is made pursuant to any 1819
arrangement, coordination, or direction by a candidate or a 1820
candidate's campaign committee, by an officer, agent, employee, 1821
or consultant of a candidate or a candidate's campaign 1822
committee, or by a former officer, former agent, former 1823
employee, or former consultant of a candidate or a candidate's 1824
campaign committee prior to the airing, broadcasting, or 1825
cablecasting of the communication. An electioneering 1826
communication is presumed to be a "coordinated electioneering 1827
communication" when it is either of the following: 1828

(i) Based on information about a candidate's plans, 1829
projects, or needs provided to the person making the 1830
disbursement by the candidate or the candidate's campaign 1831
committee, by an officer, agent, employee, or consultant of the 1832
candidate or the candidate's campaign committee, or by a former 1833
officer, former agent, former employee, or former consultant of 1834
the candidate or the candidate's campaign committee, with a view 1835
toward having the communication made; 1836

(ii) Made by or through any person who is, or has been, 1837
authorized to raise or expend funds on behalf of a candidate or 1838
the candidate's campaign committee, who is, or has been, an 1839
officer, agent, employee, or consultant of the candidate or of 1840

the candidate's campaign committee, or who is, or has been, 1841
receiving any form of compensation or reimbursement from the 1842
candidate or the candidate's campaign committee or from an 1843
officer, agent, employee, or consultant of the candidate or of 1844
the candidate's campaign committee. 1845

(b) An electioneering communication shall not be presumed 1846
to be a "coordinated electioneering communication" under 1847
division (A) (5) (a) (ii) of this section if the communication is 1848
made through any person who provides a service that does not 1849
affect the content of the communication, such as communications 1850
placed through the efforts of a media buyer, unless that person 1851
also affects the content of the communication. 1852

(6) "Disclosure date" means both of the following: 1853

(a) The first date during any calendar year by which a 1854
person makes disbursements for the direct costs of producing or 1855
airing electioneering communications aggregating in excess of 1856
ten thousand dollars; 1857

(b) The same day of the week of each remaining week in the 1858
same calendar year as the day of the week of the initial 1859
disclosure date established under division (A) (6) (a) of this 1860
section, if, during that remaining week, the person makes 1861
disbursements for the direct costs of producing or airing 1862
electioneering communications aggregating in excess of one 1863
dollar. 1864

(7) (a) "Electioneering communication" means any broadcast, 1865
cable, or satellite communication that refers to a clearly 1866
identified candidate and that is made during either of the 1867
following periods of time: 1868

(i) If the person becomes a candidate before the day of 1869

the primary election at which candidates will be nominated for 1870
election to that office, between the date that the person 1871
becomes a candidate and the thirtieth day prior to that primary 1872
election, and between the date of the primary election and the 1873
thirtieth day prior to the general election at which a candidate 1874
will be elected to that office; 1875

(ii) If the person becomes a candidate after the day of 1876
the primary election at which candidates were nominated for 1877
election to that office, between the date of the primary 1878
election and the thirtieth day prior to the general election at 1879
which a candidate will be elected to that office. 1880

(b) "Electioneering communication" does not include any of 1881
the following: 1882

(i) A communication that is publicly disseminated through 1883
a means of communication other than a broadcast, cable, or 1884
satellite television or radio station. For example, 1885
"electioneering communication" does not include communications 1886
appearing in print media, including a newspaper or magazine, 1887
handbill, brochure, bumper sticker, yard sign, poster, 1888
billboard, and other written materials, including mailings; 1889
communications over the internet, including electronic mail; or 1890
telephone communications. 1891

(ii) A communication that appears in a news story, 1892
commentary, public service announcement, bona fide news 1893
programming, or editorial distributed through the facilities of 1894
any broadcast, cable, or satellite television or radio station, 1895
unless those facilities are owned or controlled by any political 1896
party, political committee, or candidate; 1897

(iii) A communication that constitutes an expenditure or 1898

| | |
|---|--------------------------------------|
| an independent expenditure under section 3517.01 of the Revised Code; | 1899 1900 |
| (iv) A communication that constitutes a candidate debate or forum or that solely promotes a candidate debate or forum and is made by or on behalf of the person sponsoring the debate or forum. | 1901 1902 1903 1904 |
| (8) "Filing date" has the same meaning as in section 3517.109 of the Revised Code. | 1905 1906 |
| (9) "Immigration and Nationality Act" means the Immigration and Nationality Act, 110 Stat. 309 (1996), 8 U.S.C. 1101 et seq., as amended. | 1907 1908 1909 |
| (10) "Person" has the same meaning as in section 1.59 of the Revised Code and includes any political organization considered exempt from income taxation under section 527 of the Internal Revenue Code. | 1910 1911 1912 1913 |
| (11) "Political committee" means any of the following: | 1914 |
| (a) Any committee, club, association, or other group of persons that receives contributions aggregating in excess of one thousand dollars during a calendar year or that makes expenditures aggregating in excess of one thousand dollars during a calendar year; | 1915 1916 1917 1918 1919 |
| (b) Any separate segregated fund; | 1920 |
| (c) Any state, county, or local committee of a political party that does any of the following: | 1921 1922 |
| (i) Receives contributions aggregating in excess of five thousand dollars during a calendar year; | 1923 1924 |
| (ii) Makes payments that do not constitute contributions | 1925 |

or expenditures aggregating in excess of five thousand dollars 1926
during a calendar year; 1927

(iii) Makes contributions or expenditures aggregating in 1928
excess of one thousand dollars during a calendar year. 1929

(12) "Publicly distributed" means aired, broadcast, 1930
cablecast, or otherwise disseminated for a fee. 1931

(13) "Refers to a clearly identified candidate" means that 1932
the candidate's name, nickname, photograph, or drawing appears, 1933
or the identity of the candidate is otherwise apparent through 1934
an unambiguous reference to the person such as "the chief 1935
justice," "the governor," "member of the Ohio senate," "member 1936
of the Ohio house of representatives," "county auditor," 1937
"mayor," or "township trustee" or through an unambiguous 1938
reference to the person's status as a candidate. 1939

(B) For the purposes of this section, a person shall be 1940
considered to have made a disbursement if the person has entered 1941
into a contract to make the disbursement. 1942

(C) Any person intending to make a disbursement or 1943
disbursements for the direct costs of producing or airing 1944
electioneering communications, prior to making the first 1945
disbursement for the direct costs of producing or airing an 1946
electioneering communication, shall file a notice with the 1947
office of the secretary of state that the person is intending to 1948
make such disbursements. 1949

(D) (1) Every person that makes a disbursement or 1950
disbursements for the direct costs of producing and airing 1951
electioneering communications aggregating in excess of ten 1952
thousand dollars during any calendar year shall file, within 1953
twenty-four hours of each disclosure date, a disclosure of 1954

electioneering communications statement containing the following 1955
information: 1956

(a) The full name and address of the person making the 1957
disbursement, of any person sharing or exercising direction or 1958
control over the activities of the person making the 1959
disbursement, and of the custodian of the books and accounts of 1960
the person making the disbursement; 1961

(b) The principal place of business of the person making 1962
the disbursement, if not an individual; 1963

(c) The amount of each disbursement of more than one 1964
dollar during the period covered by the statement and the 1965
identity of the person to whom the disbursement was made; 1966

(d) The nominations or elections to which the 1967
electioneering communications pertain and the names, if known, 1968
of the candidates identified or to be identified; 1969

(e) If the disbursements were paid out of a segregated 1970
bank account that consists of funds contributed solely by 1971
individuals who are United States citizens or nationals or 1972
lawfully admitted for permanent residence as defined in section 1973
101(a)(20) of the Immigration and Nationality Act directly to 1974
the account for electioneering communications, the information 1975
specified in division (D)(2) of this section for all 1976
contributors who contributed an aggregate amount of two hundred 1977
dollars or more to the segregated bank account and whose 1978
contributions were used for making the disbursement or 1979
disbursements required to be reported under division (D) of this 1980
section during the period covered by the statement. Nothing in 1981
this division prohibits or shall be construed to prohibit the 1982
use of funds in such a segregated bank account for a purpose 1983

other than electioneering communications. 1984

(f) If the disbursements were paid out of funds not 1985
described in division (D) (1) (e) of this section, the information 1986
specified in division (D) (2) of this section for all 1987
contributors who contributed an aggregate amount of two hundred 1988
dollars or more to the person making the disbursement and whose 1989
contributions were used for making the disbursement or 1990
disbursements required to be reported under division (D) of this 1991
section during the period covered by the statement. 1992

(2) For each contributor for which information is required 1993
to be reported under division (D) (1) (e) or (f) of this section, 1994
all of the following shall be reported: 1995

(a) The month, day, and year that the contributor made the 1996
contribution or contributions aggregating two hundred dollars or 1997
more; 1998

(b) (i) The full name and address of the contributor, and, 1999
if the contributor is a political action committee, the 2000
registration number assigned to the political action committee 2001
under division (D) (1) of section 3517.10 of the Revised Code; 2002

(ii) If the contributor is an individual, the name of the 2003
individual's current employer, if any, or, if the individual is 2004
self-employed, the individual's occupation and the name of the 2005
individual's business, if any; 2006

(iii) If the contribution is transmitted pursuant to 2007
section 3599.031 of the Revised Code from amounts deducted from 2008
the wages and salaries of two or more employees that exceed in 2009
the aggregate one hundred dollars during the period specified in 2010
division (D) (1) (e) or (f) of this section, as applicable, the 2011
full name of the employees' employer and the full name of the 2012

labor organization of which the employees are members, if any. 2013

(c) A description of the contribution, if other than 2014
money; 2015

(d) The value in dollars and cents of the contribution. 2016

(3) Subject to the secretary of state having implemented, 2017
tested, and verified the successful operation of any system the 2018
secretary of state prescribes pursuant to divisions (C) (6) (b) 2019
and (D) (6) of section 3517.10 and division (F) (1) of section 2020
3517.106 of the Revised Code for the filing of campaign finance 2021
statements by electronic means of transmission, a person shall 2022
file the disclosure of electioneering communications statement 2023
prescribed under divisions (D) (1) and (2) of this section by 2024
electronic means of transmission to the office of the secretary 2025
of state. 2026

Within five business days after the secretary of state 2027
receives a disclosure of electioneering communications statement 2028
under this division, the secretary of state shall make available 2029
online to the public through the internet, as provided in 2030
division (G) of section 3517.106 of the Revised Code, the 2031
contribution and disbursement information in that statement. 2032

If a filed disclosure of electioneering communications 2033
statement is found to be incomplete or inaccurate after its 2034
examination for completeness and accuracy pursuant to division 2035
(B) (3) (a) of section 3517.11 of the Revised Code, the person 2036
shall file by electronic means of transmission to the office of 2037
the secretary of state any addendum, amendment, or other 2038
correction to the statement that provides the information 2039
necessary to complete or correct the statement or, if required 2040
by the secretary of state under that division, an amended 2041

statement. 2042

Within five business days after the secretary of state 2043
receives an addendum, amendment, or other correction to a 2044
disclosure of electioneering communications statement or an 2045
amended statement by electronic means of transmission under this 2046
division or division (B) (3) (a) of section 3517.11 of the Revised 2047
Code, the secretary of state shall make the contribution and 2048
disbursement information in the addendum, amendment, or other 2049
correction to the statement or amended statement available 2050
online to the public through the internet as provided in 2051
division (G) of section 3517.106 of the Revised Code. 2052

(E) (1) Any person who makes a contribution for the purpose 2053
of funding the direct costs of producing or airing an 2054
electioneering communication under this section shall provide 2055
the person's full name and address to the recipient of the 2056
contribution at the time the contribution is made. 2057

(2) Any individual who makes a contribution or 2058
contributions aggregating two hundred dollars or more for the 2059
purpose of funding the direct costs of producing or airing an 2060
electioneering communication under this section shall provide 2061
the name of the individual's current employer, if any, or, if 2062
the individual is self-employed, the individual's occupation and 2063
the name of the individual's business, if any, to the recipient 2064
of the contribution at the time the contribution is made. 2065

(F) In each electioneering communication, a statement 2066
shall appear or be presented in a clear and conspicuous manner 2067
that does both of the following: 2068

(1) Clearly indicates that the electioneering 2069
communication is not authorized by the candidate or the 2070

candidate's campaign committee; 2071

(2) Clearly identifies the person making the disbursement 2072
for the electioneering communication in accordance with section 2073
3517.20 of the Revised Code. 2074

(G) Any coordinated electioneering communication is an in- 2075
kind contribution, subject to the applicable contribution limits 2076
prescribed in section 3517.102 of the Revised Code, to the 2077
candidate by the person making disbursements to pay the direct 2078
costs of producing or airing the communication. 2079

~~(H) No person shall make, during the thirty days preceding 2080
a primary election or during the thirty days preceding a general 2081
election, any broadcast, cable, or satellite communication that 2082
refers to a clearly identified candidate using any contributions 2083
received from a corporation or labor organization. 2084~~

Section 4. That the existing versions of sections 3517.105 2085
and 3517.1011 of the Revised Code that are scheduled to take 2086
effect January 1, 2021, are hereby repealed. 2087