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**Majority Floor Leader Bill Seitz
The Ohio House of Representatives**

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**Sponsor Testimony for House Bill 594: Revise Ohio Elections Commission
and campaign finance law**

Chairman Wilkin, Vice Chair Swearingen, Ranking Member Brown, and members of the Government Oversight Committee. It is my pleasure to present sponsor testimony on HB 594, legislation that makes modifications to the laws governing the Ohio Elections Commission (OEC) and the campaign committees they oversee. This legislation has been crafted in consultation with the Executive Director of the OEC, Phil Richter.

The changes in the bill that have been endorsed by the Executive Director of the OEC are as follows:

First, the bill allows members of the Commission to serve two full consecutive terms of 4 years. Under current law, Commission members may serve no more than one full term (5 years) unless they are served non-consecutively.

Second, there is currently no mechanism to remove a member from the Commission for circumstances other than death, resignation, or three absences from commission meetings in a calendar year if those absences are caused by reasons declared invalid by a vote of five members of the remaining members of the commission. Therefore, this bill includes a provision to allow the appointing authority to remove a member for a violation of any of the current prohibitions already in the ORC, such as: the member cannot hold, or be a candidate for, a public office; be a registered legislative agent or an executive agency lobbyist, or be a person or employee who is excluded from the definition of public employee (to name a few). The bill makes clear that the appointing authority may only remove a member for good reason and must hold a hearing, and may not remove members arbitrarily.

Third, HB 594 codifies the requirement that the Commission must follow the Ohio Rules of Civil Procedure and Evidence (currently this is only in administrative code).

Fourth, the legislation gives the Commission the authority to declare a campaign committee or political action committee terminated if the only responsible party for the campaign committee is unavailable by reason of death or is otherwise unavailable, or the responsible party for the campaign committee has made reasonable efforts to reconcile the balance of account down to

zero and a CPA can provide written verification or certification that after such reasonable efforts, reconciliation is not possible. If the amount by which the account is “off” is a de minimus amount (less than \$2,000) the requirement to enlist a CPA may be waived and the committee deemed terminated.

Fifth, this bill grants the Director of the Commission the authority to dismiss a complaint without a hearing if it is not based on personal knowledge, with leave to refile the complaint one time without prejudice. Subsequent submissions of the same complaint found not to be based on personal knowledge will be with prejudice.

The bill also contains two additional changes. Those are as follows:

First, HB 594 creates a requirement that members of the Commission be attorneys in good standing in the State of Ohio. However, under the bill’s provisions all current members who are not attorneys will be permitted to finish their respective terms.

Second, the legislation repeals the current statute that requires the odious “Declaration of Filing Day Finances” and “Waiver of Declaration of Filing Day Finances” forms. These provisions that limit the carry in campaign balance for House members and candidates to \$35,000 (\$100,000 for Senate members and candidates) are an eternal source of confusion and a classic trap for the unwary. If such provisions ever had any utility, such has long since expired.

Thank you for the opportunity to provide sponsor testimony on HB 594. I would be happy to answer any questions that the committee may have.