

As Passed by the House

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 moved to amend as follows:

Engross the bill as directed by the commands in the amendments attached hereto, ignoring matter extraneous to those commands

## INDEX

The following amendments are attached hereto:

Amendment No.	Subject
G-135-0525	Reimbursement deadline
G-135-0565	Judicial release and transitional control
G-135-0614	Legal services in a criminal case or proceeding
G-135-0654	Indigent Defense Support Fund: funding restoration
G-135-0730-2	Public depositories
AM-135-1808	Cemetery repair or replace mausoleum or columbarium
AM-135-1813	Third party driver's exam administrators
AM-135-1847	Ashtabula courts

**AM\_135\_2172**

Amendment No.	Subject
AM-135-1920-1	Documentary service charges
AM-135-1987	Final, appealable order
AM-135-2046	Political subdivision soldiers' memorial
AM-135-2125	Political subdivision communications
AM-135-2147-2	Campaign spending by foreign nationals
AM-135-2171	Ohio Criminal Sentencing Commission - juvenile committee and juvenile justice duties
AM-135-2173	Bill title - clarification
AM-135-2177	Resolve custody disputes between unmarried parents through conciliation
AM-135-2178	Clerk of court authorization to set computerization fees - elected vs. appointed

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "1901.123 and 1907.143" 1  
2

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "regarding reimbursement of acting or assigned judges of county and municipal courts" 3  
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After line \_\_\_\_\_, insert: 5

**"Section 1.** That sections 1901.123 and 1907.143 of the Revised Code be amended to read as follows: 6  
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**Sec. 1901.123.** (A) (1) Subject to reimbursement under division (B) of this section, the treasurer of the county in which a county-operated municipal court or other municipal court is located shall pay the per diem compensation to which an acting judge appointed pursuant to division (A) (2) (a), (B) (1), or (C) (1) of section 1901.121 of the Revised Code is entitled pursuant to division (A) (1) of section 1901.122 of the Revised Code. 8  
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(2) The treasurer of the county in which a county-operated municipal court or other municipal court is located shall pay the per diem compensation to which an assigned judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), (C) (2), or (D) of section 1901.121 of the Revised Code is entitled pursuant to division (B) (1) or (4) of section 1901.122 of the Revised Code. 16  
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(3) Subject to reimbursement under division (B) of this 22

section, the treasurer of the county in which a county-operated  
municipal court or other municipal court is located shall pay  
the per diem compensation to which an assigned judge assigned  
pursuant to division (A) (1), (A) (2) (b), (B) (2), (C) (2), or (D)  
of section 1901.121 of the Revised Code is entitled pursuant to  
division (B) (2) of section 1901.122 of the Revised Code.

(4) Subject to reimbursement under division (C) of this  
section, the supreme court shall pay the per diem compensation  
to which an assigned judge assigned pursuant to division (A) (1),  
(A) (2) (b), (B) (2), (C) (2), or (D) of section 1901.121 of the  
Revised Code is entitled pursuant to division (B) (3) of section  
1901.122 of the Revised Code.

(B) ~~The treasurer of a A~~ county that, pursuant to division  
(A) (1) or (3) of this section, is required to pay the per diem  
compensation to which an acting judge or assigned judge is  
entitled, shall submit to the administrative director of the  
supreme court quarterly requests for reimbursements of the state  
portion of the per diem amounts so paid. The requests shall  
include verifications of the payment of those amounts and an  
affidavit from the acting judge or assigned judge stating the  
days and hours worked. The administrative director shall cause  
reimbursements of the state portion of the per diem amounts paid  
to be issued to the county if the administrative director  
verifies that those amounts were, in fact, so paid. If the  
county fails to submit a request within one year after the per  
diem compensation was paid, the administrative director shall  
refuse to cause reimbursement to be issued.

(C) If the supreme court, pursuant to division (A) (4) of  
this section, is required to pay the per diem compensation to  
which an assigned judge is entitled, annually, on the first day

of August, the administrative director of the supreme court 53  
shall issue a billing to the county treasurer of any county to 54  
which such a judge was assigned to a municipal court for 55  
reimbursement of the county or local portion of the per diem 56  
compensation previously paid by the supreme court for the 57  
twelve-month period preceding the last day of June. The county 58  
or local portion of the per diem compensation shall be that part 59  
of each per diem paid by the state which is proportional to the 60  
county or local shares of the total compensation of a resident 61  
judge of such court. The county treasurer shall forward the 62  
payment within thirty days. After forwarding the payment, the 63  
county treasurer shall seek reimbursement from the applicable 64  
local municipalities as appropriate. 65

**Sec. 1907.143.** (A) (1) Subject to reimbursement under 66  
division (B) of this section, the treasurer of the county in 67  
which a county court is located shall pay the per diem 68  
compensation to which an acting judge appointed pursuant to 69  
division (A) (2) (a), (B) (1), or (C) (1) of section 1907.141 of the 70  
Revised Code is entitled pursuant to division (A) of section 71  
1907.142 of the Revised Code. 72

(2) The treasurer of the county in which a county court is 73  
located shall pay the per diem compensation to which an assigned 74  
judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), 75  
or (C) (2) of section 1907.141 of the Revised Code is entitled 76  
pursuant to division (B) (1) or (4) of section 1907.142 of the 77  
Revised Code. 78

(3) Subject to reimbursement under division (B) of this 79  
section, the treasurer of the county in which a county court is 80  
located shall pay the per diem compensation to which an assigned 81  
judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), 82

or (C) (2) of section 1907.141 of the Revised Code is entitled 83  
pursuant to division (B) (2) of section 1907.142 of the Revised 84  
Code. 85

(4) Subject to reimbursement under division (C) of this 86  
section, the supreme court shall pay the per diem compensation 87  
to which an assigned judge assigned pursuant to division (A) (1), 88  
(A) (2) (b), (B) (2), or (C) (2) of section 1907.141 of the Revised 89  
Code is entitled pursuant to division (B) (3) of section 1907.142 90  
of the Revised Code. 91

(B) ~~The treasurer of a~~ A county that, pursuant to division 92  
(A) (1) or (3) of this section, is required to pay the per diem 93  
compensation to which an acting judge or assigned judge is 94  
entitled, shall submit to the administrative director of the 95  
supreme court quarterly requests for reimbursements of the state 96  
portion of the per diem amounts so paid. The requests shall 97  
include verifications of the payment of those amounts and an 98  
affidavit from the acting judge or assigned judge stating the 99  
days and hours worked. The administrative director shall cause 100  
reimbursements of the state portion of the per diem amounts paid 101  
to be issued to the county if the administrative director 102  
verifies that those amounts were, in fact, so paid. If the 103  
county fails to submit a request within one year after the per 104  
diem compensation was paid, the administrative director shall 105  
refuse to cause reimbursement to be issued. 106

(C) If the supreme court, pursuant to division (A) (4) of 107  
this section, is required to pay the per diem compensation to 108  
which an assigned judge is entitled, annually, on the first day 109  
of August, the administrative director of the supreme court 110  
shall issue a billing to the county treasurer of any county to 111  
which such a judge was assigned to a county court for 112

reimbursement of the county portion of the per diem compensation 113  
previously paid by the supreme court for the twelve-month period 114  
preceding the last day of June. The county portion of the per 115  
diem compensation shall be that part of each per diem paid by 116  
the state which is proportional to the county shares of the 117  
total compensation of a resident judge of such court. The county 118  
treasurer shall forward the payment within thirty days. After 119  
forwarding the payment, the county treasurer shall seek 120  
reimbursement from the applicable local municipalities as 121  
appropriate. 122

**Section 2.** That existing sections 1901.123 and 1907.143 of 123  
the Revised Code are hereby repealed." 124

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 125

**Reimbursement deadline** 126

**R.C. 1901.123 and 1907.143** 127

Creates a one-year deadline for counties to submit 128  
reimbursement requests to the state for the per diem 129  
compensation paid to acting/assigned county or municipal court 130  
judges. 131

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "2929.20 and 2967.26" 1  
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In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "and to reiterate 3  
the effective date of judicial release and transitional control provisions 4  
enacted in S.B. 288 of the 134th General Assembly" 5

After line \_\_\_\_\_, insert: 6

"Section 1. That sections 2929.20 and 2967.26 of the 7  
Revised Code be amended to read as follows: 8

**Sec. 2929.20.** (A) As used in this section: 9

(1)(a) Except as provided in division (A)(1)(b) of this 10  
section, "eligible offender" means any person who, on or after 11  
April 7, 2009, is serving a stated prison term that includes one 12  
or more nonmandatory prison terms. A person may be an eligible 13  
offender and also may be an eighty per cent-qualifying offender 14  
or, during a declared state of emergency, a state of emergency- 15  
qualifying offender. 16

(b) "Eligible offender" does not include any person who, 17  
on or after April 7, 2009, is serving a stated prison term for 18  
any of the following criminal offenses that was a felony and was 19  
committed while the person held a public office in this state: 20

(i) A violation of section 2921.02, 2921.03, 2921.05, 21



2921.31, 2921.32, 2921.41, 2921.42, or 2923.32 of the Revised Code; 22  
23

(ii) A violation of section 2913.42, 2921.04, 2921.11, or 24  
2921.12 of the Revised Code, when the conduct constituting the 25  
violation was related to the duties of the offender's public 26  
office or to the offender's actions as a public official holding 27  
that public office; 28

(iii) A violation of an existing or former municipal 29  
ordinance or law of this or any other state or the United States 30  
that is substantially equivalent to any violation listed in 31  
division (A) (1) (b) (i) of this section; 32

(iv) A violation of an existing or former municipal 33  
ordinance or law of this or any other state or the United States 34  
that is substantially equivalent to any violation listed in 35  
division (A) (1) (b) (ii) of this section, when the conduct 36  
constituting the violation was related to the duties of the 37  
offender's public office or to the offender's actions as a 38  
public official holding that public office; 39

(v) A conspiracy to commit, attempt to commit, or 40  
complicity in committing any offense listed in division (A) (1) 41  
(b) (i) or described in division (A) (1) (b) (iii) of this section; 42

(vi) A conspiracy to commit, attempt to commit, or 43  
complicity in committing any offense listed in division (A) (1) 44  
(b) (ii) or described in division (A) (1) (b) (iv) of this section, 45  
if the conduct constituting the offense that was the subject of 46  
the conspiracy, that would have constituted the offense 47  
attempted, or constituting the offense in which the offender was 48  
complicit was or would have been related to the duties of the 49  
offender's public office or to the offender's actions as a 50

public official holding that public office. 51

(2) "State of emergency-qualifying offender" means any 52  
inmate to whom all of the following apply: 53

(a) The inmate is serving a stated prison term during a 54  
state of emergency that is declared by the governor as a direct 55  
response to a pandemic or public health emergency. 56

(b) The geographical area covered by the declared state of 57  
emergency includes the location at which the inmate is serving 58  
the stated prison term described in division (A) (2) (a) of this 59  
section. 60

(c) There is a direct nexus between the emergency that is 61  
the basis of the governor's declaration of the state of 62  
emergency and the circumstances of, and need for release of, the 63  
inmate. 64

(3) (a) "Eighty per cent-qualifying offender" means an 65  
offender who is serving a stated prison term of one year or 66  
more, on or after April 4, 2023, who has commenced service of 67  
that stated prison term, who is not serving a stated prison term 68  
that includes a disqualifying prison term or a stated prison 69  
term that consists solely of one or more restricting prison 70  
terms, and to whom either of the following applies: 71

(i) If the offender is serving a stated prison term of one 72  
year or more that includes one or more restricting prison terms 73  
and one or more eligible prison terms, the offender has fully 74  
served all restricting prison terms and has served eighty per 75  
cent of that stated prison term that remains to be served after 76  
all restricting prison terms have been fully served. 77

(ii) If the offender is serving a stated prison term of 78  
one year or more that consists solely of one or more eligible 79

prison terms, the offender has served eighty per cent of that 80  
stated prison term. 81

(b) For purposes of determining whether an offender is an 82  
eighty per cent-qualifying offender under division (A) (3) (a) of 83  
this section: 84

(i) If the offender's stated prison term includes 85  
consecutive prison terms, any restricting prison terms shall be 86  
deemed served prior to any eligible prison terms that run 87  
consecutively to the restricting prison terms, and the eligible 88  
prison terms are deemed to commence after all of the restricting 89  
prison terms have been fully served. 90

(ii) An offender serving a stated prison term of one year 91  
or more that includes a mandatory prison term that is not a 92  
disqualifying prison term and is not a restricting prison term 93  
is not automatically disqualified from being an eighty per cent- 94  
qualifying offender as a result of the offender's service of 95  
that mandatory term for release from prison under this section, 96  
and the offender may be eligible for release from prison in 97  
accordance with this division and division (O) of this section. 98

(4) "Nonmandatory prison term" means a prison term that is 99  
not a mandatory prison term. 100

(5) "Public office" means any elected federal, state, or 101  
local government office in this state. 102

(6) "Victim's representative" has the same meaning as in 103  
section 2930.01 of the Revised Code. 104

(7) "Imminent danger of death," "medically incapacitated," 105  
and "terminal illness" have the same meanings as in section 106  
2967.05 of the Revised Code. 107

(8) "Aggregated nonmandatory prison term or terms" means 108  
the aggregate of the following: 109

(a) All nonmandatory definite prison terms; 110

(b) With respect to any non-life felony indefinite prison 111  
term, all nonmandatory minimum prison terms imposed as part of 112  
the non-life felony indefinite prison term or terms. 113

(9) "Deadly weapon" and "dangerous ordnance" have the same 114  
meanings as in section 2923.11 of the Revised Code. 115

(10) "Disqualifying prison term" means any of the 116  
following: 117

(a) A prison term imposed for aggravated murder, murder, 118  
voluntary manslaughter, involuntary manslaughter, felonious 119  
assault, kidnapping, rape, aggravated arson, aggravated 120  
burglary, or aggravated robbery; 121

(b) A prison term imposed for complicity in, an attempt to 122  
commit, or conspiracy to commit any offense listed in division 123  
(A) (10) (a) of this section; 124

(c) A prison term of life imprisonment, including any term 125  
of life imprisonment that has parole eligibility; 126

(d) A prison term imposed for any felony other than 127  
carrying a concealed weapon an essential element of which is any 128  
conduct or failure to act expressly involving any deadly weapon 129  
or dangerous ordnance; 130

(e) A prison term imposed for any violation of section 131  
2925.03 of the Revised Code that is a felony of the first or 132  
second degree; 133

(f) A prison term imposed for engaging in a pattern of 134

corrupt activity in violation of section 2923.32 of the Revised Code; 135  
136

(g) A prison term imposed pursuant to section 2971.03 of the Revised Code; 137  
138

(h) A prison term imposed for any sexually oriented offense. 139  
140

(11) "Eligible prison term" means any prison term that is not a disqualifying prison term and is not a restricting prison term. 141  
142  
143

(12) "Restricting prison term" means any of the following: 144

(a) A mandatory prison term imposed under division (B) (1) (a), (B) (1) (c), (B) (1) (f), (B) (1) (g), (B) (2), or (B) (7) of section 2929.14 of the Revised Code for a specification of the type described in that division; 145  
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147  
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(b) In the case of an offender who has been sentenced to a mandatory prison term for a specification of the type described in division (A) (12) (a) of this section, the prison term imposed for the felony offense for which the specification was stated at the end of the body of the indictment, count in the indictment, or information charging the offense; 149  
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151  
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(c) A prison term imposed for trafficking in persons; 155

(d) A prison term imposed for any offense that is described in division (A) (12) (d) (i) of this section if division (A) (12) (d) (ii) of this section applies to the offender: 156  
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158

(i) The offense is a felony of the first or second degree that is an offense of violence and that is not described in division (A) (10) (a) or (b) of this section, an attempt to commit a felony of the first or second degree that is an offense of 159  
160  
161  
162

violence and that is not described in division (A) (10) (a) or (b) 163  
of this section if the attempt is a felony of the first or 164  
second degree, or an offense under an existing or former law of 165  
this state, another state, or the United States that is or was 166  
substantially equivalent to any other offense described in this 167  
division. 168

(ii) The offender previously was convicted of or pleaded 169  
guilty to any offense listed in division (A) (10) or (A) (12) (d) 170  
(i) of this section. 171

(13) "Sexually oriented offense" has the same meaning as 172  
in section 2950.01 of the Revised Code. 173

(14) "Stated prison term of one year or more" means a 174  
definite prison term of one year or more imposed as a stated 175  
prison term, or a minimum prison term of one year or more 176  
imposed as part of a stated prison term that is a non-life 177  
felony indefinite prison term. 178

(B) On the motion of an eligible offender, on the motion 179  
of a state of emergency-qualifying offender made during the 180  
declared state of emergency, or on its own motion with respect 181  
to an eligible offender or with respect to a state of emergency- 182  
qualifying offender during the declared state of emergency, the 183  
sentencing court may reduce the offender's aggregated 184  
nonmandatory prison term or terms through a judicial release 185  
under this section. 186

(C) (1) Subject to division (C) (2) of this section, an 187  
eligible offender may file a motion for judicial release with 188  
the sentencing court, or a state of emergency-qualifying 189  
offender may file a motion for judicial release with the 190  
sentencing court during the declared state of emergency, within 191

the following applicable periods: 192

(a) If the aggregated nonmandatory prison term or terms is 193  
less than two years, the eligible offender or state of 194  
emergency-qualifying offender may file the motion at any time 195  
after the offender is delivered to a state correctional 196  
institution or, if the prison term includes a mandatory prison 197  
term or terms, at any time after the expiration of all mandatory 198  
prison terms. 199

(b) If the aggregated nonmandatory prison term or terms is 200  
at least two years but less than five years, the eligible 201  
offender or state of emergency-qualifying offender may file the 202  
motion not earlier than one hundred eighty days after the 203  
offender is delivered to a state correctional institution or, if 204  
the prison term includes a mandatory prison term or terms, not 205  
earlier than one hundred eighty days after the expiration of all 206  
mandatory prison terms. 207

(c) If the aggregated nonmandatory prison term or terms is 208  
five years, the eligible offender or state of emergency- 209  
qualifying offender may file the motion not earlier than the 210  
date on which the offender has served four years of the 211  
offender's stated prison term or, if the prison term includes a 212  
mandatory prison term or terms, not earlier than four years 213  
after the expiration of all mandatory prison terms. 214

(d) If the aggregated nonmandatory prison term or terms is 215  
more than five years but not more than ten years, the eligible 216  
offender or state of emergency-qualifying offender may file the 217  
motion not earlier than the date on which the offender has 218  
served five years of the offender's stated prison term or, if 219  
the prison term includes a mandatory prison term or terms, not 220  
earlier than five years after the expiration of all mandatory 221

prison terms. 222

(e) If the aggregated nonmandatory prison term or terms is 223  
more than ten years, the eligible offender or state of 224  
emergency-qualifying offender may file the motion not earlier 225  
than the later of the date on which the offender has served one- 226  
half of the offender's stated prison term or the date specified 227  
in division (C) (1) (d) of this section. 228

(f) With respect to a state of emergency-qualifying 229  
offender, if the offender's prison term does not include a 230  
mandatory prison term or terms, or if the offender's prison term 231  
includes one or more mandatory prison terms and the offender has 232  
completed the mandatory prison term or terms, the state of 233  
emergency-qualifying offender may file the motion at any time 234  
during the offender's aggregated nonmandatory prison term or 235  
terms, provided that time also is during the declared state of 236  
emergency. 237

(2) During any single declared state of emergency, a state 238  
of emergency-qualifying offender may only file a motion for 239  
judicial release as a state of emergency-qualifying offender 240  
with the sentencing court during that declared state of 241  
emergency once every six months. 242

(D) (1) (a) Upon receipt of a timely motion for judicial 243  
release filed by an eligible offender or a state of emergency- 244  
qualifying offender under division (C) of this section, or upon 245  
the sentencing court's own motion made within the appropriate 246  
time specified in that division, the court may deny the motion 247  
without a hearing or schedule a hearing on the motion. The court 248  
may grant the motion without a hearing for an offender under 249  
consideration for judicial release as a state of emergency- 250  
qualifying offender, but the court shall not grant the motion 251



without a hearing for an offender under consideration as an 252  
eligible offender. If a court denies a motion without a hearing, 253  
the court later may consider judicial release for that eligible 254  
offender or that state of emergency-qualifying offender on a 255  
subsequent motion. For an offender under consideration for 256  
judicial release as an eligible offender, but not for one under 257  
consideration as a state of emergency-qualifying offender, the 258  
court may deny the motion with prejudice. If a court denies a 259  
motion with prejudice, the court may later consider judicial 260  
release on its own motion. For an offender under consideration 261  
for judicial release as a state of emergency-qualifying 262  
offender, the court shall not deny a motion with prejudice. For 263  
an offender under consideration for judicial release as an 264  
eligible offender, but not for one under consideration as a 265  
state of emergency-qualifying offender, if a court denies a 266  
motion after a hearing, the court shall not consider a 267  
subsequent motion for that offender based on the offender's 268  
classification as an eligible offender. The court may hold 269  
multiple hearings for any offender under consideration for 270  
judicial release as a state of emergency-qualifying offender, 271  
but shall hold only one hearing for any offender under 272  
consideration as an eligible offender. 273

(b) If an offender is under consideration for judicial 274  
release as an eligible offender and the motion is denied, and if 275  
the offender at that time also is or subsequently becomes a 276  
state of emergency-qualifying offender, the denial does not 277  
limit or affect any right of the offender to file a motion under 278  
this section for consideration for judicial release as a state 279  
of emergency-qualifying offender or for the court on its own 280  
motion to consider the offender for judicial release as a state 281  
of emergency-qualifying offender. 282

If an offender is under consideration for judicial release 283  
as a state of emergency-qualifying offender and the motion is 284  
denied, and if the offender at that time also is or subsequently 285  
becomes an eligible offender, the denial does not limit or 286  
affect any right of the offender to file a motion under this 287  
section for consideration for judicial release as an eligible 288  
offender or for the court on its own motion to consider the 289  
offender for judicial release as an eligible offender. 290

(2) (a) With respect to a motion for judicial release filed 291  
by an offender as an eligible offender or made by the court on 292  
its own motion for an offender as an eligible offender, a 293  
hearing under this section shall be conducted in open court not 294  
less than thirty or more than sixty days after the motion is 295  
filed, provided that the court may delay the hearing for one 296  
hundred eighty additional days. If the court holds a hearing, 297  
the court shall enter a ruling on the motion within ten days 298  
after the hearing. If the court denies the motion without a 299  
hearing, the court shall enter its ruling on the motion within 300  
sixty days after the motion is filed. 301

(b) With respect to a motion for judicial release filed by 302  
an offender as a state of emergency-qualifying offender or made 303  
by the court on its own motion for an offender as a state of 304  
emergency-qualifying offender, the court shall notify the 305  
prosecuting attorney of the county in which the offender was 306  
indicted and may order the prosecuting attorney to respond to 307  
the motion in writing within ten days. The prosecuting attorney 308  
shall notify the victim pursuant to the Ohio Constitution. The 309  
prosecuting attorney shall include in the response any statement 310  
that the victim wants to be represented to the court. The court 311  
shall consider any response from the prosecuting attorney and 312  
any statement from the victim in its ruling on the motion. After 313

receiving the response from the prosecuting attorney, the court 314  
either shall order a hearing consistent with divisions (E) to 315  
(I) of this section as soon as possible, or shall enter its 316  
ruling on the motion for judicial release as soon as possible. 317  
If the court conducts a hearing, the hearing shall be conducted 318  
in open court or by a virtual, telephonic, or other form of 319  
remote hearing. If the court holds a hearing, the court shall 320  
enter a ruling on the motion within ten days after the hearing. 321  
If the court denies the motion without a hearing, the court 322  
shall enter its ruling on the motion within ten days after the 323  
motion is filed or after it receives the response from the 324  
prosecuting attorney. 325

(E) If a court schedules a hearing under divisions (D) (1) 326  
and (2) (a) of this section or under divisions (D) (1) and (2) (b) 327  
of this section, the court shall notify the subject eligible 328  
offender or state of emergency-qualifying offender and the head 329  
of the state correctional institution in which that subject 330  
offender is confined prior to the hearing. The head of the state 331  
correctional institution immediately shall notify the 332  
appropriate person at the department of rehabilitation and 333  
correction of the hearing, and the department within twenty-four 334  
hours after receipt of the notice, shall post on the database it 335  
maintains pursuant to section 5120.66 of the Revised Code the 336  
subject offender's name and all of the information specified in 337  
division (A) (1) (c) (i) of that section. If the court schedules a 338  
hearing for judicial release, the court promptly shall give 339  
notice of the hearing to the prosecuting attorney of the county 340  
in which the subject eligible offender or state of emergency- 341  
qualifying offender was indicted. Upon receipt of the notice 342  
from the court, the prosecuting attorney shall do whichever of 343  
the following is applicable: 344

(1) Subject to division (E)(2) of this section, notify the 345  
victim of the offense and the victim's representative, if 346  
applicable, pursuant to the Ohio Constitution and division (B) 347  
of section 2930.16 of the Revised Code; 348

(2) If the offense was an offense of violence that is a 349  
felony of the first, second, or third degree, except as 350  
otherwise provided in this division, pursuant to the Ohio 351  
Constitution, notify the victim and the victim's representative, 352  
if applicable, of the hearing regardless of whether the victim 353  
or victim's representative has requested the notification. 354  
Except when notice to the victim is required under the Ohio 355  
Constitution, the notice of the hearing shall not be given under 356  
this division to a victim or victim's representative if the 357  
victim or victim's representative has requested pursuant to 358  
division (B)(2) of section 2930.03 of the Revised Code that the 359  
victim or the victim's representative not be provided the 360  
notice. If notice is to be provided to a victim or victim's 361  
representative under this division, the prosecuting attorney may 362  
give the notice by any reasonable means, including regular mail, 363  
telephone, and electronic mail, in accordance with division (D) 364  
(1) of section 2930.16 of the Revised Code. If the notice is 365  
based on an offense committed prior to March 22, 2013, the 366  
notice also shall include the opt-out information described in 367  
division (D)(1) of section 2930.16 of the Revised Code. The 368  
prosecuting attorney, in accordance with division (D)(2) of 369  
section 2930.16 of the Revised Code, shall keep a record of all 370  
attempts to provide the notice, and of all notices provided, 371  
under this division. Division (E)(2) of this section, and the 372  
notice-related provisions of division (K) of this section, 373  
division (D)(1) of section 2930.16, division (H) of section 374  
2967.12, division (E)(1)(b) of section 2967.19 as it existed 375

prior to April 4, 2023, division (A) (3) (b) of section 2967.26, 376  
division (D) (1) of section 2967.28, and division (A) (2) of 377  
section 5149.101 of the Revised Code enacted in the act in which 378  
division (E) (2) of this section was enacted, shall be known as 379  
"Roberta's Law." 380

(F) Upon an offender's successful completion of 381  
rehabilitative activities, the head of the state correctional 382  
institution may notify the sentencing court of the successful 383  
completion of the activities. 384

(G) Prior to the date of the hearing on a motion for 385  
judicial release made by an eligible offender, by a state of 386  
emergency-qualifying offender, or by a court on its own under 387  
this section, the head of the state correctional institution in 388  
which the subject offender is confined shall send to the court 389  
an institutional summary report on the offender's conduct in the 390  
institution and in any institution from which the offender may 391  
have been transferred. Upon the request of the prosecuting 392  
attorney of the county in which the subject offender was 393  
indicted or of any law enforcement agency, the head of the state 394  
correctional institution, at the same time the person sends the 395  
institutional summary report to the court, also shall send a 396  
copy of the report to the requesting prosecuting attorney and 397  
law enforcement agencies. The institutional summary report shall 398  
cover the subject offender's participation in school, vocational 399  
training, work, treatment, and other rehabilitative activities 400  
and any disciplinary action taken against the subject offender. 401  
The report shall be made part of the record of the hearing. A 402  
presentence investigation report is not required for judicial 403  
release. 404

(H) If the court grants a hearing on a motion for judicial 405

release made by an eligible offender, by a state of emergency- 406  
qualifying offender, or by a court on its own under this 407  
section, the subject offender shall attend the hearing if 408  
ordered to do so by the court. Upon receipt of a copy of the 409  
journal entry containing the order, the head of the state 410  
correctional institution in which the subject offender is 411  
incarcerated shall deliver the subject offender to the sheriff 412  
of the county in which the hearing is to be held. The sheriff 413  
shall convey the subject offender to and from the hearing. 414

(I) At the hearing on a motion for judicial release under 415  
this section made by an eligible offender, by a state of 416  
emergency-qualifying offender, or by a court on its own, the 417  
court shall afford the subject offender and the offender's 418  
attorney an opportunity to present written and, if present, oral 419  
information relevant to the motion. The court shall afford a 420  
similar opportunity to the prosecuting attorney, the victim, the 421  
victim's representative, the victim's attorney, if applicable, 422  
and any other person the court determines is likely to present 423  
additional relevant information. The court shall consider any 424  
oral or written statement of a victim, victim's representative, 425  
and victim's attorney, if applicable, made pursuant to section 426  
2930.14 or 2930.17 of the Revised Code, any victim impact 427  
statement prepared pursuant to section 2947.051 of the Revised 428  
Code, and any report made under division (G) of this section. 429  
The court may consider any written statement of any person 430  
submitted to the court pursuant to division (L) of this section. 431

If the motion alleges that the offender who is the subject 432  
of the motion is an eligible offender and the court makes an 433  
initial determination that the offender satisfies the criteria 434  
for being an eligible offender, or if the motion alleges that 435  
the offender who is the subject of the motion is a state of 436

emergency-qualifying offender and the court makes an initial 437  
determination that the offender satisfies the criteria for being 438  
a state of emergency-qualifying offender, the court shall 439  
determine whether to grant the motion. After ruling on the 440  
motion, the court shall notify the prosecuting attorney of the 441  
county in which the eligible offender or state of emergency- 442  
qualifying offender was indicted of the ruling, and the 443  
prosecuting attorney shall notify the victim and the victim's 444  
representative of the ruling in accordance with sections 2930.03 445  
and 2930.16 of the Revised Code or, if the court granted the 446  
motion, in accordance with division (K) of this section. 447

(J) (1) A court shall not grant a judicial release under 448  
this section to an offender who is imprisoned for a felony of 449  
the first or second degree and who is under consideration as an 450  
eligible offender, or to an offender who committed an offense 451  
under Chapter 2925. or 3719. of the Revised Code, who is under 452  
consideration as an eligible offender, and for whom there was a 453  
presumption under section 2929.13 of the Revised Code in favor 454  
of a prison term, unless the court, with reference to factors 455  
under section 2929.12 of the Revised Code, finds both of the 456  
following: 457

(a) That a sanction other than a prison term would 458  
adequately punish the offender and protect the public from 459  
future criminal violations by the offender because the 460  
applicable factors indicating a lesser likelihood of recidivism 461  
outweigh the applicable factors indicating a greater likelihood 462  
of recidivism; 463

(b) That a sanction other than a prison term would not 464  
demean the seriousness of the offense because factors indicating 465  
that the offender's conduct in committing the offense was less 466

serious than conduct normally constituting the offense outweigh 467  
factors indicating that the eligible offender's conduct was more 468  
serious than conduct normally constituting the offense. 469

(2) A court that grants a judicial release under division 470  
(J) (1) of this section to an offender who is under consideration 471  
as an eligible offender shall specify on the record both 472  
findings required in that division and also shall list all the 473  
factors described in that division that were presented at the 474  
hearing. 475

(3) (a) Subject to division (J) (3) (b) of this section, a 476  
court shall grant a judicial release under this section to an 477  
offender who is under consideration as a state of emergency- 478  
qualifying offender if the court determines that the risks posed 479  
by incarceration to the health and safety of the offender, 480  
because of the nature of the declared state of emergency, 481  
outweigh the risk to public safety if the offender were to be 482  
released from incarceration. 483

(b) A court shall not grant a judicial release under this 484  
section to an offender who is imprisoned for a felony of the 485  
first or second degree and is under consideration for judicial 486  
release as a state of emergency-qualifying offender unless the 487  
court, with reference to the factors specified under section 488  
2929.12 of the Revised Code, finds both of the criteria set 489  
forth in divisions (J) (1) (a) and (b) of this section. 490

(K) If the court grants a motion for judicial release 491  
under this section, the court shall order the release of the 492  
eligible offender or state of emergency-qualifying offender, 493  
shall place the offender under an appropriate community control 494  
sanction, under appropriate conditions, and under the 495  
supervision of the department of probation serving the court and 496



shall reserve the right to reimpose the sentence that it reduced 497  
if the offender violates the sanction. If the court reimposes 498  
the reduced sentence, it may do so either concurrently with, or 499  
consecutive to, any new sentence imposed on the eligible 500  
offender or state of emergency-qualifying offender as a result 501  
of the violation that is a new offense. Except as provided in 502  
division (N) (5) (b) of this section, the period of community 503  
control shall be no longer than five years. The court, in its 504  
discretion, may reduce the period of community control by the 505  
amount of time the offender spent in jail or prison for the 506  
offense and in prison. If the court made any findings pursuant 507  
to division (J) (1) of this section, the court shall serve a copy 508  
of the findings upon counsel for the parties within fifteen days 509  
after the date on which the court grants the motion for judicial 510  
release. 511

If the court grants a motion for judicial release, the 512  
court shall notify the appropriate person at the department of 513  
rehabilitation and correction, and the department shall post 514  
notice of the release on the database it maintains pursuant to 515  
section 5120.66 of the Revised Code. The court also shall notify 516  
the prosecuting attorney of the county in which the eligible 517  
offender or state of emergency-qualifying offender was indicted 518  
that the motion has been granted. When notice to the victim is 519  
required under the Ohio Constitution, the prosecuting attorney 520  
shall notify the victim and the victim's representative, if 521  
applicable, of the judicial release. In all other cases, unless 522  
the victim or the victim's representative has requested pursuant 523  
to division (B) (2) of section 2930.03 of the Revised Code that 524  
the victim or victim's representative not be provided the 525  
notice, the prosecuting attorney shall notify the victim and the 526  
victim's representative, if applicable, of the judicial release 527

in any manner, and in accordance with the same procedures, 528  
pursuant to which the prosecuting attorney is authorized to 529  
provide notice of the hearing pursuant to division (E) (2) of 530  
this section. If the notice is based on an offense committed 531  
prior to March 22, 2013, the notice to the victim or victim's 532  
representative also shall include the opt-out information 533  
described in division (D) (1) of section 2930.16 of the Revised 534  
Code. 535

(L) In addition to and independent of the right of a 536  
victim to make a statement pursuant to section 2930.14, 2930.17, 537  
or 2946.051 of the Revised Code and any right of a person to 538  
present written information or make a statement pursuant to 539  
division (I) of this section, any person may submit to the 540  
court, at any time prior to the hearing on the motion for 541  
judicial release of the eligible offender or state of emergency- 542  
qualifying offender, a written statement concerning the effects 543  
of the offender's criminal offense, the circumstances 544  
surrounding the criminal offense, the manner in which the 545  
criminal offense was perpetrated, and the person's opinion as to 546  
whether the offender should be released. 547

(M) (1) The changes to this section that are made on 548  
September 30, 2011, apply to any judicial release decision made 549  
on or after September 30, 2011, for any eligible offender, 550  
subject to division (M) (2) of this section. 551

(2) The changes to this section that are made on April 4, 552  
2023, apply to any judicial release application, and any 553  
judicial release decision, made on or after April 4, 2023, for 554  
any eligible offender or state of emergency-qualifying offender. 555

(N) (1) Notwithstanding the eligibility requirements 556  
specified in divisions (A) (1) and (2) of this section and the 557

filing time frames specified in division (C) of this section and 558  
notwithstanding the findings required under division (J)(1) and 559  
the eligibility criteria specified in division (J)(3) of this 560  
section, the sentencing court, upon the court's own motion and 561  
after considering whether the release of the offender into 562  
society would create undue risk to public safety, may grant a 563  
judicial release to an offender who is not serving a life 564  
sentence at any time during the offender's imposed sentence when 565  
the director of rehabilitation and correction certifies to the 566  
sentencing court through the chief medical officer for the 567  
department of rehabilitation and correction that the offender is 568  
in imminent danger of death, is medically incapacitated, or has 569  
a terminal illness. 570

(2) The director of rehabilitation and correction shall 571  
not certify any offender under division (N)(1) of this section 572  
who is serving a death sentence. 573

(3) A motion made by the court under division (N)(1) of 574  
this section is subject to the notice, hearing, and other 575  
procedural requirements specified in divisions (D), (E), (G), 576  
(H), (I), (K), and (L) of this section with respect to motions 577  
for a grant of judicial release to eligible offenders, including 578  
notice to the victim, except for the following: 579

(a) The court may waive the offender's appearance at any 580  
hearing scheduled by the court if the offender's condition makes 581  
it impossible for the offender to participate meaningfully in 582  
the proceeding. 583

(b) The court may grant the motion without a hearing, 584  
provided that the prosecuting attorney, victim, and victim's 585  
representative, if applicable, to whom notice of the hearing was 586  
provided under division (E) of this section indicate that they 587

do not wish to participate in the hearing or present information 588  
relevant to the motion. 589

(4) The court may request health care records from the 590  
department of rehabilitation and correction to verify the 591  
certification made under division (N)(1) of this section. 592

(5) (a) If the court grants judicial release under division 593  
(N)(1) of this section, the court shall do all of the following: 594

(i) Order the release of the offender; 595

(ii) Place the offender under an appropriate community 596  
control sanction, under appropriate conditions; 597

(iii) Place the offender under the supervision of the 598  
department of probation serving the court or under the 599  
supervision of the adult parole authority. 600

(b) The court, in its discretion, may revoke the judicial 601  
release if the offender violates the community control sanction 602  
described in division (N)(5)(a) of this section. The period of 603  
that community control is not subject to the five-year 604  
limitation described in division (K) of this section and shall 605  
not expire earlier than the date on which all of the offender's 606  
mandatory prison terms expire. 607

(6) If the health of an offender who is released under 608  
division (N)(1) of this section improves so that the offender is 609  
no longer terminally ill, medically incapacitated, or in 610  
imminent danger of death, the court shall, upon the court's own 611  
motion, revoke the judicial release. The court shall not grant 612  
the motion without a hearing unless the offender waives a 613  
hearing. If a hearing is held, the court shall afford the 614  
offender and the offender's attorney an opportunity to present 615  
written and, if the offender or the offender's attorney is 616

present, oral information relevant to the motion. The court 617  
shall afford a similar opportunity to the prosecuting attorney, 618  
the victim, the victim's representative, the victim's attorney, 619  
if applicable, and any other person the court determines is 620  
likely to present additional relevant information. If a hearing 621  
is held, the prosecuting attorney shall notify the victim and 622  
the victim's representative, if applicable, pursuant to the Ohio 623  
Constitution. A court that grants a motion under this division 624  
shall specify its findings on the record. 625

(O) (1) Separate from and independent of the provisions of 626  
divisions (A) to (N) of this section, the director of the 627  
department of rehabilitation and correction may recommend in 628  
writing to the sentencing court that the court consider 629  
releasing from prison, through a judicial release, any offender 630  
who is confined in a state correctional institution and who is 631  
an eighty per cent-qualifying offender. The director may file 632  
such a recommendation for judicial release by submitting to the 633  
sentencing court a notice, in writing, of the recommendation 634  
within the applicable period specified in division (A) (3) of 635  
this section for qualifying as an eighty per cent-qualifying 636  
offender. 637

The director shall include with any notice submitted to 638  
the sentencing court under this division an institutional 639  
summary report that covers the offender's participation while 640  
confined in a state correctional institution in school, 641  
training, work, treatment, and other rehabilitative activities 642  
and any disciplinary action taken against the offender while so 643  
confined. The director shall include with the notice any other 644  
documentation requested by the court, if available. 645

If the director submits a notice under this division 646

recommending judicial release, the department promptly shall 647  
provide to the prosecuting attorney of the county in which the 648  
offender was indicted a copy of the written notice and 649  
recommendation, a copy of the institutional summary report, and 650  
any other information provided to the court, and shall provide a 651  
copy of the institutional summary report to any law enforcement 652  
agency that requests the report. The department also shall 653  
provide written notice of the submission of the director's 654  
notice to any victim of the offender or victim's representative, 655  
if applicable, in the same manner as is specified in divisions 656  
(E) (1) and (2) of this section with respect to notices of 657  
hearings. 658

(2) A recommendation for judicial release in a notice 659  
submitted by the director under division (O) (1) of this section 660  
is subject to the notice, hearing, and other procedural 661  
requirements specified in divisions (E), (H), (I), and (L) of 662  
this section, including notice to the victim pursuant to the 663  
Ohio Constitution, except as otherwise specified in divisions 664  
(O) (3) to (5) of this section, provided that references in 665  
divisions (E), (H), (I), (K), and (L) of this section to "the 666  
motion" shall be construed for purposes of division (O) of this 667  
section as being references to the notice and recommendation 668  
specified in division (O) (1) of this section. 669

(3) The director's submission of a notice under division 670  
(O) (1) of this section constitutes a recommendation by the 671  
director that the court strongly consider a judicial release of 672  
the offender consistent with the purposes and principles of 673  
sentencing set forth in sections 2929.11 and 2929.13 of the 674  
Revised Code and establishes a rebuttable presumption that the 675  
offender shall be released through a judicial release in 676  
accordance with the recommendation. The presumption of release 677

may be rebutted only as described in division (O) (6) of this 678  
section. Only an offender recommended by the director under 679  
division (O) (1) of this section may be considered for a judicial 680  
release under division (O) of this section. 681

(4) Upon receipt of a notice recommending judicial release 682  
submitted by the director under division (O) (1) of this section, 683  
the court shall schedule a hearing to consider the 684  
recommendation for the judicial release of the offender who is 685  
the subject of the notice. The hearing shall be conducted in 686  
open court not less than thirty or more than sixty days after 687  
the notice is submitted. The court shall inform the department 688  
and the prosecuting attorney of the county in which the offender 689  
who is the subject of the notice was indicted of the date, time, 690  
and location of the hearing. Upon receipt of the notice from the 691  
court, the prosecuting attorney shall comply with division (E) 692  
of this section, including providing notice to the victim and 693  
the victim's representative, if applicable, pursuant to the Ohio 694  
Constitution, and the department shall post the information 695  
specified in that division. 696

(5) When a court schedules a hearing under division (O) (4) 697  
of this section, at the hearing, the court shall consider all of 698  
the following in determining whether to grant the offender 699  
judicial release under division (O) of this section: 700

(a) The institutional summary report submitted under 701  
division (O) (1) of this section; 702

(b) The inmate's academic, vocational education programs, 703  
or alcohol or drug treatment programs; or involvement in 704  
meaningful activity; 705

(c) The inmate's assignments and whether the inmate 706

consistently performed each work assignment to the satisfaction 707  
of the department staff responsible for supervising the inmate's 708  
work; 709

(d) The inmate transferred to and actively participated in 710  
core curriculum programming at a reintegration center prison; 711

(e) The inmate's disciplinary history; 712

(f) The inmate's security level; 713

(g) All other information, statements, reports, and 714  
documentation described in division (I) of this section. 715

(6) If the court that receives a notice recommending 716  
judicial release submitted by the director under division (O) (1) 717  
of this section makes an initial determination that the offender 718  
satisfies the criteria for being an eighty per cent-qualifying 719  
offender, the court then shall determine whether to grant the 720  
offender judicial release. In making the second determination, 721  
the court shall grant the offender judicial release unless the 722  
prosecuting attorney proves to the court, by a preponderance of 723  
the evidence, that the legitimate interests of the government in 724  
maintaining the offender's confinement outweigh the interests of 725  
the offender in being released from that confinement. If the 726  
court grants a judicial release under this division, division 727  
(K) of this section applies regarding the judicial release, 728  
including notice to the victim and the victim's representative, 729  
if applicable, pursuant to the Ohio Constitution, provided that 730  
references in division (K) of this section to "the motion" shall 731  
be construed for purposes of the judicial release granted under 732  
this division as being references to the notice and 733  
recommendation specified in division (O) (1) of this section. 734

The court shall enter its ruling on the notice 735



recommending judicial release submitted by the director under 736  
division (O) (1) of this section within ten days after the 737  
hearing is conducted. After ruling on whether to grant the 738  
offender judicial release under division (O) of this section, 739  
the court shall notify the offender, the prosecuting attorney, 740  
and the department of rehabilitation and correction of its 741  
decision, and shall notify the victim of its decision in 742  
accordance with the Ohio Constitution and sections 2930.03 and 743  
2930.16 of the Revised Code. If the court does not enter a 744  
ruling on the notice within ten days after the hearing is 745  
conducted as required under this division, the division of 746  
parole and community services of the department of 747  
rehabilitation and correction may release the offender. 748

(P) All notices to a victim of an offense provided under 749  
division (D), (E), (K), (N), or (O) of this section shall be 750  
provided in accordance with the Ohio Constitution. 751

**Sec. 2967.26.** (A) (1) The department of rehabilitation and 752  
correction, by rule, may establish a transitional control 753  
program for the purpose of closely monitoring a prisoner's 754  
adjustment to community supervision during the final one hundred 755  
eighty days of the prisoner's confinement. If the department 756  
establishes a transitional control program under this division, 757  
the division of parole and community services of the department 758  
of rehabilitation and correction may transfer eligible prisoners 759  
to transitional control status under the program during the 760  
final one hundred eighty days of their confinement and under the 761  
terms and conditions established by the department, shall 762  
provide for the confinement as provided in this division of each 763  
eligible prisoner so transferred, and shall supervise each 764  
eligible prisoner so transferred in one or more community 765  
control sanctions. Each eligible prisoner who is transferred to 766

transitional control status under the program shall be confined 767  
in a suitable facility that is licensed pursuant to division (C) 768  
of section 2967.14 of the Revised Code, or shall be confined in 769  
a residence the department has approved for this purpose and be 770  
monitored pursuant to an electronic monitoring device, as 771  
defined in section 2929.01 of the Revised Code. If the 772  
department establishes a transitional control program under this 773  
division, the rules establishing the program shall include 774  
criteria that define which prisoners are eligible for the 775  
program, criteria that must be satisfied to be approved as a 776  
residence that may be used for confinement under the program of 777  
a prisoner that is transferred to it and procedures for the 778  
department to approve residences that satisfy those criteria, 779  
and provisions of the type described in division (C) of this 780  
section. At a minimum, the criteria that define which prisoners 781  
are eligible for the program shall provide all of the following: 782

(a) That a prisoner is eligible for the program if the 783  
prisoner is serving a prison term or term of imprisonment for an 784  
offense committed prior to March 17, 1998, and if, at the time 785  
at which eligibility is being determined, the prisoner would 786  
have been eligible for a furlough under this section as it 787  
existed immediately prior to March 17, 1998, or would have been 788  
eligible for conditional release under former section 2967.23 of 789  
the Revised Code as that section existed immediately prior to 790  
March 17, 1998; 791

(b) That no prisoner who is serving a mandatory prison 792  
term is eligible for the program until after expiration of the 793  
mandatory term; 794

(c) That no prisoner who is serving a prison term or term 795  
of life imprisonment without parole imposed pursuant to section 796

2971.03 of the Revised Code is eligible for the program. 797

(2) At least sixty days prior to transferring to 798  
transitional control under this section a prisoner who is 799  
serving a definite term of imprisonment or definite prison term 800  
of less than one year for an offense committed on or after July 801  
1, 1996, or who is serving a minimum term of less than one year 802  
under a non-life felony indefinite prison term, on or after 803  
April 4, 2023, the division of parole and community services of 804  
the department of rehabilitation and correction shall give 805  
notice of the pendency of the transfer to transitional control 806  
to the court of common pleas of the county in which the 807  
indictment against the prisoner was found and of the fact that 808  
the court may disapprove the transfer of the prisoner to 809  
transitional control and shall include the institutional summary 810  
report prepared by the head of the state correctional 811  
institution in which the prisoner is confined. The head of the 812  
state correctional institution in which the prisoner is 813  
confined, upon the request of the division of parole and 814  
community services, shall provide to the division for inclusion 815  
in the notice sent to the court under this division an 816  
institutional summary report on the prisoner's conduct in the 817  
institution and in any institution from which the prisoner may 818  
have been transferred. The institutional summary report shall 819  
cover the prisoner's participation in school, vocational 820  
training, work, treatment, and other rehabilitative activities 821  
and any disciplinary action taken against the prisoner. If the 822  
court disapproves of the transfer of the prisoner to 823  
transitional control, the court shall notify the division of the 824  
disapproval within thirty days after receipt of the notice. If 825  
the court timely disapproves the transfer of the prisoner to 826  
transitional control, the division shall not proceed with the 827

transfer. If the court does not timely disapprove the transfer 828  
of the prisoner to transitional control, the division may 829  
transfer the prisoner to transitional control. 830

(3) (a) If the victim of an offense for which a prisoner 831  
was sentenced to a prison term or term of imprisonment has 832  
requested notification under section 2930.16 of the Revised Code 833  
and has provided the department of rehabilitation and correction 834  
with the victim's name and address or if division (A) (3) (b) of 835  
this section applies, the division of parole and community 836  
services, at least sixty days prior to transferring the prisoner 837  
to transitional control pursuant to this section, shall notify 838  
the victim and the victim's representative, if applicable, of 839  
the pendency of the transfer and of the victim's and victim's 840  
representative's right to submit a statement to the division 841  
regarding the impact of the transfer of the prisoner to 842  
transitional control. If the victim or victim's representative's 843  
subsequently submits a statement of that nature to the division, 844  
the division shall consider the statement in deciding whether to 845  
transfer the prisoner to transitional control. 846

(b) If a prisoner is incarcerated for the commission of 847  
aggravated murder, murder, or an offense of violence that is a 848  
felony of the first, second, or third degree or under a sentence 849  
of life imprisonment, except as otherwise provided in this 850  
division, the notice described in division (A) (3) (a) of this 851  
section shall be given regardless of whether the victim has 852  
requested the notification. The notice described in division (A) 853  
(3) (a) of this section shall not be given under this division to 854  
a victim if the victim has requested pursuant to division (B) (2) 855  
of section 2930.03 of the Revised Code that the victim not be 856  
provided the notice. If notice is to be provided to a victim 857  
under this division, the authority may give the notice by any 858

reasonable means, including regular mail, telephone, and 859  
electronic mail, in accordance with division (D) (1) of section 860  
2930.16 of the Revised Code. If the notice is based on an 861  
offense committed prior to March 22, 2013, the notice also shall 862  
include the opt-out information described in division (D) (1) of 863  
section 2930.16 of the Revised Code. The authority, in 864  
accordance with division (D) (2) of section 2930.16 of the 865  
Revised Code, shall keep a record of all attempts to provide the 866  
notice, and of all notices provided, under this division. 867

Division (A) (3) (b) of this section, and the notice-related 868  
provisions of divisions (E) (2) and (K) of section 2929.20, 869  
division (D) (1) of section 2930.16, division (H) of section 870  
2967.12, division (E) (1) (b) of section 2967.19 as it existed 871  
prior to April 4, 2023, division (D) (1) of section 2967.28, and 872  
division (A) (2) of section 5149.101 of the Revised Code enacted 873  
in the act in which division (A) (3) (b) of this section was 874  
enacted, shall be known as "Roberta's Law." 875

(4) The department of rehabilitation and correction, at 876  
least sixty days prior to transferring a prisoner to 877  
transitional control pursuant to this section, shall post on the 878  
database it maintains pursuant to section 5120.66 of the Revised 879  
Code the prisoner's name and all of the information specified in 880  
division (A) (1) (c) (iv) of that section. In addition to and 881  
independent of the right of a victim to submit a statement as 882  
described in division (A) (3) of this section or to otherwise 883  
make a statement and in addition to and independent of any other 884  
right or duty of a person to present information or make a 885  
statement, any person may send to the division of parole and 886  
community services at any time prior to the division's transfer 887  
of the prisoner to transitional control a written statement 888  
regarding the transfer of the prisoner to transitional control. 889

In addition to the information, reports, and statements it 890  
considers under divisions (A) (2) and (3) of this section or that 891  
it otherwise considers, the division shall consider each 892  
statement submitted in accordance with this division in deciding 893  
whether to transfer the prisoner to transitional control. 894

(B) Each prisoner transferred to transitional control 895  
under this section shall be confined in the manner described in 896  
division (A) of this section during any period of time that the 897  
prisoner is not actually working at the prisoner's approved 898  
employment, engaged in a vocational training or another 899  
educational program, engaged in another program designated by 900  
the director, or engaged in other activities approved by the 901  
department. 902

(C) The department of rehabilitation and correction shall 903  
adopt rules for transferring eligible prisoners to transitional 904  
control, supervising and confining prisoners so transferred, 905  
administering the transitional control program in accordance 906  
with this section, and using the moneys deposited into the 907  
transitional control fund established under division (E) of this 908  
section. 909

(D) The department of rehabilitation and correction may 910  
adopt rules for the issuance of passes for the limited purposes 911  
described in this division to prisoners who are transferred to 912  
transitional control under this section. If the department 913  
adopts rules of that nature, the rules shall govern the granting 914  
of the passes and shall provide for the supervision of prisoners 915  
who are temporarily released pursuant to one of those passes. 916  
Upon the adoption of rules under this division, the department 917  
may issue passes to prisoners who are transferred to 918  
transitional control status under this section in accordance 919

with the rules and the provisions of this division. All passes 920  
issued under this division shall be for a maximum of forty-eight 921  
hours and may be issued only for the following purposes: 922

(1) To visit a relative in imminent danger of death; 923

(2) To have a private viewing of the body of a deceased 924  
relative; 925

(3) To visit with family; 926

(4) To otherwise aid in the rehabilitation of the 927  
prisoner. 928

(E) The division of parole and community services may 929  
require a prisoner who is transferred to transitional control to 930  
pay to the division the reasonable expenses incurred by the 931  
division in supervising or confining the prisoner while under 932  
transitional control. Inability to pay those reasonable expenses 933  
shall not be grounds for refusing to transfer an otherwise 934  
eligible prisoner to transitional control. Amounts received by 935  
the division of parole and community services under this 936  
division shall be deposited into the transitional control fund, 937  
which is hereby created in the state treasury and which hereby 938  
replaces and succeeds the furlough services fund that formerly 939  
existed in the state treasury. All moneys that remain in the 940  
furlough services fund on March 17, 1998, shall be transferred 941  
on that date to the transitional control fund. The transitional 942  
control fund shall be used solely to pay costs related to the 943  
operation of the transitional control program established under 944  
this section. The director of rehabilitation and correction 945  
shall adopt rules in accordance with section 111.15 of the 946  
Revised Code for the use of the fund. 947

(F) A prisoner who violates any rule established by the 948

department of rehabilitation and correction under division (A), 949  
(C), or (D) of this section may be transferred to a state 950  
correctional institution pursuant to rules adopted under 951  
division (A), (C), or (D) of this section, but the prisoner 952  
shall receive credit towards completing the prisoner's sentence 953  
for the time spent under transitional control. 954

If a prisoner is transferred to transitional control under 955  
this section, upon successful completion of the period of 956  
transitional control, the prisoner may be released on parole or 957  
under post-release control pursuant to section 2967.13 or 958  
2967.28 of the Revised Code and rules adopted by the department 959  
of rehabilitation and correction. If the prisoner is released 960  
under post-release control, the duration of the post-release 961  
control, the type of post-release control sanctions that may be 962  
imposed, the enforcement of the sanctions, and the treatment of 963  
prisoners who violate any sanction applicable to the prisoner 964  
are governed by section 2967.28 of the Revised Code. 965

**Section 2.** That existing sections 2929.20 and 2967.26 of 966  
the Revised Code are hereby repealed." 967

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 968

**Judicial release and transitional control** 969

**R.C. 2929.20 and 2967.26** 970

Reiterates that amendments to the judicial release and 971  
transitional control processes made in S.B. 288 of the 134th 972  
General Assembly apply only to prisoners serving prison terms on 973



or after April 4, 2023, the effective date of that act.

974

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "120.54" 1  
In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to prohibit a 2  
legal aid society from using financial assistance it receives in any 3  
criminal case or fee generating case" 4  
After line \_\_\_\_\_, insert: 5  
  
"Section 1. That section 120.54 of the Revised Code be 6  
amended to read as follows: 7  
  
Sec. 120.54. (A) A legal aid society that receives 8  
financial assistance from the legal aid fund under section 9  
120.53 of the Revised Code shall use the financial assistance 10  
for only the following purposes: 11  
  
(1) To defray the costs of providing legal services to 12  
indigents; 13  
  
(2) To provide legal training and legal technical 14  
assistance to other eligible legal aid societies; and 15  
  
(3) If the legal aid society has entered into an agreement 16  
pursuant to division (H) of section 120.53 of the Revised Code 17  
and in accordance with the description and list of conditions 18  
set forth in its application pursuant to division (B) (9) of that 19  
section, to provide funds for the services, programs, training, 20  
and legal technical assistance provided to the legal aid society 21

under the contract. 22

(B) No financial assistance received by a legal aid 23  
society from the legal aid fund pursuant to section 120.53 of 24  
the Revised Code shall be used for the provision of legal 25  
services in ~~relation to~~ any criminal case or proceeding or in 26  
~~relation to~~ the provision of legal assistance in any fee 27  
generating case. 28

**Section 2.** That existing section 120.54 of the Revised 29  
Code is hereby repealed." 30

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 31

**Legal services in a criminal case or proceeding** 32

**R.C. 120.54** 33

Prohibits financial assistance received by a legal aid 34  
society from being used for the provision of legal services in 35  
any criminal case or proceeding or for the provision of legal 36  
assistance in any fee generating case, rather than in relation 37  
to any criminal case or in relation to any fee generating case. 38

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "4509.101" 1  
In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "and to increase 2  
the amount of a noncompliance driver's license reinstatement fee allocated 3  
to the indigent defense support fund" 4  
After line \_\_\_\_\_, insert: 5  
  
"Section 1. That section 4509.101 of the Revised Code be 6  
amended to read as follows: 7  
  
Sec. 4509.101. (A) (1) No person shall operate, or permit 8  
the operation of, a motor vehicle in this state, unless proof of 9  
financial responsibility is maintained continuously throughout 10  
the registration period with respect to that vehicle, or, in the 11  
case of a driver who is not the owner, with respect to that 12  
driver's operation of that vehicle. 13  
  
(2) Whoever violates division (A) (1) of this section shall 14  
be subject to the following civil penalties: 15  
  
(a) Subject to divisions (A) (2) (b) and (c) of this 16  
section, a class (F) suspension of the person's driver's 17  
license, commercial driver's license, temporary instruction 18  
permit, probationary license, or nonresident operating privilege 19  
for the period of time specified in division (B) (6) of section 20  
4510.02 of the Revised Code and impoundment of the person's 21  
license. The court may grant limited driving privileges to the 22

person, but only if the person presents proof of financial 23  
responsibility and is enrolled in a reinstatement fee payment 24  
plan pursuant to section 4510.10 of the Revised Code. 25

(b) If, within five years of the violation, the person's 26  
operating privileges are again suspended and the person's 27  
license again is impounded for a violation of division (A) (1) of 28  
this section, a class C suspension of the person's driver's 29  
license, commercial driver's license, temporary instruction 30  
permit, probationary license, or nonresident operating privilege 31  
for the period of time specified in division (B) (3) of section 32  
4510.02 of the Revised Code. The court may grant limited driving 33  
privileges to the person only if the person presents proof of 34  
financial responsibility and has complied with division (A) (5) 35  
of this section, and no court may grant limited driving 36  
privileges for the first fifteen days of the suspension. 37

(c) If, within five years of the violation, the person's 38  
operating privileges are suspended and the person's license is 39  
impounded two or more times for a violation of division (A) (1) 40  
of this section, a class B suspension of the person's driver's 41  
license, commercial driver's license, temporary instruction 42  
permit, probationary license, or nonresident operating privilege 43  
for the period of time specified in division (B) (2) of section 44  
4510.02 of the Revised Code. The court may grant limited driving 45  
privileges to the person only if the person presents proof of 46  
financial responsibility and has complied with division (A) (5) 47  
of this section, except that no court may grant limited driving 48  
privileges for the first thirty days of the suspension. 49

(d) In addition to the suspension of an owner's license 50  
under division (A) (2) (a), (b), or (c) of this section, the 51  
suspension of the rights of the owner to register the motor 52

vehicle and the impoundment of the owner's certificate of 53  
registration and license plates until the owner complies with 54  
division (A) (5) of this section. 55

The clerk of court shall waive the cost of filing a 56  
petition for limited driving privileges if, pursuant to section 57  
2323.311 of the Revised Code, the petitioner applies to be 58  
qualified as an indigent litigant and the court approves the 59  
application. 60

(3) A person to whom this state has issued a certificate 61  
of registration for a motor vehicle or a license to operate a 62  
motor vehicle or who is determined to have operated any motor 63  
vehicle or permitted the operation in this state of a motor 64  
vehicle owned by the person shall be required to verify the 65  
existence of proof of financial responsibility covering the 66  
operation of the motor vehicle or the person's operation of the 67  
motor vehicle under either of the following circumstances: 68

(a) The person or a motor vehicle owned by the person is 69  
involved in a traffic accident that requires the filing of an 70  
accident report under section 4509.06 of the Revised Code. 71

(b) The person receives a traffic ticket indicating that 72  
proof of the maintenance of financial responsibility was not 73  
produced upon the request of a peace officer or state highway 74  
patrol trooper made in accordance with division (D) (2) of this 75  
section. 76

(4) An order of the registrar that suspends and impounds a 77  
license or registration, or both, shall state the date on or 78  
before which the person is required to surrender the person's 79  
license or certificate of registration and license plates. The 80  
person is deemed to have surrendered the license or certificate 81

of registration and license plates, in compliance with the 82  
order, if the person does either of the following: 83

(a) On or before the date specified in the order, delivers 84  
the license or certificate of registration and license plates to 85  
the registrar; 86

(b) Mails the license or certificate of registration and 87  
license plates to the registrar in an envelope or container 88  
bearing a postmark showing a date no later than the date 89  
specified in the order. 90

(5) Except as provided in division (L) of this section, 91  
the registrar shall not restore any operating privileges or 92  
registration rights suspended under this section, return any 93  
license, certificate of registration, or license plates 94  
impounded under this section, or reissue license plates under 95  
section 4503.232 of the Revised Code, if the registrar destroyed 96  
the impounded license plates under that section, or reissue a 97  
license under section 4510.52 of the Revised Code, if the 98  
registrar destroyed the suspended license under that section, 99  
unless the rights are not subject to suspension or revocation 100  
under any other law and unless the person, in addition to 101  
complying with all other conditions required by law for 102  
reinstatement of the operating privileges or registration 103  
rights, complies with all of the following: 104

(a) Pays to the registrar or an eligible deputy registrar 105  
a financial responsibility reinstatement fee of forty dollars 106  
for the first violation of division (A)(1) of this section, 107  
three hundred dollars for a second violation of that division, 108  
and six hundred dollars for a third or subsequent violation of 109  
that division; 110

(b) If the person has not voluntarily surrendered the 111  
license, certificate, or license plates in compliance with the 112  
order, pays to the registrar or an eligible deputy registrar a 113  
financial responsibility nonvoluntary compliance fee in an 114  
amount, not to exceed fifty dollars, determined by the 115  
registrar; 116

(c) Files and continuously maintains proof of financial 117  
responsibility under sections 4509.44 to 4509.65 of the Revised 118  
Code; 119

(d) Pays a deputy registrar a service fee of ten dollars 120  
to compensate the deputy registrar for services performed under 121  
this section. The deputy registrar shall retain eight dollars of 122  
the service fee and shall transmit the reinstatement fee, any 123  
nonvoluntary compliance fee, and two dollars of the service fee 124  
to the registrar in the manner the registrar shall determine. 125

(B) (1) Every party required to file an accident report 126  
under section 4509.06 of the Revised Code also shall include 127  
with the report a document described in division (G) (1) (a) of 128  
this section or shall present proof of financial responsibility 129  
through use of an electronic wireless communications device as 130  
permitted by division (G) (1) (b) of this section. 131

If the registrar determines, within forty-five days after 132  
the report is filed, that an operator or owner has violated 133  
division (A) (1) of this section, the registrar shall do all of 134  
the following: 135

(a) Order the impoundment, with respect to the motor 136  
vehicle involved, required under division (A) (2) (d) of this 137  
section, of the certificate of registration and license plates 138  
of any owner who has violated division (A) (1) of this section; 139



(b) Order the suspension required under division (A) (2) 140  
(a), (b), or (c) of this section of the license of any operator 141  
or owner who has violated division (A) (1) of this section; 142

(c) Record the name and address of the person whose 143  
certificate of registration and license plates have been 144  
impounded or are under an order of impoundment, or whose license 145  
has been suspended or is under an order of suspension; the 146  
serial number of the person's license; the serial numbers of the 147  
person's certificate of registration and license plates; and the 148  
person's social security account number, if assigned, or, where 149  
the motor vehicle is used for hire or principally in connection 150  
with any established business, the person's federal taxpayer 151  
identification number. The information shall be recorded in such 152  
a manner that it becomes a part of the person's permanent 153  
record, and assists the registrar in monitoring compliance with 154  
the orders of suspension or impoundment. 155

(d) Send written notification to every person to whom the 156  
order pertains, at the person's last known address as shown on 157  
the records of the bureau. The person, within ten days after the 158  
date of the mailing of the notification, shall surrender to the 159  
registrar, in a manner set forth in division (A) (4) of this 160  
section, any certificate of registration and registration plates 161  
under an order of impoundment, or any license under an order of 162  
suspension. 163

(2) The registrar shall issue any order under division (B) 164  
(1) of this section without a hearing. Any person adversely 165  
affected by the order, within ten days after the issuance of the 166  
order, may request an administrative hearing before the 167  
registrar, who shall provide the person with an opportunity for 168  
a hearing in accordance with this paragraph. A request for a 169

hearing does not operate as a suspension of the order. The scope 170  
of the hearing shall be limited to whether the person in fact 171  
demonstrated to the registrar proof of financial responsibility 172  
in accordance with this section. The registrar shall determine 173  
the date, time, and place of any hearing, provided that the 174  
hearing shall be held, and an order issued or findings made, 175  
within thirty days after the registrar receives a request for a 176  
hearing. If requested by the person in writing, the registrar 177  
may designate as the place of hearing the county seat of the 178  
county in which the person resides or a place within fifty miles 179  
of the person's residence. The person shall pay the cost of the 180  
hearing before the registrar, if the registrar's order of 181  
suspension or impoundment is upheld. 182

(C) Any order of suspension or impoundment issued under 183  
this section or division (B) of section 4509.37 of the Revised 184  
Code may be terminated at any time if the registrar determines 185  
upon a showing of proof of financial responsibility that the 186  
operator or owner of the motor vehicle was in compliance with 187  
division (A)(1) of this section at the time of the traffic 188  
offense, motor vehicle inspection, or accident that resulted in 189  
the order against the person. A determination may be made 190  
without a hearing. This division does not apply unless the 191  
person shows good cause for the person's failure to present 192  
satisfactory proof of financial responsibility to the registrar 193  
prior to the issuance of the order. 194

(D)(1)(a) For the purpose of enforcing this section, every 195  
peace officer is deemed an agent of the registrar. 196

(b) Any peace officer who, in the performance of the peace 197  
officer's duties as authorized by law, becomes aware of a person 198  
whose license is under an order of suspension, or whose 199

certificate of registration and license plates are under an 200  
order of impoundment, pursuant to this section, may confiscate 201  
the license, certificate of registration, and license plates, 202  
and return them to the registrar. 203

(2) A peace officer shall request the owner or operator of 204  
a motor vehicle to produce proof of financial responsibility in 205  
a manner described in division (G) of this section at the time 206  
the peace officer acts to enforce the traffic laws of this state 207  
and during motor vehicle inspections conducted pursuant to 208  
section 4513.02 of the Revised Code. 209

(3) A peace officer shall indicate on every traffic ticket 210  
whether the person receiving the traffic ticket produced proof 211  
of the maintenance of financial responsibility in response to 212  
the officer's request under division (D) (2) of this section. The 213  
peace officer shall inform every person who receives a traffic 214  
ticket and who has failed to produce proof of the maintenance of 215  
financial responsibility that the person must submit proof to 216  
the traffic violations bureau with any payment of a fine and 217  
costs for the ticketed violation or, if the person is to appear 218  
in court for the violation, the person must submit proof to the 219  
court. 220

(4) (a) If a person who has failed to produce proof of the 221  
maintenance of financial responsibility appears in court for a 222  
ticketed violation, the court may permit the defendant to 223  
present evidence of proof of financial responsibility to the 224  
court at such time and in such manner as the court determines to 225  
be necessary or appropriate. In a manner prescribed by the 226  
registrar, the clerk of courts shall provide the registrar with 227  
the identity of any person who fails to submit proof of the 228  
maintenance of financial responsibility pursuant to division (D) 229

(3) of this section. 230

(b) If a person who has failed to produce proof of the 231  
maintenance of financial responsibility also fails to submit 232  
that proof to the traffic violations bureau with payment of a 233  
fine and costs for the ticketed violation, the traffic 234  
violations bureau, in a manner prescribed by the registrar, 235  
shall notify the registrar of the identity of that person. 236

(5) (a) Upon receiving notice from a clerk of courts or 237  
traffic violations bureau pursuant to division (D) (4) of this 238  
section, the registrar shall order the suspension of the license 239  
of the person required under division (A) (2) (a), (b), or (c) of 240  
this section and the impoundment of the person's certificate of 241  
registration and license plates required under division (A) (2) 242  
(d) of this section, effective thirty days after the date of the 243  
mailing of notification. The registrar also shall notify the 244  
person that the person must present the registrar with proof of 245  
financial responsibility in accordance with this section, 246  
surrender to the registrar the person's certificate of 247  
registration, license plates, and license, or submit a statement 248  
subject to section 2921.13 of the Revised Code that the person 249  
did not operate or permit the operation of the motor vehicle at 250  
the time of the offense. Notification shall be in writing and 251  
shall be sent to the person at the person's last known address 252  
as shown on the records of the bureau of motor vehicles. The 253  
person, within fifteen days after the date of the mailing of 254  
notification, shall present proof of financial responsibility, 255  
surrender the certificate of registration, license plates, and 256  
license to the registrar in a manner set forth in division (A) 257  
(4) of this section, or submit the statement required under this 258  
section together with other information the person considers 259  
appropriate. 260

If the registrar does not receive proof or the person does 261  
not surrender the certificate of registration, license plates, 262  
and license, in accordance with this division, the registrar 263  
shall permit the order for the suspension of the license of the 264  
person and the impoundment of the person's certificate of 265  
registration and license plates to take effect. 266

(b) In the case of a person who presents, within the 267  
fifteen-day period, proof of financial responsibility, the 268  
registrar shall terminate the order of suspension and the 269  
impoundment of the registration and license plates required 270  
under division (A) (2) (d) of this section and shall send written 271  
notification to the person, at the person's last known address 272  
as shown on the records of the bureau. 273

(c) Any person adversely affected by the order of the 274  
registrar under division (D) (5) (a) or (b) of this section, 275  
within ten days after the issuance of the order, may request an 276  
administrative hearing before the registrar, who shall provide 277  
the person with an opportunity for a hearing in accordance with 278  
this paragraph. A request for a hearing does not operate as a 279  
suspension of the order. The scope of the hearing shall be 280  
limited to whether, at the time of the hearing, the person 281  
presents proof of financial responsibility covering the vehicle 282  
and whether the person is eligible for an exemption in 283  
accordance with this section or any rule adopted under it. The 284  
registrar shall determine the date, time, and place of any 285  
hearing; provided, that the hearing shall be held, and an order 286  
issued or findings made, within thirty days after the registrar 287  
receives a request for a hearing. If requested by the person, 288  
the hearing may be held remotely by electronic means. If 289  
requested by the person in writing, the registrar may designate 290  
as the place of hearing the county seat of the county in which 291

the person resides or a place within fifty miles of the person's 292  
residence. Such person shall pay the cost of the hearing before 293  
the registrar, if the registrar's order of suspension or 294  
impoundment under division (D) (5) (a) or (b) of this section is 295  
upheld. 296

(6) A peace officer may charge an owner or operator of a 297  
motor vehicle with a violation of section 4510.16 of the Revised 298  
Code when the owner or operator fails to show proof of the 299  
maintenance of financial responsibility pursuant to a peace 300  
officer's request under division (D) (2) of this section, if a 301  
check of the owner or operator's driving record indicates that 302  
the owner or operator, at the time of the operation of the motor 303  
vehicle, is required to file and maintain proof of financial 304  
responsibility under section 4509.45 of the Revised Code for a 305  
previous violation of this chapter. 306

(7) Any forms used by law enforcement agencies in 307  
administering this section shall be prescribed, supplied, and 308  
paid for by the registrar. 309

(8) No peace officer, law enforcement agency employing a 310  
peace officer, or political subdivision or governmental agency 311  
that employs a peace officer shall be liable in a civil action 312  
for damages or loss to persons arising out of the performance of 313  
any duty required or authorized by this section. 314

(9) As used in this section, "peace officer" has the 315  
meaning set forth in section 2935.01 of the Revised Code. 316

(E) All fees, except court costs, fees paid to a deputy 317  
registrar, and those portions of the financial responsibility 318  
reinstatement fees as otherwise specified in this division, 319  
collected under this section shall be paid into the state 320

treasury to the credit of the public safety - highway purposes 321  
fund established in section 4501.06 of the Revised Code and used 322  
to cover costs incurred by the bureau in the administration of 323  
this section and sections 4503.20, 4507.212, and 4509.81 of the 324  
Revised Code, and by any law enforcement agency employing any 325  
peace officer who returns any license, certificate of 326  
registration, and license plates to the registrar pursuant to 327  
division (C) of this section. 328

Of each financial responsibility reinstatement fee the 329  
registrar collects pursuant to division (A) (5) (a) of this 330  
section or receives from a deputy registrar under division (A) 331  
(5) (d) of this section, the registrar shall deposit ten dollars 332  
of each forty-dollar reinstatement fee, fifty dollars of each 333  
three-hundred-dollar reinstatement fee, and one hundred dollars 334  
of each six-hundred-dollar reinstatement fee into the state 335  
treasury to the credit of the indigent defense support fund 336  
created by section 120.08 of the Revised Code. 337

(F) Chapter 119. of the Revised Code applies to this 338  
section only to the extent that any provision in that chapter is 339  
not clearly inconsistent with this section. 340

(G) (1) (a) The registrar, court, traffic violations bureau, 341  
or peace officer may require proof of financial responsibility 342  
to be demonstrated by use of a standard form prescribed by the 343  
registrar. If the use of a standard form is not required, a 344  
person may demonstrate proof of financial responsibility under 345  
this section by presenting to the traffic violations bureau, 346  
court, registrar, or peace officer any of the following 347  
documents or a copy of the documents: 348

(i) A financial responsibility identification card as 349  
provided in section 4509.103 of the Revised Code; 350

(ii) A certificate of proof of financial responsibility on 351  
a form provided and approved by the registrar for the filing of 352  
an accident report required to be filed under section 4509.06 of 353  
the Revised Code; 354

(iii) A policy of liability insurance, a declaration page 355  
of a policy of liability insurance, or liability bond, if the 356  
policy or bond complies with section 4509.20 or sections 4509.49 357  
to 4509.61 of the Revised Code; 358

(iv) A bond or certification of the issuance of a bond as 359  
provided in section 4509.59 of the Revised Code; 360

(v) A certificate of deposit of money or securities as 361  
provided in section 4509.62 of the Revised Code; 362

(vi) A certificate of self-insurance as provided in 363  
section 4509.72 of the Revised Code. 364

(b) A person also may present proof of financial 365  
responsibility under this section to the traffic violations 366  
bureau, court, registrar, or peace officer through use of an 367  
electronic wireless communications device as specified under 368  
section 4509.103 of the Revised Code. 369

(2) If a person fails to demonstrate proof of financial 370  
responsibility in a manner described in division (G)(1) of this 371  
section, the person may demonstrate proof of financial 372  
responsibility under this section by any other method that the 373  
court or the bureau, by reason of circumstances in a particular 374  
case, may consider appropriate. 375

(3) A motor carrier certificated by the interstate 376  
commerce commission or by the public utilities commission may 377  
demonstrate proof of financial responsibility by providing a 378  
statement designating the motor carrier's operating authority 379



and averring that the insurance coverage required by the 380  
certificating authority is in full force and effect. 381

(4) (a) A finding by the registrar or court that a person 382  
is covered by proof of financial responsibility in the form of 383  
an insurance policy or surety bond is not binding upon the named 384  
insurer or surety or any of its officers, employees, agents, or 385  
representatives and has no legal effect except for the purpose 386  
of administering this section. 387

(b) The preparation and delivery of a financial 388  
responsibility identification card or any other document 389  
authorized to be used as proof of financial responsibility and 390  
the generation and delivery of proof of financial responsibility 391  
to an electronic wireless communications device that is 392  
displayed on the device as text or images does not do any of the 393  
following: 394

(i) Create any liability or estoppel against an insurer or 395  
surety, or any of its officers, employees, agents, or 396  
representatives; 397

(ii) Constitute an admission of the existence of, or of 398  
any liability or coverage under, any policy or bond; 399

(iii) Waive any defenses or counterclaims available to an 400  
insurer, surety, agent, employee, or representative in an action 401  
commenced by an insured or third-party claimant upon a cause of 402  
action alleged to have arisen under an insurance policy or 403  
surety bond or by reason of the preparation and delivery of a 404  
document for use as proof of financial responsibility or the 405  
generation and delivery of proof of financial responsibility to 406  
an electronic wireless communications device. 407

(c) Whenever it is determined by a final judgment in a 408

judicial proceeding that an insurer or surety, which has been 409  
named on a document or displayed on an electronic wireless 410  
communications device accepted by a court or the registrar as 411  
proof of financial responsibility covering the operation of a 412  
motor vehicle at the time of an accident or offense, is not 413  
liable to pay a judgment for injuries or damages resulting from 414  
such operation, the registrar, notwithstanding any previous 415  
contrary finding, shall forthwith suspend the operating 416  
privileges and registration rights of the person against whom 417  
the judgment was rendered as provided in division (A) (2) of this 418  
section. 419

(H) In order for any document or display of text or images 420  
on an electronic wireless communications device described in 421  
division (G) (1) of this section to be used for the demonstration 422  
of proof of financial responsibility under this section, the 423  
document or words or images shall state the name of the insured 424  
or obligor, the name of the insurer or surety company, and the 425  
effective and expiration dates of the financial responsibility, 426  
and designate by explicit description or by appropriate 427  
reference all motor vehicles covered which may include a 428  
reference to fleet insurance coverage. 429

(I) For purposes of this section, "owner" does not include 430  
a licensed motor vehicle leasing dealer as defined in section 431  
4517.01 of the Revised Code, but does include a motor vehicle 432  
renting dealer as defined in section 4549.65 of the Revised 433  
Code. Nothing in this section or in section 4509.51 of the 434  
Revised Code shall be construed to prohibit a motor vehicle 435  
renting dealer from entering into a contractual agreement with a 436  
person whereby the person renting the motor vehicle agrees to be 437  
solely responsible for maintaining proof of financial 438  
responsibility, in accordance with this section, with respect to 439

the operation, maintenance, or use of the motor vehicle during 440  
the period of the motor vehicle's rental. 441

(J) The purpose of this section is to require the 442  
maintenance of proof of financial responsibility with respect to 443  
the operation of motor vehicles on the highways of this state, 444  
so as to minimize those situations in which persons are not 445  
compensated for injuries and damages sustained in motor vehicle 446  
accidents. The general assembly finds that this section contains 447  
reasonable civil penalties and procedures for achieving this 448  
purpose. 449

(K) Nothing in this section shall be construed to be 450  
subject to section 4509.78 of the Revised Code. 451

(L) (1) The registrar may terminate any suspension imposed 452  
under this section and not require the owner to comply with 453  
divisions (A) (5) (a), (b), and (c) of this section if the 454  
registrar with or without a hearing determines that the owner of 455  
the vehicle has established by clear and convincing evidence 456  
that all of the following apply: 457

(a) The owner customarily maintains proof of financial 458  
responsibility. 459

(b) Proof of financial responsibility was not in effect 460  
for the vehicle on the date in question for one of the following 461  
reasons: 462

(i) The vehicle was inoperable. 463

(ii) The vehicle is operated only seasonally, and the date 464  
in question was outside the season of operation. 465

(iii) A person other than the vehicle owner or driver was 466  
at fault for the lapse of proof of financial responsibility 467

through no fault of the owner or driver. 468

(iv) The lapse of proof of financial responsibility was 469  
caused by excusable neglect under circumstances that are not 470  
likely to recur and do not suggest a purpose to evade the 471  
requirements of this chapter. 472

(2) The registrar may grant an owner or driver relief for 473  
a reason specified in division (L)(1)(b)(iii) or (iv) of this 474  
section only if the owner or driver has not previously been 475  
granted relief under division (L)(1)(b)(iii) or (iv) of this 476  
section. 477

(M) The registrar shall adopt rules in accordance with 478  
Chapter 119. of the Revised Code that are necessary to 479  
administer and enforce this section. The rules shall include 480  
procedures for the surrender of license plates upon failure to 481  
maintain proof of financial responsibility and provisions 482  
relating to reinstatement of registration rights, acceptable 483  
forms of proof of financial responsibility, the use of an 484  
electronic wireless communications device to present proof of 485  
financial responsibility, and verification of the existence of 486  
financial responsibility during the period of registration. 487

(N)(1) When a person utilizes an electronic wireless 488  
communications device to present proof of financial 489  
responsibility, only the evidence of financial responsibility 490  
displayed on the device shall be viewed by the registrar, peace 491  
officer, employee or official of the traffic violations bureau, 492  
or the court. No other content of the device shall be viewed for 493  
purposes of obtaining proof of financial responsibility. 494

(2) When a person provides an electronic wireless 495  
communications device to the registrar, a peace officer, an 496

employee or official of a traffic violations bureau, or the 497  
court, the person assumes the risk of any resulting damage to 498  
the device unless the registrar, peace officer, employee, or 499  
official, or court personnel purposely, knowingly, or recklessly 500  
commits an action that results in damage to the device. 501

**Section 2.** That existing section 4509.101 of the Revised 502  
Code is hereby repealed." 503

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 504

**Indigent Defense Support Fund: funding restoration** 505

**R.C. 4509.101** 506

Restores a provision from prior law that allocated 507  
increased amounts of the reinstatement fee associated with 508  
failure to maintain proof of financial responsibility to the 509  
Indigent Defense Support Fund. 510

Specifically, allocates \$50 of each \$300 reinstatement fee 511  
(for a 2nd offense within five years), and \$100 of each \$600 512  
reinstatement fee (for a 3rd or subsequent offense within five 513  
years) to that Fund. (Current law allocates \$10 regardless of 514  
the amount of the reinstatement fee.) 515

\_\_\_\_\_ moved to amend as follows:

In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "135.032" 1  
In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "135.032 and 2  
135.321" 3  
In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "and to modify the 4  
law governing public depositories" 5  
After line \_\_\_\_\_, insert: 6  
"Section 1. That new section 135.032 of the Revised Code 7  
be enacted to read as follows: 8  
Sec. 135.032. (A) For the purposes of this section, 9  
"institution" means an institution eligible to become a public 10  
depository under section 135.03 or 135.32 of the Revised Code or 11  
an eligible credit union, as defined in section 135.62 of the 12  
Revised Code. 13  
(B) An institution designated as a public depository under 14  
this chapter shall notify each governing board that made such 15  
designation if the institution becomes party to an active prompt 16  
corrective action directive issued by a regulatory authority of 17  
the United States. 18  
(C) Except as otherwise provided in division (D) of this 19  
section, an institution is ineligible to become a public 20  
depository under this chapter or to have active, interim, or 21  
inactive deposits awarded, placed, purchased, made, or 22

designated pursuant to this chapter, if the institution is party 23  
to an active prompt corrective action directive issued by a 24  
regulatory authority of the United States. 25

(D) If a governing board receives notice under division 26  
(B) of this section, or otherwise becomes aware that an 27  
institution the board designated as a public depository is party 28  
to an active prompt corrective action directive issued by a 29  
regulatory authority of the United States, the board may do 30  
either or both of the following, if the board determines that it 31  
is in the public interest: 32

(1) Allow the public depository to continue to have 33  
active, interim, or inactive deposits awarded, placed, 34  
purchased, made, or designated for the remainder of the 35  
designation period; 36

(2) Designate the institution as a public depository for 37  
additional succeeding designation periods. 38

(E) If a governing board determines that one or both of 39  
the actions permitted by division (D) of this section are in the 40  
public interest, and public moneys are lost due to the failure 41  
of the public depository subject to the active prompt correction 42  
directive, all of the following are relieved from any liability 43  
for that loss: 44

(1) The governing board's treasurer and deputy treasurer; 45

(2) An executive director, director, or other person 46  
employed by the governing board, its treasurer, or its deputy 47  
treasurer; 48

(3) Bondspersons and surety of any person described in 49  
divisions (E) (1) and (2) of this section. 50

**Section 3.** That sections 135.032 and 135.321 of the Revised Code are hereby repealed."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Public depositories**

**R.C. 135.032 (repealed and re-enacted) ; R.C. 135.321 (repealed)**

Eliminates the prohibition against a financial institution that is a party to an active final or temporary cease-and-desist order issued by the Superintendent of Financial Institutions, or the directors, officers, or controlling persons of which are subject to such an order, from serving as a public depository.

Instead requires any "institution," including certain eligible credit unions, that is designated by a governing board as a public depository to notify each such governing board if the institution becomes party to an active prompt corrective action directive ("directive") issued by a regulatory authority of the United States.

Specifies that institutions are generally ineligible to serve as public depositories while party to such a directive, but allows governing boards to continue to use the institution as a public depository, or to designate the institution as a public depository for subsequent designation periods, if the governing board determines that doing so is in the public interest.



Relieves certain public officials from liability for loss	75
of public moneys deposited in a failed public depository.	76

H. B. No. 305

As Passed by the House

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "sections" insert "517.23," 1

In line 9 of the title, delete "and" 2

In line 13 of the title, after "office" insert ", and to modify the 3  
laws governing the repair or replacement of a mausoleum or columbarium" 4

In line 14, after "sections" insert "517.23," 5

After line 16, insert: 6

"**Sec. 517.23.** (A) Subject to divisions (B), (D), ~~and~~ (E), and (F) of this section, the board of township trustees, the 7  
trustees or directors of a cemetery association, or the other 8  
officers having control and management of a cemetery or the 9  
officer of a municipal corporation who has control and 10  
management of a municipal cemetery shall disinter or grant 11  
permission to disinter any remains ~~buried~~ interred in the 12  
cemetery in either of the following circumstances: 13  
14

(1) Within thirty days after an application for 15  
disinterment is filed with the cemetery in accordance with 16

division (A) of section 517.24 of the Revised Code and payment 17  
of the reasonable costs and expense of disinterment is made by 18  
the following applicants: 19

(a) A designated representative, or successor, to whom the 20  
decedent had assigned the right of disposition in a written 21  
declaration pursuant to section 2108.70 of the Revised Code and 22  
who had exercised such right at the time of the declarant's 23  
death; 24

(b) If no designated representative exercised the right of 25  
disposition pursuant to section 2108.70 of the Revised Code, the 26  
surviving spouse of the decedent who is eighteen years of age or 27  
older. 28

(2) On order of a probate court issued under division (B) 29  
of section 517.24 of the Revised Code and payment by the person 30  
who applied for the order under that division of the reasonable 31  
costs and expense of disinterment. 32

(B) No disinterment shall be made pursuant to this section 33  
and section 517.24 of the Revised Code if the decedent died of a 34  
contagious or infectious disease until a permit has been issued 35  
by the board of health of a general health district or of a city 36  
health district. This division does not apply to cremated 37  
remains. 38

(C) Upon disinterment of remains under division (A) (1) or 39  
(2) of this section, the involved board, trustees, directors, 40  
other officers, or officer of the municipal corporation shall 41  
deliver or cause to be delivered the disinterred remains to the 42  
applicant under division (A) (1) of this section or, if the 43  
disinterment was pursuant to court order issued under division 44  
(B) of section 517.24 of the Revised Code, to the person who 45

applied for the order under that division.

(D) The board of township trustees, the trustees or directors of a cemetery association, or the other officers having control and management of a cemetery or the officer of a municipal corporation who has control and management of a municipal cemetery may disinter or grant permission to disinter and, if appropriate, may reinter or grant permission to reinter any remains ~~buried~~ interred in the cemetery to correct an interment error in the cemetery if the board, trustees, directors, other officers, or officer of the municipal corporation comply with the internal rules of the cemetery pertaining to disinterments and if the board, trustees, directors, other officers, or officer of the municipal corporation provide notice of the disinterment to the person who has been assigned or reassigned the rights of disposition for the deceased person under the provisions of section 2108.70 or 2108.81 of the Revised Code. The board, trustees, directors, other officers, or officer of the municipal corporation may correct an interment error under this division without a court order or an application by a person.

(E) (1) A person who is an interested party and who is eighteen years of age or older and of sound mind may apply to the probate court of the county in which the decedent is ~~buried~~ interred for an order to prevent the applicant under division (A) (1) of this section from having the remains of the decedent disinterred. An application to prevent the disinterment of the remains of the decedent shall be in writing, subscribed and verified by oath, and include all of the following:

(a) If applicable, a statement that the applicant assumed financial responsibility for the funeral and ~~burial~~ interment

expenses of the decedent;	76
(b) If division (E)(1)(a) of this section is inapplicable	77
relative to the applicant, a statement that the applicant did	78
not assume financial responsibility for the funeral and <del>burial</del>	79
<u>interment</u> expenses of the decedent;	80
(c) A statement that the applicant is eighteen years of	81
age or older and of sound mind;	82
(d) The relationship of the applicant to the decedent;	83
(e) A statement of the applicant's reasons to oppose the	84
disinterment of the remains of the decedent.	85
(2) An applicant for an order to prevent the disinterment	86
of the remains of the decedent under division (E) of this	87
section promptly shall give notice of the filing of the	88
application by certified mail, return receipt requested, to the	89
applicant under division (A)(1) of this section. The notice	90
shall indicate that the applicant has filed an application for	91
an order to prevent the disinterment of the remains of the	92
decedent.	93
<del>(F)</del> <u>(F)(1) If the repair or replacement of a mausoleum or</u>	94
<u>columbarium necessitates the disinterment of one or more sets of</u>	95
<u>remains, the board, trustees, directors, other officers, or</u>	96
<u>officer of the municipal corporation, shall file a single</u>	97
<u>application with the probate court in the county where the</u>	98
<u>mausoleum or columbarium is situated for a disinterment order</u>	99
<u>that authorizes the disinterment and reinterment of those</u>	100
<u>affected remains in the mausoleum or columbarium. Upon the</u>	101
<u>filing of the application, the probate court shall schedule a</u>	102
<u>hearing.</u>	103

(2) The board, trustees, directors, other officers, or 104  
officer of the municipal corporation promptly shall provide 105  
notice to the surviving spouses of the affected decedents and to 106  
the persons who have been assigned or reassigned the rights of 107  
disposition for the affected remains under the provisions of 108  
sections 2108.70 to 2108.90 of the Revised Code. The notice 109  
shall state that an application for disinterment has been filed 110  
and shall provide the time, date, and location of the hearing. 111  
The notice shall be sent by certified mail, return receipt 112  
requested, or, if the names or addresses of such persons are 113  
unknown and cannot with reasonable diligence be ascertained, the 114  
notice shall be made by publication in a newspaper of general 115  
circulation in the county where the probate court is located and 116  
as otherwise required by the probate court. 117

(3) Upon conducting the hearing, the court shall issue an 118  
order of disinterment if all of the following are satisfied: 119

(a) The affected remains shall be held in a permanent or 120  
temporary structure on cemetery property that allows for access 121  
for visitation during the times that the cemetery's other 122  
grounds and facilities are open for visitation, shall be 123  
properly identified and held in a secure manner without any 124  
commingling of cremated remains, and shall not be held for a 125  
period exceeding eighteen months unless an extension of time is 126  
granted by the probate court for good cause; 127

(b) If a mausoleum or columbarium is being replaced, the 128  
replacement mausoleum or columbarium shall be built on property 129  
that is owned by the cemetery and that is either the same 130  
property upon which the original mausoleum or columbarium was 131  
located or property that is contiguous thereto; 132

(c) The cemetery provided notice as required under 133

<u>division (F) (2) of this section;</u>	134
<u>(d) Upon considering all of the following, the court finds</u>	135
<u>there are one or more compelling reasons to issue the requested</u>	136
<u>order of disinterment:</u>	137
<u>(i) The cost, feasibility, and timetable for the repairs</u>	138
<u>or replacement;</u>	139
<u>(ii) The current condition of the structure to be repaired</u>	140
<u>or replaced;</u>	141
<u>(iii) The location, design, features, and overall quality</u>	142
<u>of the proposed replacement structure;</u>	143
<u>(iv) The input of the persons receiving notice under</u>	144
<u>division (F) (2) of this section.</u>	145
<u>(4) A cemetery is not liable in damages in a civil action</u>	146
<u>if the cemetery changes the specific location of entombment</u>	147
<u>rights or columbarium rights due to the repair or replacement of</u>	148
<u>a mausoleum or columbarium made in accordance with an order</u>	149
<u>issued by the probate court under division (F) (3) of this</u>	150
<u>section.</u>	151
<u>(G) As used in this section and in section 517.24 of the</u>	152
Revised Code:	153
<u>(1) "Cemetery" and "interment" have the same meanings as</u>	154
<u>in section 1721.21 of the Revised Code.</u>	155
<u>(2) "Disinterment" means the recovery of human remains by</u>	156
<u>exhumation, disentombment, or disinurnment. "Disinterment" does</u>	157
<u>not include the raising and lowering of remains to accommodate</u>	158
<u>two interments within a single grave and does not include the</u>	159
<u>repositioning of an outside burial container that encroaches an</u>	160
<u>adjoining burial space."</u>	161

In line 426, after "sections" insert "517.23,"

162

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

163

**Cemetery repair or replace mausoleum or columbarium**

164

**R.C. 517.23**

165

Establishes a process cemeteries must follow to disinter  
and reinter remains when repairing or replacing a mausoleum or  
columbarium.

166

167

168

Allows the disinterment of the cremated remains of a  
decedent who died of a contagious or infectious disease, without  
a permit issued by the local board of health.

169

170

171

Replaces references to "buried" or "burial" with the more  
inclusive term "interred" or "interment."

172

173



H. B. No. 305

As Passed by the House

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "sections" insert "325.33,"; delete  
"and" 1 2

In line 2 of the title, after "2303.201" insert ", and 4507.112" 3

In line 9 of the title, after "authorization," insert "to specify  
the distribution of funds when a clerk serves as a third-party driver's  
exam administrator," 4 5 6

In line 14, after "sections" insert "325.33,"; delete "and" 7

In line 15, after "2303.201" insert ", and 4507.112" 8

After line 16, insert: 9

"**Sec. 325.33.** (A) Notwithstanding sections 325.27 and 10  
325.31 of the Revised Code, all fees retained by the clerk of 11  
courts under Chapters 1548., 4505., and 4519. of the Revised 12  
Code, all fees the clerk of courts receives as a third-party 13  
administrator of the motor vehicle skills test under section 14  
4507.112 of the Revised Code, and all fees the clerk of courts 15  
receives in the capacity of deputy registrar under section 16



4503.03 of the Revised Code shall be paid into the county  
treasury to the credit of the certificate of title  
administration fund, which is hereby created. Fees credited to  
the fund shall be used as follows:

(1) To pay the costs incurred by the clerk of courts in  
processing titles under Chapters 1548., 4505., and 4519. of the  
Revised Code;

(2) To pay the clerk of courts an eight thousand dollar  
annual pay supplement for performing the duties of a deputy  
registrar if the clerk is not a limited authority deputy  
registrar, as described in section 4501:1-6-04 of the Ohio  
Administrative Code.

(B) If the board of county commissioners and the clerk of  
courts agree that the money in the fund exceeds what is needed  
to pay the costs specified in division (A) of this section, the  
excess may be transferred to the county general fund and used  
for other county purposes. If the board of county commissioners  
and the clerk of courts are unable to agree on the amount of any  
such excess, the county budget commission shall determine the  
amount that will be transferred to the county general fund."

After line 425, insert:

**"Sec. 4507.112.** (A) The director of public safety may  
authorize a third party to administer the motor vehicle skills  
test specified in division (A) (2) of section 4507.11 of the  
Revised Code. A third-party administrator may be any person, any  
agency of this state, or any agency, department, or  
instrumentality of local government, including a clerk of the  
court of common pleas. The third party shall administer the same  
skills test as otherwise would be administered by the bureau of

motor vehicles. 46

(B) For purposes of authorizing a third party to 47  
administer the motor vehicle skills test, the director and the 48  
third party shall enter into an agreement that does all of the 49  
following: 50

(1) Allows the director or the director's representative 51  
to conduct random examinations, inspections, and audits of the 52  
third party, whether covert or overt, without prior notice; 53

(2) Requires all examiners of the third party to meet the 54  
same qualification and training standards as examiners of the 55  
department of public safety; 56

(3) Requires the third party to use designated road test 57  
routes that have been approved by the director; 58

(4) If the third party also is a driver training school, 59  
prohibits a skills test examiner employed by the school from 60  
administering a skills test to an applicant that the examiner 61  
personally trained; 62

(5) Establishes appropriate documentation and 63  
communication between the third party and the department 64  
indicating who has attempted the skills test with the third 65  
party and whether the person completed the test successfully; 66

(6) Reserves to the department the right to take prompt 67  
and appropriate remedial action against the third party and its 68  
skills test examiners if the third party or its skills test 69  
examiners fail to comply with state standards for the testing 70  
program or with any other terms of the agreement. 71

(C) (1) The director may adopt rules in accordance with 72  
Chapter 119. of the Revised Code establishing reasonable fees 73

that a third party authorized to administer the motor vehicle 74  
skills test under this section may charge for the skills test. 75

(2) If the director does not adopt the rules authorized 76  
under division (C)(1) of this section, a third party may charge 77  
a fee to an applicant who attempts the skills test with that 78  
third party. However, a third party shall not charge a fee 79  
greater than the cost of administering the skills test to that 80  
applicant." 81

In line 426, after "sections" insert "325.33," 82

In line 427, delete "and"; after "2303.201" insert ", and 4507.112" 83

After line 427, insert: 84

**"Section 3.** Any fees that were collected by a clerk of 85  
court serving as a third-party administrator of a motor vehicle 86  
skills test under section 4507.112 of the Revised Code beginning 87  
on April 12, 2021, until the effective date of this section 88  
shall be paid into the county treasury to the credit of the 89  
certificate of title administration fund, as established in 90  
section 325.33 of the Revised Code." 91

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 92

**Third party driver's exam administrators** 93

**R.C. 325.33 and 4507.112** 94

Specifies that a third-party administrator for the 95  
standard motor vehicle skills test may be: 96

- Any person;	97
- Any Ohio agency; or	98
- Any agency, department, or instrumentality of local government, including a clerk of the court of common pleas.	99 100
Requires any fees collected by a clerk of the court of common pleas serving as a third-party administrator to be deposited into the existing Certificate of Title Administration Fund.	101 102 103 104
<b>Section 3</b>	105
Requires fees that have been collected by a clerk of the court of common pleas who has been serving as a third-party administrator between April 12, 2021, and the bill's effective date to be deposited into the Certificate of Title Administration Fund.	106 107 108 109 110

H. B. No. 305

As Passed by the House

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "sections" insert "1901.02,"; after 1  
"1901.261" insert ", 1907.11" 2

In line 9 of the title, delete "and" 3

In line 13 of the title, after "office" insert ", to replace two 4  
part-time judgeships in the Ashtabula County County Court with one full- 5  
time judge, and to include the village of North Kingsville and Kingsville, 6  
Monroe, and Sheffield Townships within the territorial jurisdiction of the 7  
Conneaut Municipal Court" 8

In line 14, after "sections" insert "1901.02,"; after "1901.261" 9  
insert ", 1907.11" 10

After line 16, insert: 11

"Sec. 1901.02. (A) The municipal courts established by 12  
section 1901.01 of the Revised Code have jurisdiction within the 13  
corporate limits of their respective municipal corporations, or, 14  
for the Clermont county municipal court, and, effective January 15  
1, 2008, the Erie county municipal court, within the municipal 16



corporation or unincorporated territory in which they are	17
established, and are courts of record. Each of the courts shall	18
be styled "_____ municipal court,"	19
inserting the name of the municipal corporation, except the	20
following courts, which shall be styled as set forth below:	21
(1) The municipal court established in Chesapeake that	22
shall be styled and known as the "Lawrence county municipal	23
court";	24
(2) The municipal court established in Cincinnati that	25
shall be styled and known as the "Hamilton county municipal	26
court";	27
(3) The municipal court established in Ravenna that shall	28
be styled and known as the "Portage county municipal court";	29
(4) The municipal court established in Athens that shall	30
be styled and known as the "Athens county municipal court";	31
(5) The municipal court established in Columbus that shall	32
be styled and known as the "Franklin county municipal court";	33
(6) The municipal court established in London that shall	34
be styled and known as the "Madison county municipal court";	35
(7) The municipal court established in Newark that shall	36
be styled and known as the "Licking county municipal court";	37
(8) The municipal court established in Wooster that shall	38
be styled and known as the "Wayne county municipal court";	39
(9) The municipal court established in Wapakoneta that	40
shall be styled and known as the "Auglaize county municipal	41
court";	42
(10) The municipal court established in Troy that shall be	43

styled and known as the "Miami county municipal court";	44
(11) The municipal court established in Bucyrus that shall	45
be styled and known as the "Crawford county municipal court";	46
(12) The municipal court established in Logan that shall	47
be styled and known as the "Hocking county municipal court";	48
(13) The municipal court established in Urbana that shall	49
be styled and known as the "Champaign county municipal court";	50
(14) The municipal court established in Jackson that shall	51
be styled and known as the "Jackson county municipal court";	52
(15) The municipal court established in Springfield that	53
shall be styled and known as the "Clark county municipal court";	54
(16) The municipal court established in Kenton that shall	55
be styled and known as the "Hardin county municipal court";	56
(17) The municipal court established within Clermont	57
county in Batavia or in any other municipal corporation or	58
unincorporated territory within Clermont county that is selected	59
by the legislative authority of that court that shall be styled	60
and known as the "Clermont county municipal court";	61
(18) The municipal court established in Wilmington that,	62
beginning July 1, 1992, shall be styled and known as the	63
"Clinton county municipal court";	64
(19) The municipal court established in Port Clinton that	65
shall be styled and known as the "Ottawa county municipal	66
court";	67
(20) The municipal court established in Lancaster that,	68
beginning January 2, 2000, shall be styled and known as the	69
"Fairfield county municipal court";	70



(21) The municipal court established within Columbiana 71  
county in Lisbon or in any other municipal corporation or 72  
unincorporated territory selected pursuant to division (I) of 73  
section 1901.021 of the Revised Code, that shall be styled and 74  
known as the "Columbiana county municipal court"; 75

(22) The municipal court established in Georgetown that, 76  
beginning February 9, 2003, shall be styled and known as the 77  
"Brown county municipal court"; 78

(23) The municipal court established in Mount Gilead that, 79  
beginning January 1, 2003, shall be styled and known as the 80  
"Morrow county municipal court"; 81

(24) The municipal court established in Greenville that, 82  
beginning January 1, 2005, shall be styled and known as the 83  
"Darke county municipal court"; 84

(25) The municipal court established in Millersburg that, 85  
beginning January 1, 2007, shall be styled and known as the 86  
"Holmes county municipal court"; 87

(26) The municipal court established in Carrollton that, 88  
beginning January 1, 2007, shall be styled and known as the 89  
"Carroll county municipal court"; 90

(27) The municipal court established within Erie county in 91  
Milan or established in any other municipal corporation or 92  
unincorporated territory that is within Erie county, is within 93  
the territorial jurisdiction of that court, and is selected by 94  
the legislative authority of that court that, beginning January 95  
1, 2008, shall be styled and known as the "Erie county municipal 96  
court"; 97

(28) The municipal court established in Ottawa that, 98

beginning January 1, 2011, shall be styled and known as the 99  
"Putnam county municipal court"; 100

(29) The municipal court established within Montgomery 101  
county in any municipal corporation or unincorporated territory 102  
within Montgomery county, except the municipal corporations of 103  
Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, 104  
Miamisburg, Moraine, Oakwood, Union, Vandalia, and West 105  
Carrollton and Butler, German, Harrison, Miami, and Washington 106  
townships, that is selected by the legislative authority of that 107  
court and that, beginning July 1, 2010, shall be styled and 108  
known as the "Montgomery county municipal court"; 109

(30) The municipal court established in Tiffin that, 110  
beginning January 1, 2014, shall be styled and known as the 111  
"Tiffin-Fostoria municipal court"; 112

(31) The municipal court established in New Lexington 113  
that, beginning January 1, 2018, shall be styled and known as 114  
the "Perry county municipal court"; 115

(32) The municipal court established in Paulding that, 116  
beginning January 1, 2020, shall be styled and known as the 117  
"Paulding county municipal court"; 118

(33) The municipal court established in Wauseon that, 119  
beginning January 1, 2024, shall be styled and known as the 120  
"Fulton county municipal court." 121

(B) In addition to the jurisdiction set forth in division 122  
(A) of this section, the municipal courts established by section 123  
1901.01 of the Revised Code have jurisdiction as follows: 124

The Akron municipal court has jurisdiction within Bath, 125  
Richfield, and Springfield townships, and within the municipal 126

corporations of Fairlawn, Lakemore, and Mogadore, in Summit county.	127 128
The Alliance municipal court has jurisdiction within Lexington, Marlboro, Paris, and Washington townships in Stark county.	129 130 131
The Ashland municipal court has jurisdiction within Ashland county.	132 133
The Ashtabula municipal court has jurisdiction within Ashtabula, Plymouth, and Saybrook townships in Ashtabula county.	134 135
The Athens county municipal court has jurisdiction within Athens county.	136 137
The Auglaize county municipal court has jurisdiction within Auglaize county.	138 139
The Avon Lake municipal court has jurisdiction within the municipal corporations of Avon and Sheffield in Lorain county.	140 141
The Barberton municipal court has jurisdiction within Coventry, Franklin, and Green townships, within all of Copley township except within the municipal corporation of Fairlawn, and within the municipal corporations of Clinton and Norton, in Summit county.	142 143 144 145 146
The Bedford municipal court has jurisdiction within the municipal corporations of Bedford Heights, Oakwood, Glenwillow, Solon, Bentleyville, Chagrin Falls, Moreland Hills, Orange, Warrensville Heights, North Randall, and Woodmere, and within Warrensville and Chagrin Falls townships, in Cuyahoga county.	147 148 149 150 151
The Bellefontaine municipal court has jurisdiction within Logan county.	152 153

The Bellevue municipal court has jurisdiction within Lyme	154
and Sherman townships in Huron county and within York township	155
in Sandusky county.	156
The Berea municipal court has jurisdiction within the	157
municipal corporations of Strongsville, Middleburgh Heights,	158
Brook Park, Westview, and Olmsted Falls, and within Olmsted	159
township, in Cuyahoga county.	160
The Bowling Green municipal court has jurisdiction within	161
the municipal corporations of Bairdstown, Bloomdale, Bradner,	162
Custar, Cygnet, Grand Rapids, Haskins, Hoytville, Jerry City,	163
Milton Center, North Baltimore, Pemberville, Portage, Rising	164
Sun, Tontogany, Wayne, West Millgrove, and Weston; within Bloom,	165
Center, Freedom, Grand Rapids, Henry, Jackson, Liberty,	166
Middleton, Milton, Montgomery, Plain, Portage, Washington,	167
Webster, and Weston townships in Wood county; and on and after	168
January 2, 2024, within Perry township in Wood county.	169
Beginning February 9, 2003, the Brown county municipal	170
court has jurisdiction within Brown county.	171
The Bryan municipal court has jurisdiction within Williams	172
county.	173
The Cambridge municipal court has jurisdiction within	174
Guernsey county.	175
The Campbell municipal court has jurisdiction within	176
Coitsville township in Mahoning county.	177
The Canton municipal court has jurisdiction within Canton,	178
Lake, Nimishillen, Osnaburg, Pike, Plain, and Sandy townships in	179
Stark county.	180
The Carroll county municipal court has jurisdiction within	181

Carroll county.	182
The Celina municipal court has jurisdiction within Mercer county.	183 184
The Champaign county municipal court has jurisdiction within Champaign county.	185 186
The Chardon municipal court has jurisdiction within Geauga county.	187 188
The Chillicothe municipal court has jurisdiction within Ross county.	189 190
The Circleville municipal court has jurisdiction within Pickaway county.	191 192
The Clark county municipal court has jurisdiction within Clark county.	193 194
The Clermont county municipal court has jurisdiction within Clermont county.	195 196
The Cleveland municipal court has jurisdiction within the municipal corporation of Bratenahl in Cuyahoga county.	197 198
Beginning July 1, 1992, the Clinton county municipal court has jurisdiction within Clinton county.	199 200
The Columbiana county municipal court has jurisdiction within Columbiana county.	201 202
<u>Beginning January 1, 2025, the Conneaut municipal court has jurisdiction within the municipal corporation of North Kingsville, and within Kingsville, Monroe, and Sheffield townships, in Ashtabula county.</u>	203 204 205 206
The Coshocton municipal court has jurisdiction within	207

Coshocton county.	208
The Crawford county municipal court has jurisdiction	209
within Crawford county.	210
Until December 31, 2008, the Cuyahoga Falls municipal	211
court has jurisdiction within Boston, Hudson, Northfield Center,	212
Sagamore Hills, and Twinsburg townships, and within the	213
municipal corporations of Boston Heights, Hudson, Munroe Falls,	214
Northfield, Peninsula, Reminderville, Silver Lake, Stow,	215
Tallmadge, Twinsburg, and Macedonia, in Summit county.	216
Beginning January 1, 2005, the Darke county municipal	217
court has jurisdiction within Darke county except within the	218
municipal corporation of Bradford.	219
The Defiance municipal court has jurisdiction within	220
Defiance county.	221
The Delaware municipal court has jurisdiction within	222
Delaware county.	223
The Eaton municipal court has jurisdiction within Preble	224
county.	225
The Elyria municipal court has jurisdiction within the	226
municipal corporations of Grafton, LaGrange, and North	227
Ridgeville, and within Elyria, Carlisle, Eaton, Columbia,	228
Grafton, and LaGrange townships, in Lorain county.	229
Beginning January 1, 2008, the Erie county municipal court	230
has jurisdiction within Erie county except within the townships	231
of Florence, Huron, Perkins, and Vermilion and the municipal	232
corporations of Bay View, Castalia, Huron, Sandusky, and	233
Vermilion.	234
The Fairborn municipal court has jurisdiction within the	235

municipal corporation of Beavercreek and within Bath and	236
Beavercreek townships in Greene county.	237
Beginning January 2, 2000, the Fairfield county municipal	238
court has jurisdiction within Fairfield county.	239
The Findlay municipal court has jurisdiction, until	240
January 2, 2024, within all of Hancock county except within	241
Washington township, and on and after January 2, 2024, within	242
all of Hancock county.	243
The Franklin municipal court has jurisdiction within	244
Franklin township in Warren county.	245
The Franklin county municipal court has jurisdiction	246
within Franklin county.	247
The Fremont municipal court has jurisdiction within	248
Ballville and Sandusky townships in Sandusky county.	249
Beginning January 1, 2024, the Fulton county municipal	250
court has jurisdiction within Fulton county.	251
The Gallipolis municipal court has jurisdiction within	252
Gallia county.	253
The Garfield Heights municipal court has jurisdiction	254
within the municipal corporations of Maple Heights, Walton	255
Hills, Valley View, Cuyahoga Heights, Newburgh Heights,	256
Independence, and Brecksville in Cuyahoga county.	257
The Girard municipal court has jurisdiction within	258
Liberty, Vienna, and Hubbard townships in Trumbull county.	259
The Hamilton municipal court has jurisdiction within Ross	260
and St. Clair townships in Butler county.	261
The Hamilton county municipal court has jurisdiction	262

within Hamilton county.	263
The Hardin county municipal court has jurisdiction within Hardin county.	264 265
The Hillsboro municipal court has jurisdiction within all of Highland county except within Madison township.	266 267
The Hocking county municipal court has jurisdiction within Hocking county.	268 269
The Holmes county municipal court has jurisdiction within Holmes county.	270 271
The Huron municipal court has jurisdiction within all of Huron township in Erie county except within the municipal corporation of Sandusky.	272 273 274
The Ironton municipal court has jurisdiction within Aid, Decatur, Elizabeth, Hamilton, Lawrence, Upper, and Washington townships in Lawrence county.	275 276 277
The Jackson county municipal court has jurisdiction within Jackson county.	278 279
The Kettering municipal court has jurisdiction within the municipal corporations of Centerville and Moraine, and within Washington township, in Montgomery county.	280 281 282
Until January 2, 2000, the Lancaster municipal court has jurisdiction within Fairfield county.	283 284
The Lawrence county municipal court has jurisdiction within the townships of Fayette, Mason, Perry, Rome, Symmes, Union, and Windsor in Lawrence county.	285 286 287
The Lebanon municipal court has jurisdiction within Turtlecreek township in Warren county.	288 289



The Licking county municipal court has jurisdiction within Licking county.	290 291
The Lima municipal court has jurisdiction within Allen county.	292 293
The Lorain municipal court has jurisdiction within the municipal corporation of Sheffield Lake, and within Sheffield township, in Lorain county.	294 295 296
The Lyndhurst municipal court has jurisdiction within the municipal corporations of Mayfield Heights, Gates Mills, Mayfield, Highland Heights, and Richmond Heights in Cuyahoga county.	297 298 299 300
The Madison county municipal court has jurisdiction within Madison county.	301 302
The Mansfield municipal court has jurisdiction within Madison, Springfield, Sandusky, Franklin, Weller, Mifflin, Troy, Washington, Monroe, Perry, Jefferson, and Worthington townships, and within sections 35-36-31 and 32 of Butler township, in Richland county.	303 304 305 306 307
The Marietta municipal court has jurisdiction within Washington county.	308 309
The Marion municipal court has jurisdiction within Marion county.	310 311
The Marysville municipal court has jurisdiction within Union county.	312 313
The Mason municipal court has jurisdiction within Deerfield township in Warren county.	314 315
The Massillon municipal court has jurisdiction within	316

Bethlehem, Perry, Sugar Creek, Tuscarawas, Lawrence, and Jackson townships in Stark county. 317  
318

The Maumee municipal court has jurisdiction within the 319  
municipal corporations of Waterville and Whitehouse, within 320  
Waterville and Providence townships, and within those portions 321  
of Springfield, Monclova, and Swanton townships lying south of 322  
the northerly boundary line of the Ohio turnpike, in Lucas 323  
county. 324

The Medina municipal court has jurisdiction within the 325  
municipal corporations of Briarwood Beach, Brunswick, Chippewa- 326  
on-the-Lake, and Spencer and within the townships of Brunswick 327  
Hills, Chatham, Granger, Hinckley, Lafayette, Litchfield, 328  
Liverpool, Medina, Montville, Spencer, and York townships, in 329  
Medina county. 330

The Mentor municipal court has jurisdiction within the 331  
municipal corporation of Mentor-on-the-Lake in Lake county. 332

The Miami county municipal court has jurisdiction within 333  
Miami county and within the part of the municipal corporation of 334  
Bradford that is located in Darke county. 335

The Miamisburg municipal court has jurisdiction within the 336  
municipal corporations of Germantown and West Carrollton, and 337  
within German and Miami townships in Montgomery county. 338

The Middletown municipal court has jurisdiction within 339  
Madison township, and within all of Lemon township, except 340  
within the municipal corporation of Monroe, in Butler county. 341

Beginning July 1, 2010, the Montgomery county municipal 342  
court has jurisdiction within all of Montgomery county except 343  
for the municipal corporations of Centerville, Clayton, Dayton, 344

Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood,	345
Union, Vandalia, and West Carrolllton and Butler, German,	346
Harrison, Miami, and Washington townships.	347
Beginning January 1, 2003, the Morrow county municipal	348
court has jurisdiction within Morrow county.	349
The Mount Vernon municipal court has jurisdiction within	350
Knox county.	351
The Napoleon municipal court has jurisdiction within Henry	352
county.	353
The New Philadelphia municipal court has jurisdiction	354
within the municipal corporation of Dover, and within Auburn,	355
Bucks, Fairfield, Goshen, Jefferson, Warren, York, Dover,	356
Franklin, Lawrence, Sandy, Sugarcreek, and Wayne townships in	357
Tuscarawas county.	358
The Newton Falls municipal court has jurisdiction within	359
Bristol, Bloomfield, Lordstown, Newton, Braceville, Southington,	360
Farmington, and Mesopotamia townships in Trumbull county.	361
The Niles municipal court has jurisdiction within the	362
municipal corporation of McDonald, and within Weathersfield	363
township in Trumbull county.	364
The Norwalk municipal court has jurisdiction within all of	365
Huron county except within the municipal corporation of Bellevue	366
and except within Lyme and Sherman townships.	367
The Oberlin municipal court has jurisdiction within the	368
municipal corporations of Amherst, Kipton, Rochester, South	369
Amherst, and Wellington, and within Henrietta, Russia, Camden,	370
Pittsfield, Brighton, Wellington, Penfield, Rochester, and	371
Huntington townships, and within all of Amherst township except	372

within the municipal corporation of Lorain, in Lorain county.	373
The Oregon municipal court has jurisdiction within the	374
municipal corporation of Harbor View, and within Jerusalem	375
township, in Lucas county, and north within Maumee Bay and Lake	376
Erie to the boundary line between Ohio and Michigan between the	377
easterly boundary of the court and the easterly boundary of the	378
Toledo municipal court.	379
The Ottawa county municipal court has jurisdiction within	380
Ottawa county.	381
The Painesville municipal court has jurisdiction within	382
Painesville, Perry, Leroy, Concord, and Madison townships in	383
Lake county.	384
The Parma municipal court has jurisdiction within the	385
municipal corporations of Parma Heights, Brooklyn, Linndale,	386
North Royalton, Broadview Heights, Seven Hills, and Brooklyn	387
Heights in Cuyahoga county.	388
Beginning January 1, 2018, the Perry county municipal	389
court has jurisdiction within Perry county.	390
Beginning January 1, 2020, the Paulding county municipal	391
court has jurisdiction within Paulding county.	392
The Perrysburg municipal court has jurisdiction within the	393
municipal corporations of Luckey, Millbury, Northwood, Rossford,	394
and Walbridge, and within Perrysburg, Lake, and Troy townships,	395
in Wood county.	396
The Portage county municipal court has jurisdiction within	397
Portage county.	398
The Portsmouth municipal court has jurisdiction within	399
Scioto county.	400

The Putnam county municipal court has jurisdiction within	401
Putnam county.	402
 The Rocky River municipal court has jurisdiction within	403
the municipal corporations of Bay Village, Westlake, Fairview	404
Park, and North Olmsted, and within Riveredge township, in	405
Cuyahoga county.	406
 The Sandusky municipal court has jurisdiction within the	407
municipal corporations of Castalia and Bay View, and within	408
Perkins township, in Erie county.	409
 The Shaker Heights municipal court has jurisdiction within	410
the municipal corporations of University Heights, Beachwood,	411
Pepper Pike, and Hunting Valley in Cuyahoga county.	412
 The Shelby municipal court has jurisdiction within Sharon,	413
Jackson, Cass, Plymouth, and Blooming Grove townships, and	414
within all of Butler township except sections 35-36-31 and 32,	415
in Richland county.	416
 The Sidney municipal court has jurisdiction within Shelby	417
county.	418
 Beginning January 1, 2009, the Stow municipal court has	419
jurisdiction within Boston, Hudson, Northfield Center, Sagamore	420
Hills, and Twinsburg townships, and within the municipal	421
corporations of Boston Heights, Cuyahoga Falls, Hudson, Munroe	422
Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow,	423
Tallmadge, Twinsburg, and Macedonia, in Summit county.	424
 The Struthers municipal court has jurisdiction within the	425
municipal corporations of Lowellville, New Middleton, and	426
Poland, and within Poland and Springfield townships in Mahoning	427
county.	428

The Sylvania municipal court has jurisdiction within the 429  
municipal corporations of Berkey and Holland, and within 430  
Sylvania, Richfield, Spencer, and Harding townships, and within 431  
those portions of Swanton, Monclova, and Springfield townships 432  
lying north of the northerly boundary line of the Ohio turnpike, 433  
in Lucas county. 434

Beginning January 1, 2014, the Tiffin-Fostoria municipal 435  
court has jurisdiction within Adams, Big Spring, Bloom, Clinton, 436  
Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed, 437  
Scipio, Seneca, Thompson, and Venice townships in Seneca county, 438  
and beginning on January 1, 2014, and until January 2, 2024, has 439  
jurisdiction within Washington township in Hancock county, and 440  
within Perry township, except within the municipal corporation 441  
of West Millgrove, in Wood county. 442

The Toledo municipal court has jurisdiction within 443  
Washington township, and within the municipal corporation of 444  
Ottawa Hills, in Lucas county. 445

The Upper Sandusky municipal court has jurisdiction within 446  
Wyandot county. 447

The Vandalia municipal court has jurisdiction within the 448  
municipal corporations of Clayton, Englewood, and Union, and 449  
within Butler, Harrison, and Randolph townships, in Montgomery 450  
county. 451

The Van Wert municipal court has jurisdiction within Van 452  
Wert county. 453

The Vermilion municipal court has jurisdiction within the 454  
townships of Vermilion and Florence in Erie county and within 455  
all of Brownhelm township except within the municipal 456  
corporation of Lorain, in Lorain county. 457

The Wadsworth municipal court has jurisdiction within the 458  
municipal corporations of Gloria Glens Park, Lodi, Seville, and 459  
Westfield Center, and within Guilford, Harrisville, Homer, 460  
Sharon, Wadsworth, and Westfield townships in Medina county. 461

The Warren municipal court has jurisdiction within Warren 462  
and Champion townships, and within all of Howland township 463  
except within the municipal corporation of Niles, in Trumbull 464  
county. 465

The Washington Court House municipal court has 466  
jurisdiction within Fayette county. 467

The Wayne county municipal court has jurisdiction within 468  
Wayne county. 469

The Willoughby municipal court has jurisdiction within the 470  
municipal corporations of Eastlake, Wickliffe, Willowick, 471  
Willoughby Hills, Kirtland, Kirtland Hills, Waite Hill, 472  
Timberlake, and Lakeline, and within Kirtland township, in Lake 473  
county. 474

Through June 30, 1992, the Wilmington municipal court has 475  
jurisdiction within Clinton county. 476

The Xenia municipal court has jurisdiction within 477  
Caesarcreek, Cedarville, Jefferson, Miami, New Jasper, Ross, 478  
Silvercreek, Spring Valley, Sugarcreek, and Xenia townships in 479  
Greene county. 480

(C) As used in this section: 481

(1) "Within a township" includes all land, including, but 482  
not limited to, any part of any municipal corporation, that is 483  
physically located within the territorial boundaries of that 484  
township, whether or not that land or municipal corporation is 485

governmentally a part of the township. 486

(2) "Within a municipal corporation" includes all land 487  
within the territorial boundaries of the municipal corporation 488  
and any townships that are coextensive with the municipal 489  
corporation." 490

After line 123, insert: 491

**"Sec. 1907.11.** (A) Each county court district shall have 492  
the following county court judges, to be elected as follows: 493

In the Adams county county court, one part-time judge 494  
shall be elected in 1982. 495

~~In~~ Until December 31, 2030, in the Ashtabula county county 496  
court, one part-time judge shall be elected in 1980, and one 497  
part-time judge shall be elected in 1982. Notwithstanding any 498  
contrary provision of division (C) of section 1907.13 of the 499  
Revised Code, the part-time judge to be elected in 2028 shall be 500  
elected for a term of two years commencing on January 1, 2029, 501  
and ending on December 31, 2030. The Ashtabula county county 502  
court part-time judgeships cease to exist on January 1, 2031. 503  
One full-time judge shall be elected in 2030, for a six-year 504  
term to commence on January 1, 2031. Effective January 1, 2031, 505  
notwithstanding division (A) (6) of section 141.04 of the Revised 506  
Code and division (A) of section 1907.16 of the Revised Code, 507  
the full-time judge of the Ashtabula county county court under 508  
this section shall receive the compensation set forth in 509  
division (A) (5) of section 141.04 of the Revised Code. 510

In the Belmont county county court, one part-time judge 511  
shall be elected in 1992, term to commence on January 1, 1993, 512  
and two part-time judges shall be elected in 1994, terms to 513  
commence on January 1, 1995, and January 2, 1995, respectively. 514



In the Butler county county court, one part-time judge 515  
shall be elected in 1992, term to commence on January 1, 1993, 516  
and two part-time judges shall be elected in 1994, terms to 517  
commence on January 1, 1995, and January 2, 1995, respectively. 518

Until December 31, 2007, in the Erie county county court, 519  
one part-time judge shall be elected in 1982. Effective January 520  
1, 2008, the Erie county county court shall cease to exist. 521

In the Harrison county county court, one part-time judge 522  
shall be elected in 1982. 523

In the Highland county county court, one part-time judge 524  
shall be elected in 1982. 525

In the Jefferson county county court, one part-time judge 526  
shall be elected in 1992, term to commence on January 1, 1993, 527  
and two part-time judges shall be elected in 1994, terms to 528  
commence on January 1, 1995, and January 2, 1995, respectively. 529

In the Mahoning county county court, one part-time judge 530  
shall be elected in 1992, term to commence on January 1, 1993, 531  
and three part-time judges shall be elected in 1994, terms to 532  
commence on January 1, 1995, January 2, 1995, and January 3, 533  
1995, respectively. 534

In the Meigs county county court, one part-time judge 535  
shall be elected in 1982. 536

In the Monroe county county court, one part-time judge 537  
shall be elected in 1982. 538

In the Morgan county county court, one part-time judge 539  
shall be elected in 1982. 540

In the Muskingum county county court, one part-time judge 541  
shall be elected in 1980, and one part-time judge shall be 542

elected in 1982.	543
In the Noble county county court, one part-time judge	544
shall be elected in 1982.	545
In the Pike county county court, one part-time judge shall	546
be elected in 1982.	547
In the Sandusky county county court, one full-time judge	548
shall be elected in 2024, term to commence on January 2, 2025.	549
Effective January 2, 2025, notwithstanding division (A) (6) of	550
section 141.04 of the Revised Code and division (A) of section	551
1907.16 of the Revised Code, the full-time judge of the Sandusky	552
county county court under this section shall receive the	553
compensation set forth in division (A) (5) of section 141.04 of	554
the Revised Code.	555
In the Trumbull county county court, one part-time judge	556
shall be elected in 1992, and one part-time judge shall be	557
elected in 1994.	558
In the Tuscarawas county county court, one part-time judge	559
shall be elected in 1982.	560
In the Vinton county county court, one part-time judge	561
shall be elected in 1982.	562
In the Warren county county court, one part-time judge	563
shall be elected in 1980, and one part-time judge shall be	564
elected in 1982.	565
(B) (1) Additional judges shall be elected at the next	566
regular election for a county court judge as provided in section	567
1907.13 of the Revised Code.	568
(2) Vacancies caused by the death or the resignation from,	569
forfeiture of, or removal from office of a judge shall be filled	570

in accordance with section 107.08 of the Revised Code, except as 571  
provided in section 1907.15 of the Revised Code." 572

In line 426, after "sections" insert "1901.02,"; after "1901.261" 573  
insert ", 1907.11" 574

After line 427, insert: 575

**"Section 3.** (A) All cases arising in the municipal 576  
corporation of North Kingsville in Ashtabula County that are 577  
pending in the Eastern County Court in Ashtabula County on 578  
January 1, 2025, shall be adjudicated by the Ashtabula County 579  
County Court. All cases arising in the municipal corporation of 580  
North Kingsville in Ashtabula County on or after January 1, 581  
2025, shall be brought before the Conneaut Municipal Court. 582

(B) All cases arising in Kingsville, Monroe, and Sheffield 583  
Townships in Ashtabula County that are pending in the Eastern 584  
County Court in Ashtabula County on January 1, 2025, shall be 585  
adjudicated by the Ashtabula County County Court. All cases 586  
arising in Kingsville, Monroe, and Sheffield Townships in 587  
Ashtabula County on or after January 1, 2025, shall be brought 588  
before the Conneaut Municipal Court." 589

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 590

#### **Ashtabula courts** 591

#### **R.C. 1901.02 and 1907.11; Section 3** 592

Replaces the two part-time judgeships in the Ashtabula 593

County County Court with one full-time judge.	594
Includes the village of North Kingsville and Kingsville,	595
Monroe, and Sheffield Townships within the territorial	596
jurisdiction of the Conneaut Municipal Court.	597

H. B. No. 305

As Passed by the House

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "sections" insert "1317.07,"; delete "and" 1  
2  
In line 2 of the title, after "2303.201" insert ", and 4517.261" 3  
In line 9 of the title, delete "and" 4  
In line 13 of the title, after "office" insert ", and to increase the maximum documentary service charge that may be charged in connection with the sale or lease of a motor vehicle" 5  
6  
7  
In line 14, after "sections" insert "1317.07,"; delete "and" 8  
In line 15, after "2303.201" insert ", and 4517.261" 9  
After line 16, insert: 10  
11  
12  
13  
14  
15  
16  
**"Sec. 1317.07.** No retail installment contract authorized by section 1317.03 of the Revised Code that is executed in connection with any retail installment sale shall evidence any indebtedness in excess of the time balance fixed in the written instrument in compliance with section 1317.04 of the Revised Code, but it may evidence in addition any agreements of the



parties for the payment of delinquent charges, as provided for 17  
in section 1317.06 of the Revised Code, taxes, and any lawful 18  
fee actually paid out, or to be paid out, by the retail seller 19  
to any public officer for filing, recording, or releasing any 20  
instrument securing the payment of the obligation owed on any 21  
retail installment contract. No retail seller, directly or 22  
indirectly, shall charge, contract for, or receive from any 23  
retail buyer, any further or other amount for examination, 24  
service, brokerage, commission, expense, fee, or other thing of 25  
value, unless the retail seller is otherwise authorized by law 26  
to do so. A documentary service charge customarily and presently 27  
being paid on May 9, 1949, in a particular business and area may 28  
be charged if the charge does not exceed two hundred fifty 29  
dollars per sale, except as otherwise authorized by section 30  
4517.261 of the Revised Code. 31

No retail seller shall use multiple agreements with 32  
respect to a single item or related items purchased at the same 33  
time, with intent to obtain a higher charge than would otherwise 34  
be permitted by Chapter 1317. of the Revised Code or to avoid 35  
disclosure of an annual percentage rate, nor by use of such 36  
agreements make any charge greater than that which would be 37  
permitted by Chapter 1317. of the Revised Code had a single 38  
agreement been used." 39

After line 425, insert: 40

**"Sec. 4517.261. (A) For the purposes of this section,** 41  
**"consumer price index" means the index, as prepared by the** 42  
**United States bureau of labor statistics (U.S. city average for** 43  
**urban wage earners and clerical workers: all items) or, if that** 44  
**index is no longer published, a generally available comparable** 45  
**index as determined by the registrar of motor vehicles.** 46

(B) A motor vehicle dealer may contract for and receive a documentary service charge for a retail or wholesale sale or lease of a motor vehicle. A documentary service charge shall be specified in writing without itemization of the individual services provided. A documentary service charge shall be not more than the lesser of the following:

~~(A)~~ (1) The amount allowed in a retail installment sale, adjusted as required by division (C) of this section;

~~(B)~~ (2) Ten per cent of the amount the buyer or lessee is required to pay pursuant to the contract, excluding tax, title, and registration fees, and any negative equity adjustment.

(C) (1) On the effective date of this amendment, and on the last day of each September that begins thereafter, the registrar of motor vehicles shall adjust the documentary service charge allowed under division (B) (1) of this section in connection with the sale or lease of a motor vehicle by adding two hundred fifty dollars to the product of two hundred fifty dollars times the cumulative percentage change in the consumer price index since July 1, 2006, based on the most recently published data, and rounding to the nearest one-dollar increment.

(2) Subject to division (C) (3) of this section, the adjusted documentary service charge computed under division (C) (1) of this section applies as follows:

(a) For the first adjustment required by division (C) (1) of this section, from the effective date of this amendment until the last day of December following the second adjustment required by that division;

(b) For the second and all subsequent adjustments required by division (C) (1) of this section, for the full calendar year

following the date of the adjustment. 76

(3) If the adjustment required by division (C) (1) of this 77  
section results in an amount less than the documentary service 78  
charge allowed at the time the adjustment is made, then the 79  
maximum documentary service charge per sale at the time the 80  
adjustment is made applies for the following calendar year. 81

(4) The registrar shall publish the adjusted documentary 82  
service charge amount and the dates to which it applies on a web 83  
site maintained by the department of public safety. 84

(5) The adjusted documentary service charge determined 85  
under division (C) of this section applies only with respect to 86  
the sale or lease of a motor vehicle by a motor vehicle dealer, 87  
and only if the adjusted documentary service charge does not 88  
exceed the amount described in division (B) (2) of this section." 89

In line 426, after "sections" insert "1317.07," 90

In line 427, delete "and"; after "2303.201" insert ", and 4517.261" 91

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 92

#### **Documentary service charges** 93

#### **R.C. 1317.07 and 4517.261** 94

Requires the Registrar of Motor Vehicles to adjust the 95  
maximum documentary service charge that a motor vehicle dealer 96  
may charge in connection with the sale or lease of a motor 97  
vehicle to account for increases in the Consumer Price Index 98



(CPI) since July 1, 2006, rounded to the nearest \$1 increment.	99
Currently, the documentary service charge is capped at	100
\$250, or 10% of the sale or lease price (excluding tax, title,	101
and registration fees, and any negative equity adjustment),	102
whichever is less. The amendment retains the 10% cap, which	103
would continue to apply to smaller sales and leases, but indexes	104
the \$250 cap for inflation.	105
Requires the adjustments to be made on the effective date	106
of the amendment and annually, thereafter, on the last day of	107
September. Based on current CPI data, if the first adjustment	108
occurred in February 2024, it would increase the cap to	109
approximately \$382.	110
Specifies that the first adjustment applies from the	111
effective date of the amendment until the last day of December	112
following the second required adjustment. Specifies that the	113
second adjustment applies, and all subsequent adjustments apply,	114
to the calendar year following the date of the adjustment.	115
Stipulates that the adjusted maximum documentary service	116
charge must not be less than the maximum charge that applies on	117
the date the adjustment is made.	118
Requires the Registrar to publish the adjusted maximum	119
charge and the dates to which it applies on a web site	120
maintained by the Department of Public Safety.	121

H. B. No. 305

As Passed by the House

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, delete "and"	1
In line 2 of the title, after "2303.201" insert ", and 2505.02"	2
In line 9 of the title, delete "and"	3
In line 13 of the title, after "office" insert ", and to allow an immediate appeal of a court order restricting enforcement of state law"	4 5
In line 14, delete "and"	6
In line 15, after "2303.201" insert ", and 2505.02"	7
After line 425, insert:	8
 "Sec. 2505.02. (A) As used in this section:	9
 (1) "Substantial right" means a right that the United States Constitution, the Ohio Constitution, a statute, the common law, or a rule of procedure entitles a person to enforce or protect.	10 11 12 13
 (2) "Special proceeding" means an action or proceeding that is specially created by statute and that prior to 1853 was	14 15

not denoted as an action at law or a suit in equity. 16

(3) "Provisional remedy" means a proceeding ancillary to 17  
an action, including, but not limited to, a proceeding for a 18  
preliminary injunction, attachment, discovery of privileged 19  
matter, suppression of evidence, a prima-facie showing pursuant 20  
to section 2307.85 or 2307.86 of the Revised Code, a prima-facie 21  
showing pursuant to section 2307.92 of the Revised Code, or a 22  
finding made pursuant to division (A) (3) of section 2307.93 of 23  
the Revised Code. 24

(B) An order is a final order that may be reviewed, 25  
affirmed, modified, or reversed, with or without retrial, when 26  
it is one of the following: 27

(1) An order that affects a substantial right in an action 28  
that in effect determines the action and prevents a judgment; 29

(2) An order that affects a substantial right made in a 30  
special proceeding or upon a summary application in an action 31  
after judgment; 32

(3) An order that vacates or sets aside a judgment or 33  
grants a new trial; 34

(4) An order that grants or denies a provisional remedy 35  
and to which both of the following apply: 36

(a) The order in effect determines the action with respect 37  
to the provisional remedy and prevents a judgment in the action 38  
in favor of the appealing party with respect to the provisional 39  
remedy. 40

(b) The appealing party would not be afforded a meaningful 41  
or effective remedy by an appeal following final judgment as to 42  
all proceedings, issues, claims, and parties in the action. 43

(5) An order that determines that an action may or may not  
be maintained as a class action;

(6) An order determining the constitutionality of any  
changes to the Revised Code made by Am. Sub. S.B. 281 of the  
124th general assembly, including the amendment of sections  
1751.67, 2117.06, 2305.11, 2305.15, 2305.234, 2317.02, 2317.54,  
2323.56, 2711.21, 2711.22, 2711.23, 2711.24, 2743.02, 2743.43,  
2919.16, 3923.63, 3923.64, 4705.15, and 5111.018 (renumbered as  
5164.07 by H.B. 59 of the 130th general assembly), and the  
enactment of sections 2305.113, 2323.41, 2323.43, and 2323.55 of  
the Revised Code or any changes made by Sub. S.B. 80 of the  
125th general assembly, including the amendment of sections  
2125.02, 2305.10, 2305.131, 2315.18, 2315.19, and 2315.21 of the  
Revised Code;

(7) An order in an appropriation proceeding that may be  
appealed pursuant to division (B)(3) of section 163.09 of the  
Revised Code;

(8) An order restraining or restricting enforcement, in  
whole or in part, facially or as applied, of any state statute  
or regulation, including, but not limited, to orders in the form  
of injunctions, declaratory judgments, or writs.

(C) When a court issues an order that vacates or sets  
aside a judgment or grants a new trial, the court, upon the  
request of either party, shall state in the order the grounds  
upon which the new trial is granted or the judgment vacated or  
set aside.

(D) This section applies to and governs any action,  
including an appeal, that is pending in any court on July 22,  
1998, and all claims filed or actions commenced on or after July

22, 1998, notwithstanding any provision of any prior statute or	73
rule of law of this state."	74
In line 427, delete "and"; after "2303.201" insert ", and 2505.02"	75

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	76
<b>Final, appealable order</b>	77
<b>R.C. 2505.02</b>	78
Classifies the following as a final order that may be	79
reviewed on appeal: an order that restrains or restricts	80
enforcement of a state statute or regulation, whether in whole	81
or in part, facially or as applied.	82

H. B. No. 305

As Passed by the House

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "sections" insert "345.13,"

1

In line 9 of the title, delete "and"

2

In line 13 of the title, after "office" insert ", and to expand the  
authority of a board of trustees of a political subdivision soldiers'  
memorial"

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4

5

In line 14, after "sections" insert "345.13,"

6

After line 16, insert:

7

**"Sec. 345.13.** A soldiers' memorial, provided for by  
section 345.01 of the Revised Code, shall be maintained so as to  
commemorate the services of all members and veterans of the  
armed forces of the United States. The board of trustees shall  
make rules and regulations for the use, administration, and  
maintenance of such memorial as is fitting and necessary to  
carry out the purposes thereof. The board of trustees may make  
rules and regulations for entertainment, retail, educational,  
sporting, social, cultural, or arts opportunities at the  
memorial.

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When such memorial is a building, it shall provide 18  
suitable apartments of sufficient dimensions to commemorate the 19  
soldiers, sailors, marines, and all members of the armed forces 20  
of the United States, so designated by congress, ~~both men and~~ 21  
~~women of the county,~~ who have lost their lives while in the 22  
service of the country. Suitable tablets shall be maintained 23  
with the names of such soldiers, sailors, and marines inscribed 24  
thereon. The building may include a public auditorium, music 25  
hall, and recreational facilities. 26

The board may establish rental fees and other charges for 27  
the use of the memorial, and it may waive any portion of such 28  
charges. 29

With the approval of the board of county commissioners, 30  
the board of trustees may enter into contracts with political 31  
subdivisions or nonprofit organizations for the use of other 32  
facilities separate and apart from the memorial, and to provide 33  
other services. Such use shall adhere to the rules and 34  
regulations established by the board of trustees to carry out 35  
the purposes of the memorial." 36

In line 426, after "sections" insert "345.13," 37

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 38

**Political subdivision soldiers' memorial** 39

**R.C. 345.13** 40

Authorizes the board of trustees of a political 41

subdivision soldiers' memorial to make rules and regulations for 42  
entertainment, retail, educational, sporting, social, cultural, 43  
or arts opportunities at the memorial. 44

Authorizes the board, with the approval of the board of 45  
county commissioners, to enter into contracts with political 46  
subdivisions or nonprofit organizations for the use of other 47  
facilities separate and apart from the memorial, and to provide 48  
other services. Such use must adhere to the rules and 49  
regulations established by the board of trustees to carry out 50  
the purposes of the memorial. 51



H. B. No. 305

As Passed by the House

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "sections" insert "9.03,"

1

In line 9 of the title, delete "and"

2

In line 13 of the title, after "office" insert ", and to prohibit  
chartered counties and municipal corporations from using public funds for  
certain purposes"

3

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5

In line 14, after "sections" insert "9.03,"

6

After line 16, insert:

7

**"Sec. 9.03.** (A) As used in this section:

8

(1) "Political subdivision" means any body corporate and  
politic, ~~except a municipal corporation that has adopted a~~  
~~charter under Section 7 of Article XVIII, Ohio Constitution, and~~  
~~except a county that has adopted a charter under Sections 3 and~~  
~~4 of Article X, Ohio Constitution,~~ to which both of the  
following apply:

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(a) It is responsible for governmental activities only in  
a geographic area smaller than the state.

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16



(b) It is subject to the sovereign immunity of the state.	17
(2) "Cigarettes" and "tobacco product" have the same	18
meanings as in section 5743.01 of the Revised Code.	19
(3) "Transaction" has the same meaning as in section	20
1315.51 of the Revised Code.	21
(4) "Campaign committee," "campaign fund," "candidate,"	22
"legislative campaign fund," "political action committee,"	23
"political committee," "political party," and "separate	24
segregated fund" have the same meanings as in section 3517.01 of	25
the Revised Code.	26
(B) Except as otherwise provided in division (C) of this	27
section, the governing body of a political subdivision may use	28
public funds to publish and distribute newsletters, or to use	29
any other means, to communicate information about the plans,	30
policies, and operations of the political subdivision to members	31
of the public within the political subdivision and to other	32
persons who may be affected by the political subdivision.	33
(C) Except as otherwise provided in division (A) (7) of	34
section 340.03 of the Revised Code, no governing body of a	35
political subdivision shall use public funds to do any of the	36
following:	37
(1) Publish, distribute, or otherwise communicate	38
information that does any of the following:	39
(a) Contains defamatory, libelous, or obscene matter;	40
(b) Promotes alcoholic beverages, cigarettes or other	41
tobacco products, or any illegal product, service, or activity;	42
(c) Promotes illegal discrimination on the basis of race,	43
color, religion, national origin, disability, age, or ancestry;	44

(d) Supports or opposes any labor organization or any 45  
action by, on behalf of, or against any labor organization; 46

(e) Supports or opposes the nomination or election of a 47  
candidate for public office, the investigation, prosecution, or 48  
recall of a public official, or the passage of a levy or bond 49  
issue. 50

(2) Compensate any employee of the political subdivision 51  
for time spent on any activity to influence the outcome of an 52  
election for any of the purposes described in division (C) (1) (e) 53  
of this section. Division (C) (2) of this section does not 54  
prohibit the use of public funds to compensate an employee of a 55  
political subdivision for attending a public meeting to present 56  
information about the political subdivision's finances, 57  
activities, and governmental actions in a manner that is not 58  
designed to influence the outcome of an election or the passage 59  
of a levy or bond issue, even though the election, levy, or bond 60  
issue is discussed or debated at the meeting. 61

(D) Except as otherwise provided in division (A) (7) of 62  
section 340.03 of the Revised Code or in division (E) of this 63  
section, no person shall knowingly conduct a direct or indirect 64  
transaction of public funds to the benefit of any of the 65  
following: 66

(1) A campaign committee; 67

(2) A political action committee; 68

(3) A legislative campaign fund; 69

(4) A political party; 70

(5) A campaign fund; 71

(6) A political committee; 72

(7) A separate segregated fund;	73
(8) A candidate.	74
(E) Division (D) of this section does not prohibit the	75
utilization of any person's own time to speak in support of or	76
in opposition to any candidate, recall, referendum, levy, or	77
bond issue unless prohibited by any other section of the Revised	78
Code.	79
(F) Nothing in this section prohibits or restricts any	80
political subdivision from sponsoring, participating in, or	81
doing any of the following:	82
(1) Charitable or public service advertising that is not	83
commercial in nature;	84
(2) Advertising of exhibitions, performances, programs,	85
products, or services that are provided by employees of a	86
political subdivision or are provided at or through premises	87
owned or operated by a political subdivision;	88
(3) Licensing an interest in a name or mark that is owned	89
or controlled by the political subdivision.	90
(G) Whoever violates division (D) of this section shall be	91
punished as provided in section 3599.40 of the Revised Code."	92
In line 426, after "sections" insert "9.03,"	93

The motion was \_\_\_\_\_ agreed to.

## SYNOPSIS 94

### **Political subdivision communications** 95

<b>R.C. 9.03</b>	96
Applies an existing statute regarding political	97
subdivisions' newsletters and communications to chartered	98
counties and municipal corporations.	99
Prohibits a chartered county or municipal corporation,	100
along with any other political subdivision, from using public	101
funds to publish communications with certain messages, including	102
messages in support of or opposition to a candidate or a levy or	103
bond issue.	104
Prohibits a chartered county or municipal corporation,	105
along with any other political subdivision, from paying its	106
employees to engage in activities to influence the outcome of an	107
election regarding a candidate or a levy or bond issue.	108

H. B. No. 305

As Passed by the House

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, delete "and" 1

In line 2 of the title, after "2303.201" insert ", 3517.01, 3517.10, 2  
3517.12, 3517.13, 3517.155, 3517.992, and 3517.993" 3

In line 9 of the title, delete "and" 4

In line 13 of the title, after "office" insert ", and to modify the 5  
Campaign Finance Law" 6

In line 14, delete "and" 7

In line 15, after "2303.201" insert ", 3517.01, 3517.10, 3517.12, 8  
3517.13, 3517.155, 3517.992, and 3517.993" 9

After line 425, insert: 10

**"Sec. 3517.01.** (A) (1) A political party within the 11  
meaning of Title XXXV of the Revised Code is any group of voters 12  
that meets either of the following requirements: 13

(a) Except as otherwise provided in this division, at the 14  
most recent regular state election, the group polled for its 15



candidate for governor in the state or nominees for presidential  
electors at least three per cent of the entire vote cast for  
that office. A group that meets the requirements of this  
division remains a political party for a period of four years  
after meeting those requirements.

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

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

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

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

(iv) The petition designates a committee of not less than  
three nor more than five individuals of the petitioners, who  
shall represent the petitioners in all matters relating to the  
petition. Notice of all matters or proceedings pertaining to the  
petition may be served on the committee, or any of them, either

personally or by registered mail, or by leaving such notice at 45  
the usual place of residence of each of them. 46

(2) No such group of electors shall assume a name or 47  
designation that is similar, in the opinion of the secretary of 48  
state, to that of an existing political party as to confuse or 49  
mislead the voters at an election. 50

(B) A campaign committee shall be legally liable for any 51  
debts, contracts, or expenditures incurred or executed in its 52  
name. 53

(C) Notwithstanding the definitions found in section 54  
3501.01 of the Revised Code, as used in this section and 55  
sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the 56  
Revised Code: 57

(1) "Campaign committee" means a candidate or a 58  
combination of two or more persons authorized by a candidate 59  
under section 3517.081 of the Revised Code to receive 60  
contributions and make expenditures. 61

(2) "Campaign treasurer" means an individual appointed by 62  
a candidate under section 3517.081 of the Revised Code. 63

(3) "Candidate" has the same meaning as in division (H) of 64  
section 3501.01 of the Revised Code and also includes any person 65  
who, at any time before or after an election, receives 66  
contributions or makes expenditures or other use of 67  
contributions, has given consent for another to receive 68  
contributions or make expenditures or other use of 69  
contributions, or appoints a campaign treasurer, for the purpose 70  
of bringing about the person's nomination or election to public 71  
office. When two persons jointly seek the offices of governor 72  
and lieutenant governor, "candidate" means the pair of 73



candidates jointly. "Candidate" does not include candidates for  
election to the offices of member of a county or state central  
committee, presidential elector, and delegate to a national  
convention or conference of a political party.

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

(5) "Contribution" means a loan, gift, deposit,  
forgiveness of indebtedness, donation, advance, payment, or  
transfer of funds or anything of value, including a transfer of  
funds from an inter vivos or testamentary trust or decedent's  
estate, and the payment by any person other than the person to  
whom the services are rendered for the personal services of  
another person, which contribution is made, received, or used  
for the purpose of influencing the results of an election. Any  
loan, gift, deposit, forgiveness of indebtedness, donation,  
advance, payment, or transfer of funds or of anything of value,  
including a transfer of funds from an inter vivos or  
testamentary trust or decedent's estate, and the payment by any  
campaign committee, political action committee, legislative  
campaign fund, political party, political contributing entity,  
or person other than the person to whom the services are  
rendered for the personal services of another person, that is

made, received, or used by a state or county political party, 105  
other than the moneys an entity may receive under sections 106  
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 107  
considered to be a "contribution" for the purpose of section 108  
3517.10 of the Revised Code and shall be included on a statement 109  
of contributions filed under that section. 110

"Contribution" does not include any of the following: 111

(a) Services provided without compensation by individuals 112  
volunteering a portion or all of their time on behalf of a 113  
person; 114

(b) Ordinary home hospitality; 115

(c) The personal expenses of a volunteer paid for by that 116  
volunteer campaign worker; 117

(d) Any gift given to an entity pursuant to section 118  
3517.101 of the Revised Code; 119

(e) Any contribution as defined in section 3517.1011 of 120  
the Revised Code that is made, received, or used to pay the 121  
direct costs of producing or airing an electioneering 122  
communication; 123

(f) Any gift given to a state or county political party 124  
for the party's restricted fund under division (A) (2) of section 125  
3517.1012 of the Revised Code; 126

(g) Any gift given to a state political party for deposit 127  
in a Levin account pursuant to section 3517.1013 of the Revised 128  
Code. As used in this division, "Levin account" has the same 129  
meaning as in that section. 130

(h) Any donation given to a transition fund under section 131  
3517.1014 of the Revised Code. 132

(6) "Expenditure" means the disbursement or use of a contribution or other funds 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, the primary or major purpose of which is to support or oppose any candidate, political party, or issue, or to influence the result of any election through express advocacy, and that is not a political party, a campaign committee, a political contributing entity, or a legislative campaign fund. "Political action committee" does not include either of the following:

(a) A continuing association that makes disbursements for the direct costs of producing or airing electioneering communications and that does not engage in express advocacy;

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

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

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

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

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

including contributions. 192

(13) "Public official or employee" has the same meaning as 193  
in section 102.01 of the Revised Code. 194

(14) "Caucus" means all of the members of the house of 195  
representatives or all of the members of the senate of the 196  
general assembly who are members of the same political party. 197

(15) "Legislative campaign fund" means a fund that is 198  
established as an auxiliary of a state political party and 199  
associated with one of the houses of the general assembly. 200

(16) "In-kind contribution" means anything of value other 201  
than money that is used to influence the results of an election 202  
or is transferred to or used in support of or in opposition to a 203  
candidate, campaign committee, legislative campaign fund, 204  
political party, political action committee, or political 205  
contributing entity and that is made with the consent of, in 206  
coordination, cooperation, or consultation with, or at the 207  
request or suggestion of the benefited candidate, committee, 208  
fund, party, or entity. The financing of the dissemination, 209  
distribution, or republication, in whole or part, of any 210  
broadcast or of any written, graphic, or other form of campaign 211  
materials prepared by the candidate, the candidate's campaign 212  
committee, or their authorized agents is an in-kind contribution 213  
to the candidate and an expenditure by the candidate. 214

~~(17)~~ (17) (a) "Independent expenditure" means ~~an~~ either of 215  
the following: 216

(i) An expenditure by a person advocating the election or 217  
defeat of an identified candidate or candidates, that is not 218  
made with the consent of, in coordination, cooperation, or 219  
consultation with, or at the request or suggestion of any 220

candidate or candidates or of the campaign committee or agent of 221  
the candidate or candidates; 222

(ii) An expenditure by a person advocating support of or 223  
opposition to an identified ballot issue or question or to 224  
achieve the successful circulation of an initiative or 225  
referendum petition in order to place such an issue or question 226  
on the ballot, regardless of whether the ballot issue or 227  
question has yet been certified to appear on the ballot. As- 228

(b) As used in division ~~(C) (17)~~ (C) (17) (a) of this 229  
section: 230

~~(a)~~ (i) "Person" means an individual, partnership, 231  
unincorporated business organization or association, political 232  
action committee, political contributing entity, separate 233  
segregated fund, association, or other organization or group of 234  
persons, but not a labor organization or a corporation unless 235  
the labor organization or corporation is a political 236  
contributing entity. 237

~~(b)~~ (ii) "Advocating" means any communication containing a 238  
message advocating election or defeat. 239

~~(c)~~ (iii) "Identified candidate" means that the name of 240  
the candidate appears, a photograph or drawing of the candidate 241  
appears, or the identity of the candidate is otherwise apparent 242  
by unambiguous reference. 243

~~(d)~~ (iv) "Made in coordination, cooperation, or 244  
consultation with, or at the request or suggestion of, any 245  
candidate or the campaign committee or agent of the candidate" 246  
means made pursuant to any arrangement, coordination, or 247  
direction by the candidate, the candidate's campaign committee, 248  
or the candidate's agent prior to the publication, distribution, 249

display, or broadcast of the communication. An expenditure is 250  
presumed to be so made when it is any of the following: 251

~~(i)~~ (I) Based on information about the candidate's plans, 252  
projects, or needs provided to the person making the expenditure 253  
by the candidate, or by the candidate's campaign committee or 254  
agent, with a view toward having an expenditure made; 255

~~(ii)~~ (II) Made by or through any person who is, or has 256  
been, authorized to raise or expend funds, who is, or has been, 257  
an officer of the candidate's campaign committee, or who is, or 258  
has been, receiving any form of compensation or reimbursement 259  
from the candidate or the candidate's campaign committee or 260  
agent; 261

~~(iii)~~ (III) Except as otherwise provided in division (D) 262  
of section 3517.105 of the Revised Code, made by a political 263  
party in support of a candidate, unless the expenditure is made 264  
by a political party to conduct voter registration or voter 265  
education efforts. 266

~~(e)~~ (v) "Agent" means any person who has actual oral or 267  
written authority, either express or implied, to make or to 268  
authorize the making of expenditures on behalf of a candidate, 269  
or means any person who has been placed in a position with the 270  
candidate's campaign committee or organization such that it 271  
would reasonably appear that in the ordinary course of campaign- 272  
related activities the person may authorize expenditures. 273

(18) "Labor organization" means a labor union; an employee 274  
organization; a federation of labor unions, groups, locals, or 275  
other employee organizations; an auxiliary of a labor union, 276  
employee organization, or federation of labor unions, groups, 277  
locals, or other employee organizations; or any other bona fide 278

organization in which employees participate and that exists for	279
the purpose, in whole or in part, of dealing with employers	280
concerning grievances, labor disputes, wages, hours, and other	281
terms and conditions of employment.	282
(19) "Separate segregated fund" means a separate	283
segregated fund established pursuant to the Federal Election	284
Campaign Act.	285
(20) "Federal Election Campaign Act" means the "Federal	286
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et	287
seq., as amended.	288
(21) "Restricted fund" means the fund a state or county	289
political party must establish under division (A) (1) of section	290
3517.1012 of the Revised Code.	291
(22) "Electioneering communication" has the same meaning	292
as in section 3517.1011 of the Revised Code.	293
(23) "Express advocacy" means a communication that	294
contains express words advocating the nomination, election, or	295
defeat of a candidate or that contains express words advocating	296
the adoption or defeat of a question or issue, as determined by	297
a final judgment of a court of competent jurisdiction.	298
(24) "Political committee" has the same meaning as in	299
section 3517.1011 of the Revised Code.	300
(25) "Political contributing entity" means any entity,	301
including a corporation or labor organization, that may lawfully	302
make contributions and expenditures and that is not an	303
individual or a political action committee, continuing	304
association, campaign committee, political party, legislative	305
campaign fund, designated state campaign committee, or state	306



candidate fund. For purposes of this division, "lawfully" means 307  
not prohibited by any section of the Revised Code, or authorized 308  
by a final judgment of a court of competent jurisdiction. 309

(26) "Internet identifier of record" has the same meaning 310  
as in section 9.312 of the Revised Code. 311

**Sec. 3517.10.** (A) Except as otherwise provided in this 312  
division, every campaign committee, political action committee, 313  
legislative campaign fund, political party, and political 314  
contributing entity that made or received a contribution or made 315  
an expenditure in connection with the nomination or election of 316  
any candidate or in connection with any ballot issue or question 317  
at any election held or to be held in this state shall file, on 318  
a form prescribed under this section or by electronic means of 319  
transmission as provided in this section and section 3517.106 of 320  
the Revised Code, a full, true, and itemized statement, made 321  
under penalty of election falsification, setting forth in detail 322  
the contributions and expenditures, not later than four p.m. of 323  
the following dates: 324

(1) The twelfth day before the election to reflect 325  
contributions received and expenditures made from the close of 326  
business on the last day reflected in the last previously filed 327  
statement, if any, to the close of business on the twentieth day 328  
before the election; 329

(2) The thirty-eighth day after the election to reflect 330  
the contributions received and expenditures made from the close 331  
of business on the last day reflected in the last previously 332  
filed statement, if any, to the close of business on the seventh 333  
day before the filing of the statement; 334

(3) The last business day of January of every year to 335

reflect the contributions received and expenditures made from 336  
the close of business on the last day reflected in the last 337  
previously filed statement, if any, to the close of business on 338  
the last day of December of the previous year; 339

(4) The last business day of July of every year to reflect 340  
the contributions received and expenditures made from the close 341  
of business on the last day reflected in the last previously 342  
filed statement, if any, to the close of business on the last 343  
day of June of that year. 344

A campaign committee shall only be required to file the 345  
statements prescribed under divisions (A)(1) and (2) of this 346  
section in connection with the nomination or election of the 347  
committee's candidate. 348

The statement required under division (A)(1) of this 349  
section shall not be required of any campaign committee, 350  
political action committee, legislative campaign fund, political 351  
party, or political contributing entity that has received 352  
contributions of less than one thousand dollars and has made 353  
expenditures of less than one thousand dollars at the close of 354  
business on the twentieth day before the election. Those 355  
contributions and expenditures shall be reported in the 356  
statement required under division (A)(2) of this section. 357

If an election to select candidates to appear on the 358  
general election ballot is held within sixty days before a 359  
general election, the campaign committee of a successful 360  
candidate in the earlier election may file the statement 361  
required by division (A)(1) of this section for the general 362  
election instead of the statement required by division (A)(2) of 363  
this section for the earlier election if the pregeneral election 364  
statement reflects the status of contributions and expenditures 365

for the period twenty days before the earlier election to twenty 366  
days before the general election. 367

If a person becomes a candidate less than twenty days 368  
before an election, the candidate's campaign committee is not 369  
required to file the statement required by division (A) (1) of 370  
this section. 371

No statement under division (A) (3) of this section shall 372  
be required for any year in which a campaign committee, 373  
political action committee, legislative campaign fund, political 374  
party, or political contributing entity is required to file a 375  
postgeneral election statement under division (A) (2) of this 376  
section. However, a statement under division (A) (3) of this 377  
section may be filed, at the option of the campaign committee, 378  
political action committee, legislative campaign fund, political 379  
party, or political contributing entity. 380

No campaign committee of a candidate for the office of 381  
chief justice or justice of the supreme court, and no campaign 382  
committee of a candidate for the office of judge of any court in 383  
this state, shall be required to file a statement under division 384  
(A) (4) of this section. 385

Except as otherwise provided in this paragraph and in the 386  
next paragraph of this section, the only campaign committees 387  
required to file a statement under division (A) (4) of this 388  
section are the campaign committee of a statewide candidate and 389  
the campaign committee of a candidate for county office. The 390  
campaign committee of a candidate for any other nonjudicial 391  
office is required to file a statement under division (A) (4) of 392  
this section if that campaign committee receives, during that 393  
period, contributions exceeding ten thousand dollars. 394

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

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

The campaign committee of a statewide candidate shall file  
a monthly statement of contributions received during each of the  
months of July, August, and September in the year of the general  
election in which the candidate seeks office. The campaign  
committee of a statewide candidate shall file the monthly  
statement not later than three business days after the last day  
of the month covered by the statement. During the period  
beginning on the nineteenth day before the general election in

which a statewide candidate seeks election to office and 426  
extending through the day of that general election, each time 427  
the campaign committee of the joint candidates for the offices 428  
of governor and lieutenant governor or of a candidate for the 429  
office of secretary of state, auditor of state, treasurer of 430  
state, or attorney general receives a contribution from a 431  
contributor that causes the aggregate amount of contributions 432  
received from that contributor during that period to equal or 433  
exceed ten thousand dollars and each time the campaign committee 434  
of a candidate for the office of chief justice or justice of the 435  
supreme court receives a contribution from a contributor that 436  
causes the aggregate amount of contributions received from that 437  
contributor during that period to exceed ten thousand dollars, 438  
the campaign committee shall file a two-business-day statement 439  
reflecting that contribution. Contributions reported on a two- 440  
business-day statement required to be filed by a campaign 441  
committee of a statewide candidate in a primary election shall 442  
also be included in the postprimary election statement required 443  
to be filed by that campaign committee under division (A) (2) of 444  
this section. A two-business-day statement required by this 445  
paragraph shall be filed not later than two business days after 446  
receipt of the contribution. The statements required by this 447  
paragraph shall be filed in addition to any other statements 448  
required by this section. 449

Subject to the secretary of state having implemented, 450  
tested, and verified the successful operation of any system the 451  
secretary of state prescribes pursuant to divisions (C) (6) (b) 452  
and (D) (6) of this section and division (F) (1) of section 453  
3517.106 of the Revised Code for the filing of campaign finance 454  
statements by electronic means of transmission, a campaign 455  
committee of a statewide candidate shall file a two-business-day 456

statement under the preceding paragraph by electronic means of 457  
transmission if the campaign committee is required to file a 458  
pre-election, postelection, or monthly statement of 459  
contributions and expenditures by electronic means of 460  
transmission under this section or section 3517.106 of the 461  
Revised Code. 462

If a campaign committee or political action committee has 463  
no balance on hand and no outstanding obligations and desires to 464  
terminate itself, it shall file a statement to that effect, on a 465  
form prescribed under this section and made under penalty of 466  
election falsification, with the official with whom it files a 467  
statement under division (A) of this section after filing a 468  
final statement of contributions and a final statement of 469  
expenditures, if contributions have been received or 470  
expenditures made since the period reflected in its last 471  
previously filed statement. 472

(B) Except as otherwise provided in division (C) (7) of 473  
this section, each statement required by division (A) of this 474  
section shall contain the following information: 475

(1) The full name and address of each campaign committee, 476  
political action committee, legislative campaign fund, political 477  
party, or political contributing entity, including any treasurer 478  
of the committee, fund, party, or entity, filing a contribution 479  
and expenditure statement; 480

(2) (a) In the case of a campaign committee, the 481  
candidate's full name and address; 482

(b) In the case of a political action committee, the 483  
registration number assigned to the committee under division (D) 484  
(1) of this section. 485

(3) The date of the election and whether it was or will be a general, primary, or special election; 486  
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(4) A statement of contributions received, which shall include the following information: 488  
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(a) The month, day, and year of the contribution; 490

(b) (i) The full name and address of each person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity from whom contributions are received and the registration number assigned to the political action committee under division (D) (1) of this section. The requirement of filing the full address does not apply to any statement filed by a state or local committee of a political party, to a finance committee of such committee, or to a committee recognized by a state or local committee as its fund-raising auxiliary. Notwithstanding division (F) of this section, the requirement of filing the full address shall be considered as being met if the address filed is the same address the contributor provided under division (E) (1) of this section. 491  
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(ii) If a political action committee, political contributing entity, legislative campaign fund, or political party that is required to file campaign finance statements by electronic means of transmission under section 3517.106 of the Revised Code or a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution from an individual that exceeds one hundred dollars, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any; 504  
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(iii) If a campaign committee of a statewide candidate or 514

candidate for the office of member of the general assembly 515  
receives a contribution transmitted pursuant to section 3599.031 516  
of the Revised Code from amounts deducted from the wages and 517  
salaries of two or more employees that exceeds in the aggregate 518  
one hundred dollars during any one filing period under division 519  
(A) (1), (2), (3), or (4) of this section, the full name of the 520  
employees' employer and the full name of the labor organization 521  
of which the employees are members, if any. 522

(c) A description of the contribution received, if other 523  
than money; 524

(d) The value in dollars and cents of the contribution; 525

(e) A separately itemized account of all contributions and 526  
expenditures regardless of the amount, except a receipt of a 527  
contribution from a person in the sum of twenty-five dollars or 528  
less at one social or fund-raising activity and a receipt of a 529  
contribution transmitted pursuant to section 3599.031 of the 530  
Revised Code from amounts deducted from the wages and salaries 531  
of employees if the contribution from the amount deducted from 532  
the wages and salary of any one employee is twenty-five dollars 533  
or less aggregated in a calendar year. An account of the total 534  
contributions from each social or fund-raising activity shall 535  
include a description of and the value of each in-kind 536  
contribution received at that activity from any person who made 537  
one or more such contributions whose aggregate value exceeded 538  
two hundred fifty dollars and shall be listed separately, 539  
together with the expenses incurred and paid in connection with 540  
that activity. A campaign committee, political action committee, 541  
legislative campaign fund, political party, or political 542  
contributing entity shall keep records of contributions from 543  
each person in the amount of twenty-five dollars or less at one 544



social or fund-raising activity and contributions from amounts 545  
deducted under section 3599.031 of the Revised Code from the 546  
wages and salary of each employee in the amount of twenty-five 547  
dollars or less aggregated in a calendar year. No continuing 548  
association that is recognized by a state or local committee of 549  
a political party as an auxiliary of the party and that makes a 550  
contribution from funds derived solely from regular dues paid by 551  
members of the auxiliary shall be required to list the name or 552  
address of any members who paid those dues. 553

Contributions that are other income shall be itemized 554  
separately from all other contributions. The information 555  
required under division (B) (4) of this section shall be provided 556  
for all other income itemized. As used in this paragraph, "other 557  
income" means a loan, investment income, or interest income. 558

(f) In the case of a campaign committee of a state elected 559  
officer, if a person doing business with the state elected 560  
officer in the officer's official capacity makes a contribution 561  
to the campaign committee of that officer, the information 562  
required under division (B) (4) of this section in regard to that 563  
contribution, which shall be filed together with and considered 564  
a part of the committee's statement of contributions as required 565  
under division (A) of this section but shall be filed on a 566  
separate form provided by the secretary of state. As used in 567  
this division: 568

(i) "State elected officer" has the same meaning as in 569  
section 3517.092 of the Revised Code. 570

(ii) "Person doing business" means a person or an officer 571  
of an entity who enters into one or more contracts with a state 572  
elected officer or anyone authorized to enter into contracts on 573  
behalf of that officer to receive payments for goods or 574

services, if the payments total, in the aggregate, more than 575  
five thousand dollars during a calendar year. 576

(5) A statement of expenditures which shall include the 577  
following information: 578

(a) The month, day, and year of the expenditure; 579

(b) The full name and address of each person, political 580  
party, campaign committee, legislative campaign fund, political 581  
action committee, or political contributing entity to whom the 582  
expenditure was made and the registration number assigned to the 583  
political action committee under division (D) (1) of this 584  
section; 585

(c) The object or purpose for which the expenditure was 586  
made; 587

(d) The amount of each expenditure. 588

(C) (1) The statement of contributions and expenditures 589  
shall be signed by the person completing the form. If a 590  
statement of contributions and expenditures is filed by 591  
electronic means of transmission pursuant to this section or 592  
section 3517.106 of the Revised Code, the electronic signature 593  
of the person who executes the statement and transmits the 594  
statement by electronic means of transmission, as provided in 595  
division (F) of section 3517.106 of the Revised Code, shall be 596  
attached to or associated with the statement and shall be 597  
binding on all persons and for all purposes under the campaign 598  
finance reporting law as if the signature had been handwritten 599  
in ink on a printed form. 600

(2) The person filing the statement, under penalty of 601  
election falsification, shall include with it a both of the 602

following:

(a) A list of each anonymous contribution, the circumstances under which it was received, and the reason it cannot be attributed to a specific donor;

(b) A certification that the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity, as applicable, has not knowingly accepted any contribution that is prohibited under this chapter or section 3599.03 or 3599.031 of the Revised Code, including under division (W) of section 3517.13 of the Revised Code, during the period covered by the statement.

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

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

(5) The campaign committee of any person who attempts to become a candidate and who, for any reason, does not become certified in accordance with Title XXXV of the Revised Code for placement on the official ballot of a primary, general, or special election to be held in this state, and who, at any time prior to or after an election, receives contributions or makes

expenditures, or has given consent for another to receive 632  
contributions or make expenditures, for the purpose of bringing 633  
about the person's nomination or election to public office, 634  
shall file the statement or statements prescribed by this 635  
section and a termination statement, if applicable. Division (C) 636  
(5) of this section does not apply to any person with respect to 637  
an election to the offices of member of a county or state 638  
central committee, presidential elector, or delegate to a 639  
national convention or conference of a political party. 640

(6) (a) The statements required to be filed under this 641  
section shall specify the balance in the hands of the campaign 642  
committee, political action committee, legislative campaign 643  
fund, political party, or political contributing entity and the 644  
disposition intended to be made of that balance. 645

(b) The secretary of state shall prescribe the form for 646  
all statements required to be filed under this section and shall 647  
furnish the forms to the boards of elections in the several 648  
counties. The boards of elections shall supply printed copies of 649  
those forms without charge. The secretary of state shall 650  
prescribe the appropriate methodology, protocol, and data file 651  
structure for statements required or permitted to be filed by 652  
electronic means of transmission to the secretary of state or a 653  
board of elections under division (A) of this section, division 654  
(E) of section 3517.106, division (D) of section 3517.1011, 655  
division (B) of section 3517.1012, division (C) of section 656  
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 657  
Revised Code. Subject to division (A) of this section, division 658  
(E) of section 3517.106, division (D) of section 3517.1011, 659  
division (B) of section 3517.1012, division (C) of section 660  
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 661  
Revised Code, the statements required to be stored on computer 662

by the secretary of state under division (B) of section 3517.106 663  
of the Revised Code shall be filed in whatever format the 664  
secretary of state considers necessary to enable the secretary 665  
of state to store the information contained in the statements on 666  
computer. Any such format shall be of a type and nature that is 667  
readily available to whoever is required to file the statements 668  
in that format. 669

(c) The secretary of state shall assess the need for 670  
training regarding the filing of campaign finance statements by 671  
electronic means of transmission and regarding associated 672  
technologies for candidates, campaign committees, political 673  
action committees, legislative campaign funds, political 674  
parties, or political contributing entities, for individuals, 675  
partnerships, or other entities, for persons making 676  
disbursements to pay the direct costs of producing or airing 677  
electioneering communications, or for treasurers of transition 678  
funds, required or permitted to file statements by electronic 679  
means of transmission under this section or section 3517.105, 680  
3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the 681  
Revised Code. If, in the opinion of the secretary of state, 682  
training in these areas is necessary, the secretary of state 683  
shall arrange for the provision of voluntary training programs 684  
for candidates, campaign committees, political action 685  
committees, legislative campaign funds, political parties, or 686  
political contributing entities, for individuals, partnerships, 687  
and other entities, for persons making disbursements to pay the 688  
direct costs of producing or airing electioneering 689  
communications, or for treasurers of transition funds, as 690  
appropriate. 691

(7) Each monthly statement and each two-business-day 692  
statement required by division (A) of this section shall contain 693

the information required by divisions (B)(1) to (4), (C)(2), 694  
and, if appropriate, (C)(3) of this section. Each statement 695  
shall be signed as required by division (C)(1) of this section. 696

(D)(1)(a) Prior to receiving a contribution or making an 697  
expenditure, every campaign committee, political action 698  
committee, legislative campaign fund, political party, or 699  
political contributing entity shall appoint a treasurer and 700  
shall file, on a form prescribed by the secretary of state, a 701  
designation of that appointment, including the full name and 702  
address of the treasurer and of the campaign committee, 703  
political action committee, legislative campaign fund, political 704  
party, or political contributing entity. That designation shall 705  
be filed with the official with whom the campaign committee, 706  
political action committee, legislative campaign fund, political 707  
party, or political contributing entity is required to file 708  
statements under section 3517.11 of the Revised Code. The name 709  
of a campaign committee shall include at least the last name of 710  
the campaign committee's candidate. If two or more candidates 711  
are the beneficiaries of a single campaign committee under 712  
division (B) of section 3517.081 of the Revised Code, the name 713  
of the campaign committee shall include at least the last name 714  
of each candidate who is a beneficiary of that campaign 715  
committee. The secretary of state shall assign a registration 716  
number to each political action committee that files a 717  
designation of the appointment of a treasurer under this 718  
division if the political action committee is required by 719  
division (A)(1) of section 3517.11 of the Revised Code to file 720  
the statements prescribed by this section with the secretary of 721  
state. 722

(b) The form of the designation of treasurer shall require 723  
the filer to certify, under penalty of election falsification, 724

that the campaign committee, political action committee, 725  
legislative campaign fund, political party, or political 726  
contributing entity, as applicable, has not knowingly accepted, 727  
and will not knowingly accept, any contribution that is 728  
prohibited under this chapter or section 3599.03 or 3599.031 of 729  
the Revised Code, including under division (W) of section 730  
3517.13 of the Revised Code. 731

(c) The secretary of state shall not accept for filing a 732  
designation of treasurer of a political action committee or 733  
political contributing entity if, in the opinion of the 734  
secretary of state, the name of the political action committee 735  
or political contributing entity would lead a reasonable person 736  
to believe that the political action committee or political 737  
contributing entity acts on behalf of or represents a county 738  
political party, unless the designation is accompanied by a 739  
written statement, signed by the chairperson of the county 740  
political party's executive committee, granting the political 741  
action committee or political contributing entity permission to 742  
act on behalf of or represent the county political party. 743

(2) The treasurer appointed under division (D) (1) of this 744  
section shall keep a strict account of all contributions, from 745  
whom received and the purpose for which they were disbursed. 746

(3) (a) Except as otherwise provided in section 3517.108 of 747  
the Revised Code, a campaign committee shall deposit all 748  
monetary contributions received by the committee into an account 749  
separate from a personal or business account of the candidate or 750  
campaign committee. 751

(b) A political action committee shall deposit all 752  
monetary contributions received by the committee into an account 753  
separate from all other funds. 754

(c) A state or county political party may establish a state candidate fund that is separate from all other funds. A state or county political party may deposit into its state candidate fund any amounts of monetary contributions that are made to or accepted by the political party subject to the applicable limitations, if any, prescribed in section 3517.102 of the Revised Code. A state or county political party shall deposit all other monetary contributions received by the party into one or more accounts that are separate from its state candidate fund.

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

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



(5) The secretary of state or the board of elections, as 785  
the case may be, shall issue a receipt for each statement filed 786  
under this section and shall preserve a copy of the receipt for 787  
a period of at least six years. All statements filed under this 788  
section shall be open to public inspection in the office where 789  
they are filed and shall be carefully preserved for a period of 790  
at least six years after the year in which they are filed. 791

(6) The secretary of state, by rule adopted pursuant to 792  
section 3517.23 of the Revised Code, shall prescribe both of the 793  
following: 794

(a) The manner of immediately acknowledging, with date and 795  
time received, and preserving the receipt of statements that are 796  
transmitted by electronic means of transmission to the secretary 797  
of state or a board of elections pursuant to this section or 798  
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 799  
of the Revised Code; 800

(b) The manner of preserving the contribution and 801  
expenditure, contribution and disbursement, deposit and 802  
disbursement, gift and disbursement, or donation and 803  
disbursement information in the statements described in division 804  
(D) (6) (a) of this section. The secretary of state shall preserve 805  
the contribution and expenditure, contribution and disbursement, 806  
deposit and disbursement, gift and disbursement, or donation and 807  
disbursement information in those statements for at least ten 808  
years after the year in which they are filed by electronic means 809  
of transmission. 810

(7) (a) The secretary of state, pursuant to division (G) of 811  
section 3517.106 of the Revised Code, shall make available 812  
online to the public through the internet the contribution and 813  
expenditure, contribution and disbursement, deposit and 814

disbursement, gift and disbursement, or donation and 815  
disbursement information in all of the following documents: 816

(i) All statements, all addenda, amendments, or other 817  
corrections to statements, and all amended statements filed with 818  
the secretary of state by electronic or other means of 819  
transmission under this section, division (B) (2) (b) or (C) (2) (b) 820  
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 821  
3517.1013, 3517.1014, or 3517.11 of the Revised Code; 822

(ii) All statements filed with a board of elections by 823  
electronic means of transmission, and all addenda, amendments, 824  
corrections, and amended versions of those statements, filed 825  
with the board under this section, division (B) (2) (b) or (C) (2) 826  
(b) of section 3517.105, or section 3517.106, 3517.1012, or 827  
3517.11 of the Revised Code. 828

(b) The secretary of state may remove the information from 829  
the internet after a reasonable period of time. 830

(E) (1) Any person, political party, campaign committee, 831  
legislative campaign fund, political action committee, or 832  
political contributing entity that makes a contribution in 833  
connection with the nomination or election of any candidate or 834  
in connection with any ballot issue or question at any election 835  
held or to be held in this state shall provide its full name and 836  
address to the recipient of the contribution at the time the 837  
contribution is made. The political action committee also shall 838  
provide the registration number assigned to the committee under 839  
division (D) (1) of this section to the recipient of the 840  
contribution at the time the contribution is made. 841

(2) Any individual who makes a contribution that exceeds 842  
one hundred dollars to a political action committee, political 843

contributing entity, legislative campaign fund, or political 844  
party or to a campaign committee of a statewide candidate or 845  
candidate for the office of member of the general assembly shall 846  
provide the name of the individual's current employer, if any, 847  
or, if the individual is self-employed, the individual's 848  
occupation and the name of the individual's business, if any, to 849  
the recipient of the contribution at the time the contribution 850  
is made. Sections 3599.39 and 3599.40 of the Revised Code do not 851  
apply to division (E) (2) of this section. 852

(3) If a campaign committee shows that it has exercised 853  
its best efforts to obtain, maintain, and submit the information 854  
required under divisions (B) (4) (b) (ii) and (iii) of this 855  
section, that committee is considered to have met the 856  
requirements of those divisions. A campaign committee shall not 857  
be considered to have exercised its best efforts unless, in 858  
connection with written solicitations, it regularly includes a 859  
written request for the information required under division (B) 860  
(4) (b) (ii) of this section from the contributor or the 861  
information required under division (B) (4) (b) (iii) of this 862  
section from whoever transmits the contribution. 863

(4) Any check that a political action committee uses to 864  
make a contribution or an expenditure shall contain the full 865  
name and address of the committee and the registration number 866  
assigned to the committee under division (D) (1) of this section. 867

(F) As used in this section: 868

(1) (a) Except as otherwise provided in division (F) (1) of 869  
this section, "address" means all of the following if they 870  
exist: apartment number, street, road, or highway name and 871  
number, rural delivery route number, city or village, state, and 872  
zip code as used in a person's post-office address, but not 873

post-office box. 874

(b) Except as otherwise provided in division (F)(1) of 875  
this section, if an address is required in this section, a post- 876  
office box and office, room, or suite number may be included in 877  
addition to, but not in lieu of, an apartment, street, road, or 878  
highway name and number. 879

(c) If an address is required in this section, a campaign 880  
committee, political action committee, legislative campaign 881  
fund, political party, or political contributing entity may use 882  
the business or residence address of its treasurer or deputy 883  
treasurer. The post-office box number of the campaign committee, 884  
political action committee, legislative campaign fund, political 885  
party, or political contributing entity may be used in addition 886  
to that address. 887

(d) For the sole purpose of a campaign committee's 888  
reporting of contributions on a statement of contributions 889  
received under division (B)(4) of this section, "address" has 890  
one of the following meanings at the option of the campaign 891  
committee: 892

(i) The same meaning as in division (F)(1)(a) of this 893  
section; 894

(ii) All of the following, if they exist: the 895  
contributor's post-office box number and city or village, state, 896  
and zip code as used in the contributor's post-office address. 897

(e) As used with regard to the reporting under this 898  
section of any expenditure, "address" means all of the following 899  
if they exist: apartment number, street, road, or highway name 900  
and number, rural delivery route number, city or village, state, 901  
and zip code as used in a person's post-office address, or post- 902

office box. If an address concerning any expenditure is required 903  
in this section, a campaign committee, political action 904  
committee, legislative campaign fund, political party, or 905  
political contributing entity may use the business or residence 906  
address of its treasurer or deputy treasurer or its post-office 907  
box number. 908

(2) "Statewide candidate" means the joint candidates for 909  
the offices of governor and lieutenant governor or a candidate 910  
for the office of secretary of state, auditor of state, 911  
treasurer of state, attorney general, member of the state board 912  
of education, chief justice of the supreme court, or justice of 913  
the supreme court. 914

(3) "Candidate for county office" means a candidate for 915  
the office of county auditor, county treasurer, clerk of the 916  
court of common pleas, judge of the court of common pleas, 917  
sheriff, county recorder, county engineer, county commissioner, 918  
prosecuting attorney, or coroner. 919

(G) An independent expenditure shall be reported whenever 920  
and in the same manner that an expenditure is required to be 921  
reported under this section and shall be reported pursuant to 922  
division (B) (2) (a) or (C) (2) (a) of section 3517.105 of the 923  
Revised Code. 924

(H) (1) Except as otherwise provided in division (H) (2) of 925  
this section, if, during the combined pre-election and 926  
postelection reporting periods for an election, a campaign 927  
committee has received contributions of five hundred dollars or 928  
less and has made expenditures in the total amount of five 929  
hundred dollars or less, it may file a statement to that effect, 930  
under penalty of election falsification, in lieu of the 931  
statement required by division (A) (2) of this section. The 932

statement shall indicate the total amount of contributions 933  
received and the total amount of expenditures made during those 934  
combined reporting periods. 935

(2) In the case of a successful candidate at a primary 936  
election, if either the total contributions received by or the 937  
total expenditures made by the candidate's campaign committee 938  
during the preprimary, postprimary, pregeneral, and postgeneral 939  
election periods combined equal more than five hundred dollars, 940  
the campaign committee may file the statement under division (H) 941  
(1) of this section only for the primary election. The first 942  
statement that the campaign committee files in regard to the 943  
general election shall reflect all contributions received and 944  
all expenditures made during the preprimary and postprimary 945  
election periods. 946

(3) Divisions (H) (1) and (2) of this section do not apply 947  
if a campaign committee receives contributions or makes 948  
expenditures prior to the first day of January of the year of 949  
the election at which the candidate seeks nomination or election 950  
to office or if the campaign committee does not file a 951  
termination statement with its postprimary election statement in 952  
the case of an unsuccessful primary election candidate or with 953  
its postgeneral election statement in the case of other 954  
candidates. 955

(I) In the case of a contribution made by a partner of a 956  
partnership or an owner or a member of another unincorporated 957  
business from any funds of the partnership or other 958  
unincorporated business, all of the following apply: 959

(1) The recipient of the contribution shall report the 960  
contribution by listing both the partnership or other 961  
unincorporated business and the name of the partner, owner, or 962

member making the contribution. 963

(2) In reporting the contribution, the recipient of the 964  
contribution shall be entitled to conclusively rely upon the 965  
information provided by the partnership or other unincorporated 966  
business, provided that the information includes one of the 967  
following: 968

(a) The name of each partner, owner, or member as of the 969  
date of the contribution or contributions, and a statement that 970  
the total contributions are to be allocated equally among all of 971  
the partners, owners, or members; or 972

(b) The name of each partner, owner, or member as of the 973  
date of the contribution or contributions who is participating 974  
in the contribution or contributions, and a statement that the 975  
contribution or contributions are to be allocated to those 976  
individuals in accordance with the information provided by the 977  
partnership or other unincorporated business to the recipient of 978  
the contribution. 979

(3) For purposes of section 3517.102 of the Revised Code, 980  
the contribution shall be considered to have been made by the 981  
partner, owner, or member reported under division (I)(1) of this 982  
section. 983

(4) No contribution from a partner of a partnership or an 984  
owner or a member of another unincorporated business shall be 985  
accepted from any funds of the partnership or other 986  
unincorporated business unless the recipient reports the 987  
contribution under division (I)(1) of this section together with 988  
the information provided under division (I)(2) of this section. 989

(5) No partnership or other unincorporated business shall 990  
make a contribution or contributions solely in the name of the 991

partnership or other unincorporated business. 992

(6) As used in division (I) of this section, "partnership 993  
or other unincorporated business" includes, but is not limited 994  
to, a cooperative, a sole proprietorship, a general partnership, 995  
a limited partnership, a limited partnership association, a 996  
limited liability partnership, and a limited liability company. 997

(J) A candidate shall have only one campaign committee at 998  
any given time for all of the offices for which the person is a 999  
candidate or holds office. 1000

(K) (1) In addition to filing a designation of appointment 1001  
of a treasurer under division (D) (1) of this section, the 1002  
campaign committee of any candidate for an elected municipal 1003  
office that pays an annual amount of compensation of five 1004  
thousand dollars or less, the campaign committee of any 1005  
candidate for member of a board of education except member of 1006  
the state board of education, or the campaign committee of any 1007  
candidate for township trustee or township fiscal officer may 1008  
sign, under penalty of election falsification, a certificate 1009  
attesting that the committee will not accept contributions 1010  
during an election period that exceed in the aggregate two 1011  
thousand dollars from all contributors and one hundred dollars 1012  
from any one individual, and that the campaign committee will 1013  
not make expenditures during an election period that exceed in 1014  
the aggregate two thousand dollars. 1015

The certificate shall be on a form prescribed by the 1016  
secretary of state and shall be filed not later than ten days 1017  
after the candidate files a declaration of candidacy and 1018  
petition, a nominating petition, or a declaration of intent to 1019  
be a write-in candidate. 1020



(2) Except as otherwise provided in division (K) (3) of 1021  
this section, a campaign committee that files a certificate 1022  
under division (K) (1) of this section is not required to file 1023  
the statements required by division (A) of this section. 1024

(3) If, after filing a certificate under division (K) (1) 1025  
of this section, a campaign committee exceeds any of the 1026  
limitations described in that division during an election 1027  
period, the certificate is void and thereafter the campaign 1028  
committee shall file the statements required by division (A) of 1029  
this section. If the campaign committee has not previously filed 1030  
a statement, then on the first statement the campaign committee 1031  
is required to file under division (A) of this section after the 1032  
committee's certificate is void, the committee shall report all 1033  
contributions received and expenditures made from the time the 1034  
candidate filed the candidate's declaration of candidacy and 1035  
petition, nominating petition, or declaration of intent to be a 1036  
write-in candidate. 1037

(4) As used in division (K) of this section, "election 1038  
period" means the period of time beginning on the day a person 1039  
files a declaration of candidacy and petition, nominating 1040  
petition, or declaration of intent to be a write-in candidate 1041  
through the day of the election at which the person seeks 1042  
nomination to office if the person is not elected to office, or, 1043  
if the candidate was nominated in a primary election, the day of 1044  
the election at which the candidate seeks office. 1045

(L) A political contributing entity that receives 1046  
contributions from the dues, membership fees, or other 1047  
assessments of its members or from its officers, shareholders, 1048  
and employees may report the aggregate amount of contributions 1049  
received from those contributors and the number of individuals 1050

making those contributions, for each filing period under 1051  
divisions (A) (1), (2), (3), and (4) of this section, rather than 1052  
reporting information as required under division (B) (4) of this 1053  
section, including, when applicable, the name of the current 1054  
employer, if any, of a contributor whose contribution exceeds 1055  
one hundred dollars or, if such a contributor is self-employed, 1056  
the contributor's occupation and the name of the contributor's 1057  
business, if any. Division (B) (4) of this section applies to a 1058  
political contributing entity with regard to contributions it 1059  
receives from all other contributors. 1060

**Sec. 3517.12.** (A) ~~Prior to receiving a contribution or~~ 1061  
~~making an expenditure, the circulator or~~ If the committee in 1062  
charge of an initiative or referendum petition, or supplementary 1063  
petition for additional signatures, for the submission to the 1064  
electors of a constitutional amendment, proposed law, section, 1065  
or item of any law wishes to receive any contribution or make 1066  
any expenditure for the purpose of achieving the successful 1067  
circulation of the petition, the committee shall ~~appoint a~~ 1068  
~~treasurer and shall file with the secretary of state, on a form~~ 1069  
~~prescribed by the secretary of state, a designation of that~~ 1070  
~~appointment, including the full name and address of the~~ 1071  
~~treasurer and of the circulator or committee~~ file a designation 1072  
of treasurer under division (D) of section 3517.10 of the 1073  
Revised Code as a political action committee before receiving a 1074  
contribution or making an expenditure and thereafter shall 1075  
comply with all applicable requirements of this chapter 1076  
concerning political action committees. 1077

(B) ~~The circulator or~~ If the committee in charge of an 1078  
initiative or referendum petition, or supplementary petition for 1079  
additional signatures, for the submission to the electors of a 1080  
constitutional amendment, proposed law, section, or item of any 1081

law receives no contributions and makes no expenditures for the 1082  
purpose of achieving the successful circulation of the petition, 1083  
and is not otherwise considered a campaign committee, political 1084  
party, legislative campaign fund, political action committee, or 1085  
political contributing entity, then the committee shall, within 1086  
thirty days after ~~those~~ the petition ~~papers are~~ is filed, file 1087  
with the secretary of state, on a form prescribed by the 1088  
secretary of state, ~~an itemized a~~ a statement, made under penalty 1089  
of election falsification, ~~showing in detail the following:~~ 1090

~~(1) All money or things of value paid, given, promised, or~~ 1091  
~~received for circulating the petitions;~~ 1092

~~(2) All appointments, promotions, or increases in salary,~~ 1093  
~~in positions which were given, promised, or received, or to~~ 1094  
~~obtain which assistance was given, promised, or received as a~~ 1095  
~~consideration for work done in circulating petitions;~~ 1096

~~(3) Full names and addresses, including street, city, and~~ 1097  
~~state, of all persons to whom such payments or promises were~~ 1098  
~~made and of all persons from whom such payments or promises were~~ 1099  
~~received;~~ 1100

~~(4) Full names and addresses, including street, city, and~~ 1101  
~~state, of all persons who contributed anything of value to be~~ 1102  
~~used in circulating the petitions, and the amounts of those~~ 1103  
~~contributions;~~ 1104

~~(5) Time spent and salaries earned while soliciting~~ 1105  
~~signatures to petitions by persons who were regular salaried~~ 1106  
~~employees of some person or whom that employer authorized to~~ 1107  
~~solicit as part of their regular duties.~~ 1108

~~If that the committee received no money or things of~~ 1109  
~~value were paid or received or if no promises were made or~~ 1110

~~received as a consideration for work done in circulating a~~ 1111  
~~petition, the statement shall contain words to that effect,~~ 1112  
contributions and made no expenditures for the purpose of 1113  
achieving the successful circulation of the petition. 1114

~~(C) The treasurer designated under division (A) of this~~ 1115  
~~section shall file statements of contributions and expenditures~~ 1116  
~~in accordance with section 3517.10 of the Revised Code regarding~~ 1117  
~~all contributions made or received and all expenditures made by~~ 1118  
~~that treasurer or the circulator or committee in connection with~~ 1119  
~~the initiative or referendum petition, or supplementary petition~~ 1120  
~~for additional signatures, for the submission of a~~ 1121  
~~constitutional amendment, proposed law, section, or item of any~~ 1122  
~~law.~~ 1123

**Sec. 3517.13.** (A) (1) No campaign committee of a statewide 1124  
candidate shall fail to file a complete and accurate statement 1125  
required under division (A) (1) of section 3517.10 of the Revised 1126  
Code. 1127

(2) No campaign committee of a statewide candidate shall 1128  
fail to file a complete and accurate monthly statement, and no 1129  
campaign committee of a statewide candidate or a candidate for 1130  
the office of chief justice or justice of the supreme court 1131  
shall fail to file a complete and accurate two-business-day 1132  
statement, as required under section 3517.10 of the Revised 1133  
Code. 1134

As used in this division, "statewide candidate" has the 1135  
same meaning as in division (F) (2) of section 3517.10 of the 1136  
Revised Code. 1137

(B) No campaign committee shall fail to file a complete 1138  
and accurate statement required under division (A) (1) of section 1139

3517.10 of the Revised Code.	1140
(C) No campaign committee shall fail to file a complete	1141
and accurate statement required under division (A) (2) of section	1142
3517.10 of the Revised Code.	1143
(D) No campaign committee shall fail to file a complete	1144
and accurate statement required under division (A) (3) or (4) of	1145
section 3517.10 of the Revised Code.	1146
(E) No person other than a campaign committee shall	1147
knowingly fail to file a statement required under section	1148
3517.10 or 3517.107 of the Revised Code.	1149
(F) No person shall make cash contributions to any person	1150
totaling more than one hundred dollars in each primary, special,	1151
or general election.	1152
(G) (1) No person shall knowingly conceal or misrepresent	1153
contributions given or received, expenditures made, or any other	1154
information required to be reported by a provision in sections	1155
3517.08 to 3517.13 of the Revised Code.	1156
(2) (a) No person shall make a contribution to a campaign	1157
committee, political action committee, political contributing	1158
entity, legislative campaign fund, political party, or person	1159
making disbursements to pay the direct costs of producing or	1160
airing electioneering communications in the name of another	1161
person.	1162
(b) A person does not make a contribution in the name of	1163
another when either of the following applies:	1164
(i) An individual makes a contribution from a partnership	1165
or other unincorporated business account, if the contribution is	1166
reported by listing both the name of the partnership or other	1167

unincorporated business and the name of the partner or owner 1168  
making the contribution as required under division (I) of 1169  
section 3517.10 of the Revised Code. 1170

(ii) A person makes a contribution in that person's 1171  
spouse's name or in both of their names. 1172

(H) No person within this state, publishing a newspaper or 1173  
other periodical, shall charge a campaign committee for 1174  
political advertising a rate in excess of the rate such person 1175  
would charge if the campaign committee were a general rate 1176  
advertiser whose advertising was directed to promoting its 1177  
business within the same area as that encompassed by the 1178  
particular office that the candidate of the campaign committee 1179  
is seeking. The rate shall take into account the amount of space 1180  
used, as well as the type of advertising copy submitted by or on 1181  
behalf of the campaign committee. All discount privileges 1182  
otherwise offered by a newspaper or periodical to general rate 1183  
advertisers shall be available upon equal terms to all campaign 1184  
committees. 1185

No person within this state, operating a radio or 1186  
television station or network of stations in this state, shall 1187  
charge a campaign committee for political broadcasts a rate that 1188  
exceeds: 1189

(1) During the forty-five days preceding the date of a 1190  
primary election and during the sixty days preceding the date of 1191  
a general or special election in which the candidate of the 1192  
campaign committee is seeking office, the lowest unit charge of 1193  
the station for the same class and amount of time for the same 1194  
period; 1195

(2) At any other time, the charges made for comparable use 1196

of that station by its other users. 1197

(I) Subject to divisions (K), (L), (M), and (N) of this 1198  
section, no agency or department of this state or any political 1199  
subdivision shall award any contract, other than one let by 1200  
competitive bidding or a contract incidental to such contract or 1201  
which is by force account, for the purchase of goods costing 1202  
more than five hundred dollars or services costing more than 1203  
five hundred dollars to any individual, partnership, 1204  
association, including, without limitation, a professional 1205  
association organized under Chapter 1785. of the Revised Code, 1206  
estate, or trust if the individual has made or the individual's 1207  
spouse has made, or any partner, shareholder, administrator, 1208  
executor, or trustee or the spouse of any of them has made, as 1209  
an individual, within the two previous calendar years, one or 1210  
more contributions totaling in excess of one thousand dollars to 1211  
the holder of the public office having ultimate responsibility 1212  
for the award of the contract or to the public officer's 1213  
campaign committee. 1214

(J) Subject to divisions (K), (L), (M), and (N) of this 1215  
section, no agency or department of this state or any political 1216  
subdivision shall award any contract, other than one let by 1217  
competitive bidding or a contract incidental to such contract or 1218  
which is by force account, for the purchase of goods costing 1219  
more than five hundred dollars or services costing more than 1220  
five hundred dollars to a corporation or business trust, except 1221  
a professional association organized under Chapter 1785. of the 1222  
Revised Code, if an owner of more than twenty per cent of the 1223  
corporation or business trust or the spouse of that person has 1224  
made, as an individual, within the two previous calendar years, 1225  
taking into consideration only owners for all of that period, 1226  
one or more contributions totaling in excess of one thousand 1227

dollars to the holder of a public office having ultimate 1228  
responsibility for the award of the contract or to the public 1229  
officer's campaign committee. 1230

(K) For purposes of divisions (I) and (J) of this section, 1231  
if a public officer who is responsible for the award of a 1232  
contract is appointed by the governor, whether or not the 1233  
appointment is subject to the advice and consent of the senate, 1234  
excluding members of boards, commissions, committees, 1235  
authorities, councils, boards of trustees, task forces, and 1236  
other such entities appointed by the governor, the office of the 1237  
governor is considered to have ultimate responsibility for the 1238  
award of the contract. 1239

(L) For purposes of divisions (I) and (J) of this section, 1240  
if a public officer who is responsible for the award of a 1241  
contract is appointed by the elected chief executive officer of 1242  
a municipal corporation, or appointed by the elected chief 1243  
executive officer of a county operating under an alternative 1244  
form of county government or county charter, excluding members 1245  
of boards, commissions, committees, authorities, councils, 1246  
boards of trustees, task forces, and other such entities 1247  
appointed by the chief executive officer, the office of the 1248  
chief executive officer is considered to have ultimate 1249  
responsibility for the award of the contract. 1250

(M) (1) Divisions (I) and (J) of this section do not apply 1251  
to contracts awarded by the board of commissioners of the 1252  
sinking fund, municipal legislative authorities, boards of 1253  
education, boards of county commissioners, boards of township 1254  
trustees, or other boards, commissions, committees, authorities, 1255  
councils, boards of trustees, task forces, and other such 1256  
entities created by law, by the supreme court or courts of 1257



appeals, by county courts consisting of more than one judge, 1258  
courts of common pleas consisting of more than one judge, or 1259  
municipal courts consisting of more than one judge, or by a 1260  
division of any court if the division consists of more than one 1261  
judge. This division shall apply to the specified entity only if 1262  
the members of the entity act collectively in the award of a 1263  
contract for goods or services. 1264

(2) Divisions (I) and (J) of this section do not apply to 1265  
actions of the controlling board. 1266

(N) (1) Divisions (I) and (J) of this section apply to 1267  
contributions made to the holder of a public office having 1268  
ultimate responsibility for the award of a contract, or to the 1269  
public officer's campaign committee, during the time the person 1270  
holds the office and during any time such person was a candidate 1271  
for the office. Those divisions do not apply to contributions 1272  
made to, or to the campaign committee of, a candidate for or 1273  
holder of the office other than the holder of the office at the 1274  
time of the award of the contract. 1275

(2) Divisions (I) and (J) of this section do not apply to 1276  
contributions of a partner, shareholder, administrator, 1277  
executor, trustee, or owner of more than twenty per cent of a 1278  
corporation or business trust made before the person held any of 1279  
those positions or after the person ceased to hold any of those 1280  
positions in the partnership, association, estate, trust, 1281  
corporation, or business trust whose eligibility to be awarded a 1282  
contract is being determined, nor to contributions of the 1283  
person's spouse made before the person held any of those 1284  
positions, after the person ceased to hold any of those 1285  
positions, before the two were married, after the granting of a 1286  
decree of divorce, dissolution of marriage, or annulment, or 1287

after the granting of an order in an action brought solely for 1288  
legal separation. Those divisions do not apply to contributions 1289  
of the spouse of an individual whose eligibility to be awarded a 1290  
contract is being determined made before the two were married, 1291  
after the granting of a decree of divorce, dissolution of 1292  
marriage, or annulment, or after the granting of an order in an 1293  
action brought solely for legal separation. 1294

(0) No beneficiary of a campaign fund or other person 1295  
shall convert for personal use, and no person shall knowingly 1296  
give to a beneficiary of a campaign fund or any other person, 1297  
for the beneficiary's or any other person's personal use, 1298  
anything of value from the beneficiary's campaign fund, 1299  
including, without limitation, payments to a beneficiary for 1300  
services the beneficiary personally performs, except as 1301  
reimbursement for any of the following: 1302

(1) Legitimate and verifiable prior campaign expenses 1303  
incurred by the beneficiary; 1304

(2) Legitimate and verifiable ordinary and necessary prior 1305  
expenses incurred by the beneficiary in connection with duties 1306  
as the holder of a public office, including, without limitation, 1307  
expenses incurred through participation in nonpartisan or 1308  
bipartisan events if the participation of the holder of a public 1309  
office would normally be expected; 1310

(3) Legitimate and verifiable ordinary and necessary prior 1311  
expenses incurred by the beneficiary while doing any of the 1312  
following: 1313

(a) Engaging in activities in support of or opposition to 1314  
a candidate other than the beneficiary, political party, or 1315  
ballot issue; 1316

(b) Raising funds for a political party, political action	1317
committee, political contributing entity, legislative campaign	1318
fund, campaign committee, or other candidate;	1319
(c) Participating in the activities of a political party,	1320
political action committee, political contributing entity,	1321
legislative campaign fund, or campaign committee;	1322
(d) Attending a political party convention or other	1323
political meeting.	1324
For purposes of this division, an expense is incurred	1325
whenever a beneficiary has either made payment or is obligated	1326
to make payment, as by the use of a credit card or other credit	1327
procedure or by the use of goods or services received on	1328
account.	1329
(P) No beneficiary of a campaign fund shall knowingly	1330
accept, and no person shall knowingly give to the beneficiary of	1331
a campaign fund, reimbursement for an expense under division (O)	1332
of this section to the extent that the expense previously was	1333
reimbursed or paid from another source of funds. If an expense	1334
is reimbursed under division (O) of this section and is later	1335
paid or reimbursed, wholly or in part, from another source of	1336
funds, the beneficiary shall repay the reimbursement received	1337
under division (O) of this section to the extent of the payment	1338
made or reimbursement received from the other source.	1339
(Q) No candidate or public official or employee shall	1340
accept for personal or business use anything of value from a	1341
political party, political action committee, political	1342
contributing entity, legislative campaign fund, or campaign	1343
committee other than the candidate's or public official's or	1344
employee's own campaign committee, and no person shall knowingly	1345

give to a candidate or public official or employee anything of 1346  
value from a political party, political action committee, 1347  
political contributing entity, legislative campaign fund, or 1348  
such a campaign committee, except for the following: 1349

(1) Reimbursement for legitimate and verifiable ordinary 1350  
and necessary prior expenses not otherwise prohibited by law 1351  
incurred by the candidate or public official or employee while 1352  
engaged in any legitimate activity of the political party, 1353  
political action committee, political contributing entity, 1354  
legislative campaign fund, or such campaign committee. Without 1355  
limitation, reimbursable expenses under this division include 1356  
those incurred while doing any of the following: 1357

(a) Engaging in activities in support of or opposition to 1358  
another candidate, political party, or ballot issue; 1359

(b) Raising funds for a political party, legislative 1360  
campaign fund, campaign committee, or another candidate; 1361

(c) Attending a political party convention or other 1362  
political meeting. 1363

(2) Compensation not otherwise prohibited by law for 1364  
actual and valuable personal services rendered under a written 1365  
contract to the political party, political action committee, 1366  
political contributing entity, legislative campaign fund, or 1367  
such campaign committee for any legitimate activity of the 1368  
political party, political action committee, political 1369  
contributing entity, legislative campaign fund, or such campaign 1370  
committee. 1371

Reimbursable expenses under this division do not include, 1372  
and it is a violation of this division for a candidate or public 1373  
official or employee to accept, or for any person to knowingly 1374

give to a candidate or public official or employee from a 1375  
political party, political action committee, political 1376  
contributing entity, legislative campaign fund, or campaign 1377  
committee other than the candidate's or public official's or 1378  
employee's own campaign committee, anything of value for 1379  
activities primarily related to the candidate's or public 1380  
official's or employee's own campaign for election, except for 1381  
contributions to the candidate's or public official's or 1382  
employee's campaign committee. 1383

For purposes of this division, an expense is incurred 1384  
whenever a candidate or public official or employee has either 1385  
made payment or is obligated to make payment, as by the use of a 1386  
credit card or other credit procedure, or by the use of goods or 1387  
services on account. 1388

(R) (1) Division (O) or (P) of this section does not 1389  
prohibit a campaign committee from making direct advance or post 1390  
payment from contributions to vendors for goods and services for 1391  
which reimbursement is permitted under division (O) of this 1392  
section, except that no campaign committee shall pay its 1393  
candidate or other beneficiary for services personally performed 1394  
by the candidate or other beneficiary. 1395

(2) If any expense that may be reimbursed under division 1396  
(O), (P), or (Q) of this section is part of other expenses that 1397  
may not be paid or reimbursed, the separation of the two types 1398  
of expenses for the purpose of allocating for payment or 1399  
reimbursement those expenses that may be paid or reimbursed may 1400  
be by any reasonable accounting method, considering all of the 1401  
surrounding circumstances. 1402

(3) For purposes of divisions (O), (P), and (Q) of this 1403  
section, mileage allowance at a rate not greater than that 1404

allowed by the internal revenue service at the time the travel 1405  
occurs may be paid instead of reimbursement for actual travel 1406  
expenses allowable. 1407

(S) (1) As used in division (S) of this section: 1408

(a) "State elective office" has the same meaning as in 1409  
section 3517.092 of the Revised Code. 1410

(b) "Federal office" means a federal office as defined in 1411  
the Federal Election Campaign Act. 1412

(c) "Federal campaign committee" means a principal 1413  
campaign committee or authorized committee as defined in the 1414  
Federal Election Campaign Act. 1415

(2) No person who is a candidate for state elective office 1416  
and who previously sought nomination or election to a federal 1417  
office shall transfer any funds or assets from that person's 1418  
federal campaign committee for nomination or election to the 1419  
federal office to that person's campaign committee as a 1420  
candidate for state elective office. 1421

(3) No campaign committee of a person who is a candidate 1422  
for state elective office and who previously sought nomination 1423  
or election to a federal office shall accept any funds or assets 1424  
from that person's federal campaign committee for that person's 1425  
nomination or election to the federal office. 1426

(T) (1) Except as otherwise provided in division (B) (6) (c) 1427  
of section 3517.102 of the Revised Code, a state or county 1428  
political party shall not disburse moneys from any account other 1429  
than a state candidate fund to make contributions to any of the 1430  
following: 1431

(a) A state candidate fund; 1432

(b) A legislative campaign fund; 1433

(c) A campaign committee of a candidate for the office of 1434  
governor, lieutenant governor, secretary of state, auditor of 1435  
state, treasurer of state, attorney general, member of the state 1436  
board of education, or member of the general assembly. 1437

(2) No state candidate fund, legislative campaign fund, or 1438  
campaign committee of a candidate for any office described in 1439  
division (T)(1)(c) of this section shall knowingly accept a 1440  
contribution in violation of division (T)(1) of this section. 1441

(U) No person shall fail to file a statement required 1442  
under section 3517.12 of the Revised Code. 1443

(V) No campaign committee shall fail to file a statement 1444  
required under division (K)(3) of section 3517.10 of the Revised 1445  
Code. 1446

(W)(1) No foreign national shall, directly or indirectly 1447  
through any other person or entity, ~~make~~ knowingly do any of the 1448  
following: 1449

(a) Make a contribution, expenditure, or independent 1450  
expenditure or promise, either expressly or implicitly, to make 1451  
a contribution, expenditure, or independent expenditure ~~in~~ 1452  
~~support of or opposition to a candidate for any elective office~~ 1453  
~~in this state, including an office of a political party;~~ 1454

(b) Solicit another person to make a contribution, 1455  
expenditure, or independent expenditure; 1456

(c) Make a loan, gift, deposit, forgiveness of 1457  
indebtedness, donation, advance, payment, or transfer of funds 1458  
to another person with a designation, instruction, or 1459  
encumbrance that the foreign national knows will result in any 1460

part of the loan, gift, deposit, forgiveness of indebtedness, 1461  
donation, advance, payment, or transfer of funds being used to 1462  
make a contribution, expenditure, or independent expenditure. As 1463  
used in this division, "designation, instruction, or 1464  
encumbrance" includes any designation, instruction, or 1465  
encumbrance that is direct or indirect, express or implied, oral 1466  
or written, or involving an intermediary or conduit. 1467

(2) No candidate, campaign committee, political action 1468  
committee, political contributing entity, legislative campaign 1469  
fund, state candidate fund, political party, ~~or~~ separate 1470  
segregated fund, or continuing association shall do either of 1471  
the following: 1472

(a) Knowingly transfer funds, or accept a transfer of 1473  
funds, directly or indirectly into an account from which the 1474  
person makes contributions or expenditures from an account that 1475  
is controlled by the person or by the person's affiliate and 1476  
that the person, at any time, knew to contain funds described in 1477  
division (W) (1) of this section that are received directly or 1478  
indirectly through another person or entity from a foreign 1479  
national. For purposes of this division, a person is affiliated 1480  
with another person if they are both established, financed, 1481  
maintained, or controlled by, or if they are, the same person, 1482  
including any parent, subsidiary, division, or department of 1483  
that person. 1484

(b) Otherwise knowingly solicit or accept a contribution, 1485  
expenditure, or independent expenditure, directly or indirectly 1486  
through another person or entity, from a foreign national. ~~The~~ 1487  
~~secretary of state may direct any candidate, committee, entity,~~ 1488  
~~fund, or party that accepts a contribution, expenditure, or~~ 1489  
~~independent expenditure in violation of this division to return~~ 1490



~~the contribution, expenditure, or independent expenditure or, if~~ 1491  
~~it is not possible to return the contribution, expenditure, or~~ 1492  
~~independent expenditure, then to return instead the value of it,~~ 1493  
~~to the contributor.~~ 1494

(3) No person shall knowingly aid or facilitate a 1495  
violation of division (W) (1) or (2) of this section. 1496

(4) As used in division (W) of this section, "foreign 1497  
national" has the same meaning as in section 441e(b) of the 1498  
Federal Election Campaign Act means any of the following, as 1499  
applicable: 1500

(a) In the case of an individual, an individual who is not 1501  
a United States citizen or national; 1502

(b) A government of a foreign country or of a political 1503  
subdivision of a foreign country; 1504

(c) A foreign political party; 1505

(d) A person, other than an individual, that is organized 1506  
under the laws of, or has its principal place of business in, a 1507  
foreign country. 1508

(X) (1) No state or county political party shall transfer 1509  
any moneys from its restricted fund to any account of the 1510  
political party into which contributions may be made or from 1511  
which contributions or expenditures may be made. 1512

(2) (a) No state or county political party shall deposit a 1513  
contribution or contributions that it receives into its 1514  
restricted fund. 1515

(b) No state or county political party shall make a 1516  
contribution or an expenditure from its restricted fund. 1517

(3) (a) No corporation or labor organization shall make a 1518  
gift or gifts from the corporation's or labor organization's 1519  
money or property aggregating more than ten thousand dollars to 1520  
any one state or county political party for the party's 1521  
restricted fund in a calendar year. 1522

(b) No state or county political party shall accept a gift 1523  
or gifts for the party's restricted fund aggregating more than 1524  
ten thousand dollars from any one corporation or labor 1525  
organization in a calendar year. 1526

(4) No state or county political party shall transfer any 1527  
moneys in the party's restricted fund to any other state or 1528  
county political party. 1529

(5) No state or county political party shall knowingly 1530  
fail to file a statement required under section 3517.1012 of the 1531  
Revised Code. 1532

(Y) The administrator of workers' compensation and the 1533  
employees of the bureau of workers' compensation shall not 1534  
conduct any business with or award any contract, other than one 1535  
awarded by competitive bidding, for the purchase of goods 1536  
costing more than five hundred dollars or services costing more 1537  
than five hundred dollars to any individual, partnership, 1538  
association, including, without limitation, a professional 1539  
association organized under Chapter 1785. of the Revised Code, 1540  
estate, or trust, if the individual has made, or the 1541  
individual's spouse has made, or any partner, shareholder, 1542  
administrator, executor, or trustee, or the spouses of any of 1543  
those individuals has made, as an individual, within the two 1544  
previous calendar years, one or more contributions totaling in 1545  
excess of one thousand dollars to the campaign committee of the 1546  
governor or lieutenant governor or to the campaign committee of 1547

any candidate for the office of governor or lieutenant governor. 1548

(Z) The administrator of workers' compensation and the 1549  
employees of the bureau of workers' compensation shall not 1550  
conduct business with or award any contract, other than one 1551  
awarded by competitive bidding, for the purchase of goods 1552  
costing more than five hundred dollars or services costing more 1553  
than five hundred dollars to a corporation or business trust, 1554  
except a professional association organized under Chapter 1785. 1555  
of the Revised Code, if an owner of more than twenty per cent of 1556  
the corporation or business trust, or the spouse of the owner, 1557  
has made, as an individual, within the two previous calendar 1558  
years, taking into consideration only owners for all of such 1559  
period, one or more contributions totaling in excess of one 1560  
thousand dollars to the campaign committee of the governor or 1561  
lieutenant governor or to the campaign committee of any 1562  
candidate for the office of governor or lieutenant governor. 1563

**Sec. 3517.155.** (A) (1) Except as otherwise provided in 1564  
division (B) of this section, the Ohio elections commission 1565  
shall hold its first hearing on a complaint filed with it, other 1566  
than a complaint that receives an expedited hearing under 1567  
section 3517.156 of the Revised Code, not later than ninety 1568  
business days after the complaint is filed unless the commission 1569  
has good cause to hold the hearing after that time, in which 1570  
case it shall hold the hearing not later than one hundred eighty 1571  
business days after the complaint is filed. At the hearing, the 1572  
commission shall determine whether or not the failure to act or 1573  
the violation alleged in the complaint has occurred and shall do 1574  
only one of the following, except as otherwise provided in 1575  
~~division (B) of this section~~ or in division (B) of section 1576  
3517.151 of the Revised Code: 1577

(a) Enter a finding that good cause has been shown not to  
impose a fine or not to refer the matter to the appropriate  
prosecutor;

(b) Impose a fine under section 3517.993 of the Revised  
Code;

(c) Refer the matter to the appropriate prosecutor~~7.1~~.

(2) As used in division (A) of this section, "appropriate  
prosecutor" means ~~a prosecutor as defined in section 2935.01 of~~  
~~the Revised Code and~~ either of the following:

(a) In the case of a failure to comply with or a violation  
of law involving a campaign committee or the committee's  
candidate, a political party, a legislative campaign fund, a  
political action committee, or a political contributing entity,  
that is required to file a statement of contributions and  
expenditures with the secretary of state under division (A) of  
section 3517.11 of the Revised Code, ~~the prosecutor of Franklin~~  
~~county attorney general, except that if the attorney general is~~  
a victim or witness or otherwise involved in the matter,  
"appropriate prosecutor" means a county prosecutor whom the  
commission deems appropriate to prosecute the matter;

(b) In the case of a failure to comply with or a violation  
of law involving any other campaign committee or committee's  
candidate, or any other political party, political action  
committee, or political contributing entity, either of the  
following as determined by the commission:

(i) ~~The prosecutor of Franklin county attorney general,~~  
except that if the attorney general is a victim or witness or  
otherwise involved in the matter, the commission shall refer the  
matter to the prosecutor described in division (A) (2) (b) (ii) of

this section;

(ii) The prosecutor of the county in which the candidacy or ballot question or issue is submitted to the electors or, if it is submitted in more than one county, the most populous of those counties, except that if that prosecutor is a victim or witness or otherwise involved in the matter, the commission shall refer the matter to the attorney general.

(3) When the commission refers a matter to the attorney general under this section, or when the attorney general assumes responsibility for the prosecution of a matter under division (D) (3) (b) of this section, the attorney general may prosecute the matter with all the rights, privileges, and powers conferred by law on prosecuting attorneys, including the power to appear before grand juries and to interrogate witnesses before such grand juries. These powers of the attorney general are in addition to any other applicable powers of the attorney general.

(B) If the commission decides that the evidence is insufficient for it to determine whether or not the failure to act or the violation alleged in the complaint has occurred, the commission, by the affirmative vote of five members, may request that an investigatory attorney investigate the complaint. Upon that request, an investigatory attorney shall make an investigation in order to produce sufficient evidence for the commission to decide the matter. If the commission requests an investigation under this division, for good cause shown by the investigatory attorney, the commission may extend by sixty days the deadline for holding its first hearing on the complaint as required in division (A) of this section.

(C) The commission shall take one of the actions required under division (A) of this section not later than thirty days

after the close of all the evidence presented. 1637

(D) (1) The commission shall make any finding of a failure 1638  
to comply with or a violation of law in regard to a complaint 1639  
that alleges a violation of division (A) or (B) of section 1640  
3517.21, or division (A) or (B) of section 3517.22 of the 1641  
Revised Code by clear and convincing evidence. The commission 1642  
shall make any finding of a failure to comply with or a 1643  
violation of law in regard to any other complaint by a 1644  
preponderance of the evidence. 1645

(2) If the commission finds a violation of division (B) of 1646  
section 3517.21 or division (B) of section 3517.22 of the 1647  
Revised Code, it shall refer the matter to the appropriate 1648  
prosecutor under division (A) (1) (c) of this section and shall 1649  
not impose a fine under division (A) (1) (b) of this section or 1650  
section 3517.993 of the Revised Code. 1651

(3) (a) If the commission finds a violation of division (W) 1652  
of section 3517.13 of the Revised Code, it shall do one of the 1653  
following: 1654

(i) Impose a fine under section 3517.993 of the Revised 1655  
Code in an amount equal to three times the amount involved in 1656  
the violation or ten thousand dollars, whichever amount is 1657  
greater, with none of the fine suspended and, in the case of a 1658  
violation of division (W) (2) of section 3517.13 of the Revised 1659  
Code, order the violator to return an amount equal to any amount 1660  
accepted in violation of that division to the foreign national 1661  
from whom it was accepted; 1662

(ii) Refer the matter to the appropriate prosecutor. 1663

(b) (i) Except as otherwise provided in division (D) (3) (b) 1664  
(ii) of this section, if the commission finds a violation of 1665

division (W) of section 3517.13 of the Revised Code and refers 1666  
the matter to a county prosecutor under division (A) (2) (b) (ii) 1667  
of this section, upon the request of the prosecutor to whom the 1668  
commission refers the matter or upon the attorney general's own 1669  
initiative, the attorney general may assume responsibility for 1670  
the prosecution of the matter. 1671

(ii) Division (D) (3) (b) (i) of this section does not apply 1672  
to any matter in which the attorney general is a victim or 1673  
witness or is otherwise involved. 1674

(E) In an action before the commission or a panel of the 1675  
commission, if the allegations of the complainant are not 1676  
proved, and the commission takes the action described in 1677  
division (A) (1) (a) of this section or a panel of the commission 1678  
takes the action described in division (C) (1) of section 1679  
3517.156 of the Revised Code, the commission or a panel of the 1680  
commission may find that the complaint is frivolous, and, if the 1681  
commission or panel so finds, the commission shall order the 1682  
complainant to pay reasonable attorney's fees and to pay the 1683  
costs of the commission or panel as determined by a majority of 1684  
the members of the commission. The costs paid to the commission 1685  
or panel under this division shall be deposited into the Ohio 1686  
elections commission fund. 1687

**Sec. 3517.992.** This section establishes penalties only 1688  
with respect to acts or failures to act that occur on and after 1689  
August 24, 1995. 1690

(A) (1) A candidate whose campaign committee violates 1691  
division (A), (B), (C), (D), or (V) of section 3517.13 of the 1692  
Revised Code, or a treasurer of a campaign committee who 1693  
violates any of those divisions, shall be fined not more than 1694  
one hundred dollars for each day of violation. 1695

(2) Whoever violates division (E) or (X) (5) of section 1696  
3517.13 or division (E) (1) of section 3517.1014 of the Revised 1697  
Code shall be fined not more than one hundred dollars for each 1698  
day of violation. 1699

(B) An entity that violates division (G) (1) of section 1700  
3517.101 of the Revised Code shall be fined not more than one 1701  
hundred dollars for each day of violation. 1702

(C) Whoever violates division (G) (2) of section 3517.101, 1703  
division (G) of section 3517.13, or division (E) (2) or (3) of 1704  
section 3517.1014 of the Revised Code shall be fined not more 1705  
than ten thousand dollars or, if the offender is a person who 1706  
was nominated or elected to public office, shall forfeit the 1707  
nomination or the office to which the offender was elected, or 1708  
both. 1709

(D) Whoever violates division (F) of section 3517.13 of 1710  
the Revised Code shall be fined not more than three times the 1711  
amount contributed. 1712

(E) Whoever violates division (H) of section 3517.13 of 1713  
the Revised Code shall be fined not more than one hundred 1714  
dollars. 1715

(F) Whoever violates division (O), (P), or (Q) of section 1716  
3517.13 of the Revised Code is guilty of a misdemeanor of the 1717  
first degree. 1718

(G) A state or county committee of a political party that 1719  
violates division (B) (1) of section 3517.18 of the Revised Code 1720  
as that section existed before its repeal by H.B. 166 of the 1721  
133rd general assembly shall be fined not more than twice the 1722  
amount of the improper expenditure. 1723



(H) An entity that violates division (H) of section 1724  
3517.101 of the Revised Code shall be fined not more than twice 1725  
the amount of the improper expenditure or use. 1726

(I) (1) Any individual who violates division (B) (1) of 1727  
section 3517.102 of the Revised Code and knows that the 1728  
contribution the individual makes violates that division shall 1729  
be fined an amount equal to three times the amount contributed 1730  
in excess of the amount permitted by that division. 1731

(2) Any political action committee that violates division 1732  
(B) (2) of section 3517.102 of the Revised Code shall be fined an 1733  
amount equal to three times the amount contributed in excess of 1734  
the amount permitted by that division. 1735

(3) Any campaign committee that violates division (B) (3) 1736  
or (5) of section 3517.102 of the Revised Code shall be fined an 1737  
amount equal to three times the amount contributed in excess of 1738  
the amount permitted by that division. 1739

(4) (a) Any legislative campaign fund that violates 1740  
division (B) (6) of section 3517.102 of the Revised Code shall be 1741  
fined an amount equal to three times the amount transferred or 1742  
contributed in excess of the amount permitted by that division, 1743  
as applicable. 1744

(b) Any state political party, county political party, or 1745  
state candidate fund of a state political party or county 1746  
political party that violates division (B) (6) of section 1747  
3517.102 of the Revised Code shall be fined an amount equal to 1748  
three times the amount transferred or contributed in excess of 1749  
the amount permitted by that division, as applicable. 1750

(c) Any political contributing entity that violates 1751  
division (B) (7) of section 3517.102 of the Revised Code shall be 1752

fined an amount equal to three times the amount contributed in 1753  
excess of the amount permitted by that division. 1754

(5) Any political party that violates division (B) (4) of 1755  
section 3517.102 of the Revised Code shall be fined an amount 1756  
equal to three times the amount contributed in excess of the 1757  
amount permitted by that division. 1758

(6) Notwithstanding divisions (I) (1), (2), (3), (4), and 1759  
(5) of this section, no violation of division (B) of section 1760  
3517.102 of the Revised Code occurs, and the secretary of state 1761  
shall not refer parties to the Ohio elections commission, if the 1762  
amount transferred or contributed in excess of the amount 1763  
permitted by that division meets either of the following 1764  
conditions: 1765

(a) It is completely refunded within five business days 1766  
after it is accepted. 1767

(b) It is completely refunded on or before the tenth 1768  
business day after notification to the recipient of the excess 1769  
transfer or contribution by the board of elections or the 1770  
secretary of state that a transfer or contribution in excess of 1771  
the permitted amount has been received. 1772

(J) (1) Any campaign committee that violates division (C) 1773  
(1), (2), (3), or (6) of section 3517.102 of the Revised Code 1774  
shall be fined an amount equal to three times the amount 1775  
accepted in excess of the amount permitted by that division. 1776

(2) (a) Any county political party that violates division 1777  
(C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code 1778  
shall be fined an amount equal to three times the amount 1779  
accepted. 1780

(b) Any county political party that violates division (C)	1781
(4) (a) (i) of section 3517.102 of the Revised Code shall be fined	1782
an amount from its state candidate fund equal to three times the	1783
amount accepted in excess of the amount permitted by that	1784
division.	1785
 (c) Any state political party that violates division (C)	1786
(4) (b) of section 3517.102 of the Revised Code shall be fined an	1787
amount from its state candidate fund equal to three times the	1788
amount accepted in excess of the amount permitted by that	1789
division.	1790
 (3) Any legislative campaign fund that violates division	1791
(C) (5) of section 3517.102 of the Revised Code shall be fined an	1792
amount equal to three times the amount accepted in excess of the	1793
amount permitted by that division.	1794
 (4) Any political action committee or political	1795
contributing entity that violates division (C) (7) of section	1796
3517.102 of the Revised Code shall be fined an amount equal to	1797
three times the amount accepted in excess of the amount	1798
permitted by that division.	1799
 (5) Notwithstanding divisions (J) (1), (2), (3), and (4) of	1800
this section, no violation of division (C) of section 3517.102	1801
of the Revised Code occurs, and the secretary of state shall not	1802
refer parties to the Ohio elections commission, if the amount	1803
transferred or contributed in excess of the amount permitted to	1804
be accepted by that division meets either of the following	1805
conditions:	1806
 (a) It is completely refunded within five business days	1807
after its acceptance.	1808
 (b) It is completely refunded on or before the tenth	1809

business day after notification to the recipient of the excess 1810  
transfer or contribution by the board of elections or the 1811  
secretary of state that a transfer or contribution in excess of 1812  
the permitted amount has been received. 1813

(K) (1) Any legislative campaign fund that violates 1814  
division (F) (1) of section 3517.102 of the Revised Code shall be 1815  
fined twenty-five dollars for each day of violation. 1816

(2) Any legislative campaign fund that violates division 1817  
(F) (2) of section 3517.102 of the Revised Code shall give to the 1818  
treasurer of state for deposit into the state treasury to the 1819  
credit of the Ohio elections commission fund all excess 1820  
contributions not disposed of as required by division (E) of 1821  
section 3517.102 of the Revised Code. 1822

(L) Whoever violates section 3517.105 of the Revised Code 1823  
shall be fined one thousand dollars. 1824

(M) (1) Whoever solicits a contribution in violation of 1825  
section 3517.092 or violates division (B) of section 3517.09 of 1826  
the Revised Code is guilty of a misdemeanor of the first degree. 1827

(2) Whoever knowingly accepts a contribution in violation 1828  
of division (B) or (C) of section 3517.092 of the Revised Code 1829  
shall be fined an amount equal to three times the amount 1830  
accepted in violation of either of those divisions and shall 1831  
return to the contributor any amount so accepted. Whoever 1832  
unknowingly accepts a contribution in violation of division (B) 1833  
or (C) of section 3517.092 of the Revised Code shall return to 1834  
the contributor any amount so accepted. 1835

(N) Whoever violates division (S) of section 3517.13 of 1836  
the Revised Code shall be fined an amount equal to three times 1837  
the amount of funds transferred or three times the value of the 1838

assets transferred in violation of that division. 1839

(O) Any campaign committee that accepts a contribution or 1840  
contributions in violation of section 3517.108 of the Revised 1841  
Code, uses a contribution in violation of that section, or fails 1842  
to dispose of excess contributions in violation of that section 1843  
shall be fined an amount equal to three times the amount 1844  
accepted, used, or kept in violation of that section. 1845

(P) Any political party, state candidate fund, legislative 1846  
candidate fund, or campaign committee that violates division (T) 1847  
of section 3517.13 of the Revised Code shall be fined an amount 1848  
equal to three times the amount contributed or accepted in 1849  
violation of that section. 1850

(Q) A treasurer of a committee or another person who 1851  
violates division (U) of section 3517.13 of the Revised Code 1852  
shall be fined not more than two hundred fifty dollars. 1853

(R) Whoever violates division (I) or (J) of section 1854  
3517.13 of the Revised Code shall be fined not more than one 1855  
thousand dollars. Whenever a person is found guilty of violating 1856  
division (I) or (J) of section 3517.13 of the Revised Code, the 1857  
contract awarded in violation of either of those divisions shall 1858  
be rescinded if its terms have not yet been performed. 1859

(S) A candidate whose campaign committee violates or a 1860  
treasurer of a campaign committee who violates section 3517.081 1861  
of the Revised Code, and a candidate whose campaign committee 1862  
violates or a treasurer of a campaign committee or another 1863  
person who violates division (C) of section 3517.10 of the 1864  
Revised Code, shall be fined not more than five hundred dollars. 1865

(T) A candidate whose campaign committee violates or a 1866  
treasurer of a committee who violates division (B) of section 1867

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  
excess funds or excess aggregate contributions under division  
(B) of section 3517.109 of the Revised Code in the manner  
required by division (C) of that section shall give to the  
treasurer of state for deposit into the Ohio elections  
commission fund created under division (I) of section 3517.152  
of the Revised Code all funds not disposed of pursuant to that  
division.

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

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

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

(2) Whoever knowingly violates division (W) (2) of section  
3517.13 of the Revised Code shall be fined an amount equal to  
three times the amount solicited or accepted in violation of  
that division or ten thousand dollars, whichever amount is  
greater, and shall be required to return an amount equal to any  
amount accepted in violation of that division to the foreign  
national from whom it was accepted.

(3) Whoever knowingly violates division (W) (3) of section  
3517.13 of the Revised Code shall be fined an amount equal to  
three times the amount involved in the violation or ten thousand  
dollars, whichever amount is greater.

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

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

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

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

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

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

(2) Any officeholder or treasurer of a transition fund who



violates division (C) (3) (a) or (b) of section 3517.1014 of the  
Revised Code shall be fined an amount equal to three times the  
amount accepted in excess of the amount permitted by that  
division.

**Sec. 3517.993.** This section authorizes the establishment  
of fines that may be imposed only with respect to acts or  
failures to act that occur on and after August 24, 1995.

(A) Except as otherwise provided in ~~division~~ divisions (D)  
(2) and (3) of section 3517.155 of the Revised Code, the Ohio  
elections commission may impose administrative fines under  
division (A) (1) (b) of section 3517.155 of the Revised Code in  
accordance with the amounts set forth under sections 3517.992,  
3599.03, and 3599.031 of the Revised Code.

(B) ~~The~~ Except as otherwise provided in division (D) (3) of  
section 3517.155 of the Revised Code, the commission may suspend  
all or part of a fine it imposes under this section upon  
whatever terms and conditions the commission considers just.

(C) (1) The commission shall consider any of the following  
circumstances in determining whether to impose a maximum fine  
under this section:

(a) Whether the violator has been found guilty of any  
other violation of Title XXXV of the Revised Code;

(b) Whether the violation was made knowingly or purposely;

(c) Whether any relevant statements, addenda, or  
affidavits required to be filed have not been filed;

(d) Whether the violator has any outstanding fines imposed  
for a violation of Title XXXV of the Revised Code;

(e) Whether the violation occurred during the course of a

campaign.	1983
(2) The commission shall consider any of the following	1984
circumstances in determining whether to impose a minimal fine or	1985
no fine under this section:	1986
(a) Whether the violator previously has not been found	1987
guilty of any other violation of Title XXXV of the Revised Code;	1988
(b) Whether the violator has promptly corrected the	1989
violator's violation;	1990
(c) Whether the nature and circumstances of the violation	1991
merit a minimum fine;	1992
(d) Whether there are substantial grounds tending to	1993
excuse or justify the violation, although failing to establish a	1994
defense to the violation;	1995
(e) Whether the violation was not purposely committed.	1996
(3) The circumstances set forth in divisions (C) (1) and	1997
(2) of this section shall be considered by, but shall not	1998
control the decision of, the commission in imposing a fine.	1999
(D) Fines imposed by the commission under this section	2000
shall be paid into the Ohio elections commission fund."	2001
In line 427, delete "and"; after "2303.201" insert ", 3517.01,	2002
3517.10, 3517.12, 3517.13, 3517.155, 3517.992, and 3517.993"	2003

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 2004

<b>Campaign spending by foreign nationals</b>	2005
<b>R.C. 3517.10 and 3517.13</b>	2006
Prohibits a foreign national from making a contribution or	2007
expenditure to support or oppose a state or local ballot issue,	2008
either directly or through another entity, and retains the	2009
current prohibition against a foreign national making a	2010
contribution or expenditure regarding a candidate.	2011
Prohibits a foreign national from soliciting another	2012
person to make a contribution or expenditure.	2013
Expands the list of entities that are prohibited from	2014
soliciting or accepting a contribution or expenditure from a	2015
foreign national to include a continuing association.	2016
Prohibits any person from knowingly aiding or facilitating	2017
a violation of the prohibitions described above regarding	2018
foreign nationals.	2019
Prohibits a lawful permanent U.S. resident, also known as	2020
a green card holder, from making contributions or expenditures	2021
regarding ballot issues or candidates.	2022
Requires all political entities to certify on their	2023
campaign finance filings, under penalty of election	2024
falsification, that they have not knowingly accepted, and will	2025
not knowingly accept, any campaign contributions that are	2026
prohibited under the Campaign Finance Law.	2027
<b>Expenditures from alternate sources of funds</b>	2028
<b>R.C. 3517.01</b>	2029
Clarifies that the term "expenditure" means the	2030
disbursement or use of a contribution or other funds for the	2031

purpose of influencing the results of an election.	2032
<b>Independent expenditures regarding ballot issues</b>	2033
<b>R.C. 3517.01</b>	2034
Clarifies that the term "independent expenditure" includes	2035
an expenditure to advocate support of or opposition to an	2036
identified ballot issue or to achieve the successful circulation	2037
of an initiative or referendum petition, regardless of whether	2038
the issue has yet been certified to appear on the ballot.	2039
<b>Ballot issue committees</b>	2040
<b>R.C. 3517.12</b>	2041
Specifies that if the committee in charge of a statewide	2042
initiative or referendum petition receives a contribution or	2043
makes an expenditure for the purpose of achieving the successful	2044
circulation of the petition, the committee is considered a	2045
political action committee (PAC) for that purpose and must file	2046
periodic disclosures in the same manner as any other PAC.	2047
<b>Enforcement of the Campaign Finance Law</b>	2048
<b>R.C. 3517.155, 3517.992, and 3517.993</b>	2049
Requires, when the Ohio Elections Commission (OEC) refers	2050
a violation of the Campaign Finance Law for prosecution, that	2051
the Attorney General prosecute most cases that currently would	2052
go to the Franklin County Prosecutor.	2053
Provides a procedure for choosing a different prosecutor	2054
if the appropriate prosecutor is a victim or witness or	2055
otherwise involved in the case.	2056
Retains the existing penalty for violating the law	2057
regarding contributions and expenditures by foreign nationals,	2058

but requires a violator to return the contribution to the 2059  
foreign national, in addition to paying a fine. 2060

Requires the OEC, if it finds a violation of that law, to 2061  
either (1) impose the maximum fine and, if applicable, order the 2062  
violator to return the funds, or (2) refer the matter for 2063  
prosecution. 2064

Allows the Attorney General, if the OEC refers a violation 2065  
of that law to a county prosecutor, to assume responsibility for 2066  
prosecuting the case upon the request of the county prosecutor 2067  
or upon the Attorney General's own initiative, unless the 2068  
Attorney General has a conflict of interest. 2069

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "sections" insert "181.21,"	1
In line 2 of the title, after "sections" insert "181.26,"; after	2
"1901.313" insert ",,"	3
In line 9 of the title, after "authorization," insert "to establish	4
a standing juvenile committee within the state criminal sentencing	5
commission,"	6
In line 14, after "sections" insert "181.21,"	7
In line 15, after "sections" insert "181.26,"; after "1901.313"	8
insert ",,"	9
After line 16, insert:	10
<b>"Sec. 181.21.</b> (A) There is hereby created within the	11
supreme court the state criminal sentencing commission,	12
consisting of thirty-one members. One member shall be the chief	13
justice of the supreme court, who shall be the chairperson of	14
the commission. The following ten members of the commission, no	15
more than six of whom shall be members of the same political	16



party, shall be appointed by the chief justice: one judge of a  
 court of appeals, three judges of courts of common pleas who are  
 not juvenile court judges, three judges of juvenile courts, and  
 three judges of municipal courts or county courts. Four members  
 shall be the superintendent of the state highway patrol, the  
 state public defender, the director of youth services, and the  
 director of rehabilitation and correction, or their individual  
 designees. The following twelve members, no more than seven of  
 whom shall be members of the same political party, shall be  
 appointed by the governor after consulting with the appropriate  
 state associations, if any, that are represented by these  
 members: one sheriff; two county prosecuting attorneys, at least  
 one of whom shall be experienced in the prosecution of cases in  
 juvenile court involving alleged delinquent children, unruly  
 children, and juvenile traffic offenders; two peace officers of  
 a municipal corporation or township, at least one of whom shall  
 be experienced in the investigation of cases involving  
 juveniles; one former victim of a violation of Title XXIX of the  
 Revised Code; one attorney whose practice of law primarily  
 involves the representation of criminal defendants; one member  
 of the Ohio state bar association; one attorney whose practice  
 of law primarily involves the representation in juvenile court  
 of alleged delinquent children, unruly children, and juvenile  
 traffic offenders; one full-time city prosecuting attorney; one  
 county commissioner; and one mayor, city manager, or member of a  
 legislative authority of a municipal corporation. Two members  
 shall be members of the senate, one appointed by the president  
 of the senate and one appointed by the minority leader of the  
 senate. Two members shall be members of the house of  
 representatives, one appointed by the speaker of the house of  
 representatives and one appointed by the minority leader of the

house of representatives.

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The chief justice shall become a member of the commission  
on August 22, 1990, and the chief justice's successors in office  
shall become members of the commission on the day that they  
assume the office of chief justice. The term of office of the  
chief justice as a member of the commission shall continue for  
as long as that person holds the office of chief justice. The  
term of office of the member who is an attorney whose practice  
of law primarily involves the representation of criminal  
defendants, the term of office of the member who is an attorney  
whose practice of law primarily involves the representation in  
juvenile court of alleged delinquent children, unruly children,  
and juvenile traffic offenders, and the term of office of the  
former victim of a violation of Title XXIX of the Revised Code  
shall be four years. The term of office of the superintendent of  
the state highway patrol, the state public defender, the  
director of youth services, and the director of rehabilitation  
and correction, or their individual designees, as members of the  
commission shall continue for as long as they hold the office of  
superintendent of the state highway patrol, state public  
defender, director of youth services, or director of  
rehabilitation and correction. The term of office of a municipal  
corporation or township peace officer as a member of the  
commission shall be the lesser of four years or until that  
person ceases to be a peace officer of a municipal corporation  
or township. Unless the full-time city prosecuting attorney is  
an elected official, the term of office of the full-time city  
prosecuting attorney shall be the lesser of four years or until  
the full-time city prosecuting attorney ceases to be a full-time  
city prosecuting attorney. All of the members of the commission  
who are elected officials shall serve the lesser of four years

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or until the expiration of their term of office. Any vacancy on 79  
the commission shall be filled in the same manner as the 80  
original appointment. 81

When the chief justice and governor make their 82  
appointments to the commission, they shall consider adequate 83  
representation by race and gender. 84

(B) The commission shall select a vice-chairperson and any 85  
other necessary officers and adopt rules to govern its 86  
proceedings. The commission shall meet as necessary at the call 87  
of the chairperson or on the written request of eight or more of 88  
its members. Sixteen members of the commission constitute a 89  
quorum, and the votes of a majority of the quorum present shall 90  
be required to validate any action of the commission. All 91  
business of the commission shall be conducted in public 92  
meetings. 93

The members of the commission shall serve without 94  
compensation, but each member shall be reimbursed for the 95  
member's actual and necessary expenses incurred in the 96  
performance of the member's official duties on the commission. 97  
In the absence of the chairperson, the vice-chairperson shall 98  
perform the duties of the chairperson. 99

(C) The commission shall establish an office and shall 100  
appoint and fix the compensation of a project director and any 101  
other employees necessary to assist the commission in the 102  
execution of its authority under sections 181.21 to 181.25 of 103  
the Revised Code. The project director shall have a thorough 104  
understanding of the criminal laws of this state and experience 105  
in committee-oriented research. The other employees may include 106  
a research coordinator with experience and training in policy- 107  
oriented research; professional staff employees with backgrounds 108

in criminal law, criminal justice, political science, or related 109  
fields of expertise; administrative assistants; and secretaries. 110  
The commission also may appoint and fix the compensation of 111  
part-time data collectors, clerical employees, and other 112  
temporary employees as needed to enable the commission to 113  
execute its authority under sections 181.21 to 181.25 of the 114  
Revised Code. 115

(D) (1) The sentencing commission shall establish a 116  
standing juvenile committee. The committee may consist of the 117  
following commission members: 118

(a) The chief justice of the supreme court or the chief 119  
justice's designee; 120

(b) The director of youth services, or the director's 121  
designee; 122

(c) The three juvenile court judges; 123

(d) One court of common pleas judge who is not a juvenile 124  
court judge; 125

(e) One county prosecuting attorney who is experienced in 126  
the prosecution of cases in juvenile court involving alleged 127  
delinquent children, unruly children, and juvenile traffic 128  
offenders; 129

(f) The attorney whose practice of law primarily involves 130  
the representation in juvenile court of alleged delinquent 131  
children, unruly children, and juvenile traffic offenders; 132

(g) The former victim of a violation of Title XXIX of the 133  
Revised Code; 134

(h) The county commissioner; 135

<u>(i) One legislator from each political party;</u>	136
<u>(j) The sheriff;</u>	137
<u>(k) One municipal corporation or township peace officer</u>	138
<u>who is experienced in the investigation of cases involving</u>	139
<u>juveniles;</u>	140
<u>(l) Any other persons that the chief justice or the</u>	141
<u>chairperson of the committee designates.</u>	142
<u>(2) The members may serve on the committee by designation</u>	143
<u>of the chief justice or the chairperson of the committee.</u>	144
<u>(3) The chief justice shall designate a member to serve as</u>	145
<u>chairperson of the committee. The committee shall select a vice-</u>	146
<u>chairperson and any other necessary officers and adopt rules to</u>	147
<u>govern its proceedings.</u>	148
<u>(4) The committee shall meet as necessary at the call of</u>	149
<u>the chairperson or on the written request of four or more of the</u>	150
<u>committee's members. A majority of the members of the committee</u>	151
<u>constitutes a quorum, and the votes of a majority of the quorum</u>	152
<u>present are required to validate any action of the committee,</u>	153
<u>including recommendations to the commission.</u>	154
<u>(5) The committee and the commission shall comply with</u>	155
<u>section 181.26 of the Revised Code.</u>	156
<b><u>Sec. 181.26. (A) In addition to its duties set forth in</u></b>	157
<b><u>this chapter, the state criminal sentencing commission shall do</u></b>	158
<b><u>all of the following:</u></b>	159
<u>(1) Review all statutes governing delinquent child, unruly</u>	160
<u>child, and juvenile traffic offender dispositions in this state;</u>	161
<u>(2) Review state and local resources, including facilities</u>	162

and programs, used for delinquent child, unruly child, and 163  
juvenile traffic offender dispositions and the populations of 164  
youthful offenders in the facilities and programs; 165

(3) Develop a juvenile justice policy for the state. The 166  
policy shall be designed to: 167

(a) Assist in the managing of the number of persons in, 168  
operation of, and costs of the facilities, the programs, and 169  
other resources used in delinquent child, unruly child, and 170  
juvenile traffic offender dispositions; 171

(b) Further the purposes for disposition under section 172  
2152.01 of the Revised Code; 173

(c) Provide greater certainty, proportionality, 174  
uniformity, fairness, and simplicity in delinquent child, unruly 175  
child, and juvenile traffic offender dispositions while 176  
retaining reasonable judicial discretion. 177

(B) The commission shall do all of the following: 178

(1) Assist in the implementation of statutes governing 179  
delinquent child, unruly child, and juvenile traffic offender 180  
dispositions in this state; 181

(2) Monitor the operation of statutes governing delinquent 182  
child, unruly child, and juvenile traffic offender dispositions 183  
in this state, periodically report to the general assembly on 184  
the statutes' operation and the statutes' impact on resources 185  
used in delinquent child, unruly child, and juvenile traffic 186  
offender dispositions, and recommend necessary changes in the 187  
statutes to the general assembly in the biennial monitoring 188  
report described in section 181.25 of the Revised Code; 189

(3) Review all bills that are introduced in the general 190

assembly related to delinquent child, unruly child, and juvenile 191  
traffic offender dispositions, determine if those bills are 192  
consistent with the juvenile justice policy adopted under 193  
division (A) (3) of this section, recommend to the general 194  
assembly amendments to those bills if necessary, and assist the 195  
general assembly in making legislation consistent with the 196  
juvenile justice policy adopted under division (A) (3) of this 197  
section." 198

In line 426, after "sections" insert "181.21," 199

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 200

**Ohio Criminal Sentencing Commission - juvenile committee** 201

**R.C. 181.21** 202

Requires the Ohio Criminal Sentencing Commission to 203  
reestablish a standing juvenile committee. 204

**Commission responsibilities regarding juvenile justice** 205

**R.C. 181.26** 206

Reestablishes requirements for the Commission to review 207  
and develop a juvenile justice policy for the state, as well as 208  
assisting policymakers with legislation related to juvenile 209  
justice issues. 210

H. B. No. 305

As Passed by the House

\_\_\_\_\_ moved to amend as follows:

Notwithstanding any other amendment to the title of H.B. 305 adopted 1  
as part of the omnibus amendment, AM-2172, the title shall express the 2  
bill's content as follows: 3

In line 3 of the title, delete "provide for the" 4  
Delete lines 4 through 12 of the title 5

In line 13 of the title, delete "computerization of the clerk's 6  
office" and insert "address the laws governing financial and 7  
administrative matters of the courts, judgeships and court jurisdiction in 8  
Conneaut and Ashtabula County, appeals related to enforcement of state 9  
law, conciliation in family law proceedings, the use of financial 10  
assistance by legal aid societies, allocation of funds to the Indigent 11  
Support Defense Fund, political subdivision soldiers' memorials, 12  
maintenance of a mausoleum or columbarium, third-party administration of 13  
driving tests, motor vehicle documentary service charges, and public 14  
depositories; to establish a standing juvenile committee of the Criminal 15  
Sentencing Commission; to prohibit chartered counties and municipal 16  
corporations from using public funds for certain purposes; to modify the 17



Campaign Finance Law; and to reiterate the effective date of judicial	18
release and transitional control provisions enacted in S.B. 288 of the	19
134th General Assembly"	20

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	21
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<b>Title amendment</b>	22
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Harmonizes the bill title to reflect the omnibus	23
amendment.	24

H. B. No. 305

As Passed by the House

\_\_\_\_\_ moved to amend as follows:

In line 2 of the title, delete the second "and" and insert ",," 1

In line 3 of the title, after "1907.202" insert ", and 3109.055" 2

In line 9 of the title, delete "and" 3

In line 13 of the title, after "office" insert ", and regarding 4  
conciliation in family law proceedings" 5

In line 15, delete the second "and" and insert ",,;" after "1907.202" 6  
insert ", and 3109.055" 7

After line 425, insert: 8

"Sec. 3109.055. (A) If a child is born to an unmarried 9  
woman and the father of the child has acknowledged the child and 10  
that acknowledgment has become final pursuant to section 11  
2151.232, 3111.25, or 3111.821 of the Revised Code or has been 12  
determined in an action under Chapter 3111. of the Revised Code 13  
to be the father of the child, the court, upon its own motion or 14  
the motion of one of the parties, may order the parents to 15  
undergo conciliation with a magistrate in order to resolve any 16





disputes regarding the allocation of parental rights and  
responsibilities between the parents in a case pending before  
the court. An order requiring conciliation shall set forth the  
the name of the magistrate who will serve as the conciliator and  
the manner in which the costs of any conciliation procedures are  
to be paid.

(B) A magistrate who serves as a conciliator shall use  
conciliation procedures to resolve a dispute regarding the  
allocation of parental rights and responsibilities and, upon  
resolution of the dispute, issue an order regarding the  
allocation of parental rights and responsibilities, parenting  
time, or companionship or visitation pursuant to section  
2151.23, 3109.04, or 3109.12 of the Revised Code. The  
conciliation procedures may include without limitation the use  
of family counselors and service agencies, community health  
services, physicians, licensed psychologists, or clergy. If the  
magistrate orders the parties to undergo family counseling, the  
magistrate shall name the counselor and set forth the required  
type of counseling, the length of time for the counseling, and  
any other specific conditions. No order regarding the allocation  
of parental rights and responsibilities, parenting time, or  
companionship or visitation shall be issued until the  
conciliation has concluded and been reported to the magistrate."

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS

**Resolve custody disputes between unmarried parents through**

<b>conciliation</b>	42
<b>R.C. 3109.055</b>	43
Allows a court to order unmarried parents who are in a custody dispute to undergo conciliation with a magistrate.	44 45
Requires a magistrate to resolve disputes through conciliation procedures and, upon resolution, to issue an order regarding the allocation of parental rights and responsibilities, parenting time, or companionship or visitation.	46 47 48 49 50
Specifies that conciliation procedures may include the use of family counselors and service agencies, community health services, physicians, licensed psychologists, and clergy.	51 52 53

\_\_\_\_\_ moved to amend as follows:

In line 7 of the title, delete "the" and insert "an elected" 1

In line 57, strike through "(B) (1) A" and insert "(B) (1) (a) Except 2  
as provided in division (B) (1) (b) of this section, the clerk of a" 3

In line 58, after "the" insert "office of the clerk of the 4  
municipal" 5

In line 60, strike through "include in its schedule of fees and" 6

Strike through line 61 and insert "authorize and direct that a 7  
computerization" 8

In line 62, after "dollars" insert "be charged" 9

In line 68, after "Code." insert: 10

"(b) In a county in which the clerk of the municipal court 11  
is appointed, the municipal court may make the determination 12  
described in division (B) (1) (a) of this section and, upon that 13  
determination, may include such a computerization fee in its 14  
schedule of fees and costs under section 1901.26 of the Revised 15  
Code." 16

(2)"; strike through "(B) (2)" and insert "(B) (3)" 17  
 In line 69, strike through "(B) (1)" and insert "(B) (1) (a)" 18  
 In line 83, strike through "(2)" and insert "(3)"; after "court" 19  
 insert "or the clerk of a municipal court" 20  
 In line 84, strike through "(B) (1)" and insert "(B) (1) (a)" 21  
 In line 91, strike through "(B) (1)" and insert "(B) (1) (a)" 22  
 In line 95, strike through "(B) (2)" and insert "(B) (3)" 23  
 In line 96, strike through "(B) (2)" and insert "(B) (3)" 24  
 In line 182, strike through "(B) (1) A" and insert "(B) (1) (a) Except 25  
as provided in division (B) (1) (b) of this section, the clerk of a" 26  
 In line 183, after "the" insert "office of the clerk of the" 27  
 In line 185, strike through "include in its schedule of fees and" 28  
 In line 186, strike through "costs under section 1907.24 of the" 29  
 Revised Code an additional" and insert "authorize and direct that a 30  
computerization" 31  
 In line 187, after "dollars" insert "be charged" 32  
 In line 193, after "Code." insert: 33  
"(b) In a county in which the clerk of the county court is 34  
appointed, the county court may make the determination described 35  
in division (B) (1) (a) of this section and, upon that 36  
determination, may include such a computerization fee in its 37  
schedule of fees and costs under section 1907.24 of the Revised 38  
Code. 39  
(2)" strike through "(B) (2)" and insert "(B) (3)" 40  
 In line 194, strike through "(B) (1)" and insert "(B) (1) (a)" 41

In line 203, strike through "(2)" and insert "(3)"; after "court" 42  
insert "or the clerk of a county court" 43

In line 204, strike through "(B) (1)" and insert "(B) (1) (a)" 44

In line 208, strike through "(B) (1)" and insert "(B) (1) (a)" 45

In line 212, strike through "(B) (2)" and insert "(B) (3)" 46

In line 214, strike through "(B) (2)" and insert "(B) (3)" 47

In line 274, strike through "(B) (1) The" and insert "(B) (1) (a)" 48  
Except as provided in division (B) (1) (b) of this section, the 49

After line 288, insert: 50

"(b) In a county in which the clerk of the court of common 51  
pleas is appointed, the court may make the determination 52  
described in division (B) (1) (a) of this section and, upon that 53  
determination, may include such a computerization fee in its 54  
schedule of fees and costs. 55

(2)" 56

In line 289, strike through "(B) (2)" and insert "(B) (3)" 57

In line 290, strike through "(B) (1)" and insert "(B) (1) (a)" 58

In line 297, strike through "(2)" and insert "(3)"; after "the" 59  
insert "court of common pleas or the" 60

In line 298, strike through "(B) (1)" and insert "(B) (1) (a)" 61

In line 303, strike through "(B) (1)" and insert "(B) (1) (a)" 62

In line 307, strike through "(B) (2)" and insert "(B) (3)" 63

In line 309, strike through "(B) (2)" and insert "(B) (3)" 64

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

65

**Clerk of court authorization to set computerization fees -  
elected vs. appointed**

66

67

**R.C. 1901.261, 1907.261, and 2303.201**

68

Removes the requirement that funds for the computerization  
of municipal, county, and common pleas court clerks must be  
authorized and disbursed by the court, and instead permits the  
clerk to do so if the clerk has been elected; retains the  
requirement for appointed clerks.

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