

As Passed by the Senate

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Sub. S. B. No. 215

Senators Gavarone, McColley

Cosponsors: Senators Brenner, Chavez, Cirino, Hackett, Huffman, S., Johnson, Landis, Lang, O'Brien, Reynolds, Roegner, Romanchuk, Rulli, Schaffer, Wilkin

A BILL

To amend sections 3517.01, 3517.10, 3517.12, 1
3517.13, 3517.155, and 3517.992 and to enact 2
section 3517.121 of the Revised Code to prohibit 3
foreign nationals from making contributions or 4
expenditures regarding ballot issue campaigns. 5

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

Section 1. That sections 3517.01, 3517.10, 3517.12, 6
3517.13, 3517.155, and 3517.992 be amended and section 3517.121 7
of the Revised Code be enacted to read as follows: 8

Sec. 3517.01. (A) (1) A political party within the meaning 9
of Title XXXV of the Revised Code is any group of voters that 10
meets either of the following requirements: 11

(a) Except as otherwise provided in this division, at the 12
most recent regular state election, the group polled for its 13
candidate for governor in the state or nominees for presidential 14
electors at least three per cent of the entire vote cast for 15
that office. A group that meets the requirements of this 16
division remains a political party for a period of four years 17

after meeting those requirements. 18

(b) The group filed with the secretary of state, 19
subsequent to its failure to meet the requirements of division 20
(A) (1) (a) of this section, a party formation petition that meets 21
all of the following requirements: 22

(i) The petition is signed by qualified electors equal in 23
number to at least one per cent of the total vote for governor 24
or nominees for presidential electors at the most recent 25
election for such office. 26

(ii) The petition is signed by not fewer than five hundred 27
qualified electors from each of at least a minimum of one-half 28
of the congressional districts in this state. If an odd number 29
of congressional districts exists in this state, the number of 30
districts that results from dividing the number of congressional 31
districts by two shall be rounded up to the next whole number. 32

(iii) The petition declares the petitioners' intention of 33
organizing a political party, the name of which shall be stated 34
in the declaration, and of participating in the succeeding 35
general election, held in even-numbered years, that occurs more 36
than one hundred twenty-five days after the date of filing. 37

(iv) The petition designates a committee of not less than 38
three nor more than five individuals of the petitioners, who 39
shall represent the petitioners in all matters relating to the 40
petition. Notice of all matters or proceedings pertaining to the 41
petition may be served on the committee, or any of them, either 42
personally or by registered mail, or by leaving such notice at 43
the usual place of residence of each of them. 44

(2) No such group of electors shall assume a name or 45
designation that is similar, in the opinion of the secretary of 46

state, to that of an existing political party as to confuse or 47
mislead the voters at an election. 48

(B) A campaign committee shall be legally liable for any 49
debts, contracts, or expenditures incurred or executed in its 50
name. 51

(C) Notwithstanding the definitions found in section 52
3501.01 of the Revised Code, as used in this section and 53
sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the 54
Revised Code: 55

(1) "Campaign committee" means a candidate or a 56
combination of two or more persons authorized by a candidate 57
under section 3517.081 of the Revised Code to receive 58
contributions and make expenditures. 59

(2) "Campaign treasurer" means an individual appointed by 60
a candidate under section 3517.081 of the Revised Code. 61

(3) "Candidate" has the same meaning as in division (H) of 62
section 3501.01 of the Revised Code and also includes any person 63
who, at any time before or after an election, receives 64
contributions or makes expenditures or other use of 65
contributions, has given consent for another to receive 66
contributions or make expenditures or other use of 67
contributions, or appoints a campaign treasurer, for the purpose 68
of bringing about the person's nomination or election to public 69
office. When two persons jointly seek the offices of governor 70
and lieutenant governor, "candidate" means the pair of 71
candidates jointly. "Candidate" does not include candidates for 72
election to the offices of member of a county or state central 73
committee, presidential elector, and delegate to a national 74
convention or conference of a political party. 75

(4) "Continuing association" means an association, other 76
than a campaign committee, political party, legislative campaign 77
fund, political contributing entity, or labor organization, that 78
is intended to be a permanent organization that has a primary 79
purpose other than supporting or opposing specific candidates, 80
political parties, or ballot issues, and that functions on a 81
regular basis throughout the year. "Continuing association" 82
includes organizations that are determined to be not organized 83
for profit under subsection 501 and that are described in 84
subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal 85
Revenue Code. 86

(5) "Contribution" means a loan, gift, deposit, 87
forgiveness of indebtedness, donation, advance, payment, or 88
transfer of funds or anything of value, including a transfer of 89
funds from an inter vivos or testamentary trust or decedent's 90
estate, and the payment by any person other than the person to 91
whom the services are rendered for the personal services of 92
another person, which contribution is made, received, or used 93
for the purpose of influencing the results of an election. Any 94
loan, gift, deposit, forgiveness of indebtedness, donation, 95
advance, payment, or transfer of funds or of anything of value, 96
including a transfer of funds from an inter vivos or 97
testamentary trust or decedent's estate, and the payment by any 98
campaign committee, political action committee, legislative 99
campaign fund, political party, political contributing entity, 100
or person other than the person to whom the services are 101
rendered for the personal services of another person, that is 102
made, received, or used by a state or county political party, 103
other than the moneys an entity may receive under sections 104
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 105
considered to be a "contribution" for the purpose of section 106

3517.10 of the Revised Code and shall be included on a statement	107
of contributions filed under that section.	108
"Contribution" does not include any of the following:	109
(a) Services provided without compensation by individuals	110
volunteering a portion or all of their time on behalf of a	111
person;	112
(b) Ordinary home hospitality;	113
(c) The personal expenses of a volunteer paid for by that	114
volunteer campaign worker;	115
(d) Any gift given to an entity pursuant to section	116
3517.101 of the Revised Code;	117
(e) Any contribution as defined in section 3517.1011 of	118
the Revised Code that is made, received, or used to pay the	119
direct costs of producing or airing an electioneering	120
communication;	121
(f) Any gift given to a state or county political party	122
for the party's restricted fund under division (A)(2) of section	123
3517.1012 of the Revised Code;	124
(g) Any gift given to a state political party for deposit	125
in a Levin account pursuant to section 3517.1013 of the Revised	126
Code. As used in this division, "Levin account" has the same	127
meaning as in that section.	128
(h) Any donation given to a transition fund under section	129
3517.1014 of the Revised Code.	130
(6) "Expenditure" means the disbursement or use of a	131
contribution <u>or other funds or anything of value</u> for the purpose	132
of influencing the results of an election or of making a	133

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 164
advocacy, and that is not a political party, a campaign 165
committee, a political contributing entity, or a legislative 166
campaign fund. "Political action committee" does not include 167
either of the following: 168

(a) A continuing association that makes disbursements for 169
the direct costs of producing or airing electioneering 170
communications and that does not engage in express advocacy; 171

(b) A political club that is formed primarily for social 172
purposes and that consists of one hundred members or less, has 173
officers and periodic meetings, has less than two thousand five 174
hundred dollars in its treasury at all times, and makes an 175
aggregate total contribution of one thousand dollars or less per 176
calendar year. 177

(9) "Public office" means any state, county, municipal, 178
township, or district office, except an office of a political 179
party, that is filled by an election and the offices of United 180
States senator and representative. 181

(10) "Anything of value" has the same meaning as in 182
section 1.03 of the Revised Code. 183

(11) "Beneficiary of a campaign fund" means a candidate, a 184
public official or employee for whose benefit a campaign fund 185
exists, and any other person who has ever been a candidate or 186
public official or employee and for whose benefit a campaign 187
fund exists. 188

(12) "Campaign fund" means money or other property, 189
including contributions. 190

(13) "Public official or employee" has the same meaning as 191
in section 102.01 of the Revised Code. 192

(14) "Caucus" means all of the members of the house of 193
representatives or all of the members of the senate of the 194
general assembly who are members of the same political party. 195

(15) "Legislative campaign fund" means a fund that is 196
established as an auxiliary of a state political party and 197
associated with one of the houses of the general assembly. 198

(16) "In-kind contribution" means anything of value other 199
than money that is used to influence the results of an election 200
or is transferred to or used in support of or in opposition to a 201
candidate, campaign committee, legislative campaign fund, 202
political party, political action committee, or political 203
contributing entity and that is made with the consent of, in 204
coordination, cooperation, or consultation with, or at the 205
request or suggestion of the benefited candidate, committee, 206
fund, party, or entity. The financing of the dissemination, 207
distribution, or republication, in whole or part, of any 208
broadcast or of any written, graphic, or other form of campaign 209
materials prepared by the candidate, the candidate's campaign 210
committee, or their authorized agents is an in-kind contribution 211
to the candidate and an expenditure by the candidate. 212

~~(17)~~ (17) (a) "Independent expenditure" means an either of 213
the following: 214

(i) An expenditure by a person advocating the election or 215
defeat of an identified candidate or candidates, that is not 216
made with the consent of, in coordination, cooperation, or 217
consultation with, or at the request or suggestion of any 218
candidate or candidates or of the campaign committee or agent of 219
the candidate or candidates; 220

(ii) An expenditure by a person advocating support of or 221

opposition to an identified ballot issue or question or to 222
achieve the successful circulation of an initiative or 223
referendum petition in order to place such an issue or question 224
on the ballot, regardless of whether the ballot issue or 225
question has yet been certified to appear on the ballot. As- 226

(b) As used in division ~~(C) (17)~~-(C) (17) (a) of this 227
section: 228

~~(a)~~ (i) "Person" means an individual, partnership, 229
unincorporated business organization or association, political 230
action committee, political contributing entity, separate 231
segregated fund, association, or other organization or group of 232
persons, but not a labor organization or a corporation unless 233
the labor organization or corporation is a political 234
contributing entity. 235

~~(b)~~ (ii) "Advocating" means any communication containing a 236
message advocating election or defeat. 237

~~(c)~~ (iii) "Identified candidate" means that the name of 238
the candidate appears, a photograph or drawing of the candidate 239
appears, or the identity of the candidate is otherwise apparent 240
by unambiguous reference. 241

~~(d)~~ (iv) "Made in coordination, cooperation, or 242
consultation with, or at the request or suggestion of, any 243
candidate or the campaign committee or agent of the candidate" 244
means made pursuant to any arrangement, coordination, or 245
direction by the candidate, the candidate's campaign committee, 246
or the candidate's agent prior to the publication, distribution, 247
display, or broadcast of the communication. An expenditure is 248
presumed to be so made when it is any of the following: 249

~~(i)~~ (I) Based on information about the candidate's plans, 250

projects, or needs provided to the person making the expenditure 251
by the candidate, or by the candidate's campaign committee or 252
agent, with a view toward having an expenditure made; 253

~~(ii)~~ (II) Made by or through any person who is, or has 254
been, authorized to raise or expend funds, who is, or has been, 255
an officer of the candidate's campaign committee, or who is, or 256
has been, receiving any form of compensation or reimbursement 257
from the candidate or the candidate's campaign committee or 258
agent; 259

~~(iii)~~ (III) Except as otherwise provided in division (D) 260
of section 3517.105 of the Revised Code, made by a political 261
party in support of a candidate, unless the expenditure is made 262
by a political party to conduct voter registration or voter 263
education efforts. 264

~~(e)~~ (v) "Agent" means any person who has actual oral or 265
written authority, either express or implied, to make or to 266
authorize the making of expenditures on behalf of a candidate, 267
or means any person who has been placed in a position with the 268
candidate's campaign committee or organization such that it 269
would reasonably appear that in the ordinary course of campaign- 270
related activities the person may authorize expenditures. 271

(18) "Labor organization" means a labor union; an employee 272
organization; a federation of labor unions, groups, locals, or 273
other employee organizations; an auxiliary of a labor union, 274
employee organization, or federation of labor unions, groups, 275
locals, or other employee organizations; or any other bona fide 276
organization in which employees participate and that exists for 277
the purpose, in whole or in part, of dealing with employers 278
concerning grievances, labor disputes, wages, hours, and other 279
terms and conditions of employment. 280

(19) "Separate segregated fund" means a separate segregated fund established pursuant to the Federal Election Campaign Act.	281 282 283
(20) "Federal Election Campaign Act" means the "Federal Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et seq., as amended.	284 285 286
(21) "Restricted fund" means the fund a state or county political party must establish under division (A)(1) of section 3517.1012 of the Revised Code.	287 288 289
(22) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code.	290 291
(23) "Express advocacy" means a communication that contains express words advocating the nomination, election, or defeat of a candidate or that contains express words advocating the adoption or defeat of a question or issue, as determined by a final judgment of a court of competent jurisdiction.	292 293 294 295 296
(24) "Political <u>"Federal political committee"</u> has the same meaning as in section 3517.1011 <u>3517.107</u> of the Revised Code.	297 298
(25) "Political contributing entity" means any entity, including a corporation or labor organization, that may lawfully make contributions and expenditures and that is not an individual or a political action committee, continuing association, campaign committee, political party, legislative campaign fund, designated state campaign committee, or state candidate fund. For purposes of this division, "lawfully" means not prohibited by any section of the Revised Code, or authorized by a final judgment of a court of competent jurisdiction.	299 300 301 302 303 304 305 306 307
(26) <u>(26) (a) "Alternative political organization" means a continuing association, corporation, labor organization, or</u>	308 309

other person, other than an individual, that makes contributions 310
or expenditures and that is not a campaign committee, political 311
party, legislative campaign fund, designated state campaign 312
committee, state candidate fund, federal political committee, 313
separate segregated fund, political action committee, or 314
political contributing entity. 315

(b) A person described in division (C) (26) (a) of this 316
section that makes contributions or expenditures that are 317
prohibited under section 3599.03 or another provision of the 318
Revised Code nonetheless is considered an alternative political 319
organization. 320

(c) "Alternative political organization" does not include 321
a partnership or other unincorporated business that makes a 322
contribution as described in division (I) of section 3517.10 of 323
the Revised Code. 324

(27) "Internet identifier of record" has the same meaning 325
as in section 9.312 of the Revised Code. 326

Sec. 3517.10. (A) Except as otherwise provided in this 327
division, every campaign committee, political action committee, 328
legislative campaign fund, political party, and political 329
contributing entity that made or received a contribution or made 330
an expenditure in connection with the nomination or election of 331
any candidate or in connection with any ballot issue or question 332
at any election held or to be held in this state shall file, on 333
a form prescribed under this section or by electronic means of 334
transmission as provided in this section and section 3517.106 of 335
the Revised Code, a full, true, and itemized statement, made 336
under penalty of election falsification, setting forth in detail 337
the contributions and expenditures, not later than four p.m. of 338
the following dates: 339

(1) The twelfth day before the election to reflect 340
contributions received and expenditures made from the close of 341
business on the last day reflected in the last previously filed 342
statement, if any, to the close of business on the twentieth day 343
before the election; 344

(2) The thirty-eighth day after the election to reflect 345
the contributions received and expenditures made from the close 346
of business on the last day reflected in the last previously 347
filed statement, if any, to the close of business on the seventh 348
day before the filing of the statement; 349

(3) The last business day of January of every year to 350
reflect the contributions received and expenditures made from 351
the close of business on the last day reflected in the last 352
previously filed statement, if any, to the close of business on 353
the last day of December of the previous year; 354

(4) The last business day of July of every year to reflect 355
the contributions received and expenditures made from the close 356
of business on the last day reflected in the last previously 357
filed statement, if any, to the close of business on the last 358
day of June of that year. 359

A campaign committee shall only be required to file the 360
statements prescribed under divisions (A) (1) and (2) of this 361
section in connection with the nomination or election of the 362
committee's candidate. 363

The statement required under division (A) (1) of this 364
section shall not be required of any campaign committee, 365
political action committee, legislative campaign fund, political 366
party, or political contributing entity that has received 367
contributions of less than one thousand dollars and has made 368

expenditures of less than one thousand dollars at the close of 369
business on the twentieth day before the election. Those 370
contributions and expenditures shall be reported in the 371
statement required under division (A) (2) of this section. 372

If an election to select candidates to appear on the 373
general election ballot is held within sixty days before a 374
general election, the campaign committee of a successful 375
candidate in the earlier election may file the statement 376
required by division (A) (1) of this section for the general 377
election instead of the statement required by division (A) (2) of 378
this section for the earlier election if the pregeneral election 379
statement reflects the status of contributions and expenditures 380
for the period twenty days before the earlier election to twenty 381
days before the general election. 382

If a person becomes a candidate less than twenty days 383
before an election, the candidate's campaign committee is not 384
required to file the statement required by division (A) (1) of 385
this section. 386

No statement under division (A) (3) of this section shall 387
be required for any year in which a campaign committee, 388
political action committee, legislative campaign fund, political 389
party, or political contributing entity is required to file a 390
postgeneral election statement under division (A) (2) of this 391
section. However, a statement under division (A) (3) of this 392
section may be filed, at the option of the campaign committee, 393
political action committee, legislative campaign fund, political 394
party, or political contributing entity. 395

No campaign committee of a candidate for the office of 396
chief justice or justice of the supreme court, and no campaign 397
committee of a candidate for the office of judge of any court in 398

this state, shall be required to file a statement under division 399
(A) (4) of this section. 400

Except as otherwise provided in this paragraph and in the 401
next paragraph of this section, the only campaign committees 402
required to file a statement under division (A) (4) of this 403
section are the campaign committee of a statewide candidate and 404
the campaign committee of a candidate for county office. The 405
campaign committee of a candidate for any other nonjudicial 406
office is required to file a statement under division (A) (4) of 407
this section if that campaign committee receives, during that 408
period, contributions exceeding ten thousand dollars. 409

No statement under division (A) (4) of this section shall 410
be required of a campaign committee, a political action 411
committee, a legislative campaign fund, a political party, or a 412
political contributing entity for any year in which the campaign 413
committee, political action committee, legislative campaign 414
fund, political party, or political contributing entity is 415
required to file a postprimary election statement under division 416
(A) (2) of this section. However, a statement under division (A) 417
(4) of this section may be filed at the option of the campaign 418
committee, political action committee, legislative campaign 419
fund, political party, or political contributing entity. 420

No statement under division (A) (3) or (4) of this section 421
shall be required if the campaign committee, political action 422
committee, legislative campaign fund, political party, or 423
political contributing entity has no contributions that it has 424
received and no expenditures that it has made since the last 425
date reflected in its last previously filed statement. However, 426
the campaign committee, political action committee, legislative 427
campaign fund, political party, or political contributing entity 428

shall file a statement to that effect, on a form prescribed 429
under this section and made under penalty of election 430
falsification, on the date required in division (A) (3) or (4) of 431
this section, as applicable. 432

The campaign committee of a statewide candidate shall file 433
a monthly statement of contributions received during each of the 434
months of July, August, and September in the year of the general 435
election in which the candidate seeks office. The campaign 436
committee of a statewide candidate shall file the monthly 437
statement not later than three business days after the last day 438
of the month covered by the statement. During the period 439
beginning on the nineteenth day before the general election in 440
which a statewide candidate seeks election to office and 441
extending through the day of that general election, each time 442
the campaign committee of the joint candidates for the offices 443
of governor and lieutenant governor or of a candidate for the 444
office of secretary of state, auditor of state, treasurer of 445
state, or attorney general receives a contribution from a 446
contributor that causes the aggregate amount of contributions 447
received from that contributor during that period to equal or 448
exceed ten thousand dollars and each time the campaign committee 449
of a candidate for the office of chief justice or justice of the 450
supreme court receives a contribution from a contributor that 451
causes the aggregate amount of contributions received from that 452
contributor during that period to exceed ten thousand dollars, 453
the campaign committee shall file a two-business-day statement 454
reflecting that contribution. Contributions reported on a two- 455
business-day statement required to be filed by a campaign 456
committee of a statewide candidate in a primary election shall 457
also be included in the postprimary election statement required 458
to be filed by that campaign committee under division (A) (2) of 459

this section. A two-business-day statement required by this 460
paragraph shall be filed not later than two business days after 461
receipt of the contribution. The statements required by this 462
paragraph shall be filed in addition to any other statements 463
required by this section. 464

Subject to the secretary of state having implemented, 465
tested, and verified the successful operation of any system the 466
secretary of state prescribes pursuant to divisions (C) (6) (b) 467
and (D) (6) of this section and division (F) (1) of section 468
3517.106 of the Revised Code for the filing of campaign finance 469
statements by electronic means of transmission, a campaign 470
committee of a statewide candidate shall file a two-business-day 471
statement under the preceding paragraph by electronic means of 472
transmission if the campaign committee is required to file a 473
pre-election, postelection, or monthly statement of 474
contributions and expenditures by electronic means of 475
transmission under this section or section 3517.106 of the 476
Revised Code. 477

If a campaign committee or political action committee has 478
no balance on hand and no outstanding obligations and desires to 479
terminate itself, it shall file a statement to that effect, on a 480
form prescribed under this section and made under penalty of 481
election falsification, with the official with whom it files a 482
statement under division (A) of this section after filing a 483
final statement of contributions and a final statement of 484
expenditures, if contributions have been received or 485
expenditures made since the period reflected in its last 486
previously filed statement. 487

(B) Except as otherwise provided in division (C) (7) of 488
this section, each statement required by division (A) of this 489

section shall contain the following information: 490

(1) The full name and address of each campaign committee, 491
political action committee, legislative campaign fund, political 492
party, or political contributing entity, including any treasurer 493
of the committee, fund, party, or entity, filing a contribution 494
and expenditure statement; 495

(2) (a) In the case of a campaign committee, the 496
candidate's full name and address; 497

(b) In the case of a political action committee, the 498
registration number assigned to the committee under division (D) 499
(1) of this section. 500

(3) The date of the election and whether it was or will be 501
a general, primary, or special election; 502

(4) A statement of contributions received, which shall 503
include the following information: 504

(a) The month, day, and year of the contribution; 505

(b) (i) The full name and address of each person, political 506
party, campaign committee, legislative campaign fund, political 507
action committee, or political contributing entity from whom 508
contributions are received and the registration number assigned 509
to the political action committee under division (D) (1) of this 510
section. The requirement of filing the full address does not 511
apply to any statement filed by a state or local committee of a 512
political party, to a finance committee of such committee, or to 513
a committee recognized by a state or local committee as its 514
fund-raising auxiliary. Notwithstanding division (F) of this 515
section, the requirement of filing the full address shall be 516
considered as being met if the address filed is the same address 517
the contributor provided under division (E) (1) of this section. 518

(ii) If a political action committee, political 519
contributing entity, legislative campaign fund, or political 520
party that is required to file campaign finance statements by 521
electronic means of transmission under section 3517.106 of the 522
Revised Code or a campaign committee of a statewide candidate or 523
candidate for the office of member of the general assembly 524
receives a contribution from an individual that exceeds one 525
hundred dollars, the name of the individual's current employer, 526
if any, or, if the individual is self-employed, the individual's 527
occupation and the name of the individual's business, if any; 528

(iii) If a campaign committee of a statewide candidate or 529
candidate for the office of member of the general assembly 530
receives a contribution transmitted pursuant to section 3599.031 531
of the Revised Code from amounts deducted from the wages and 532
salaries of two or more employees that exceeds in the aggregate 533
one hundred dollars during any one filing period under division 534
(A) (1), (2), (3), or (4) of this section, the full name of the 535
employees' employer and the full name of the labor organization 536
of which the employees are members, if any. 537

(c) A description of the contribution received, if other 538
than money; 539

(d) The value in dollars and cents of the contribution; 540

(e) A separately itemized account of all contributions and 541
expenditures regardless of the amount, except a receipt of a 542
contribution from a person in the sum of twenty-five dollars or 543
less at one social or fund-raising activity and a receipt of a 544
contribution transmitted pursuant to section 3599.031 of the 545
Revised Code from amounts deducted from the wages and salaries 546
of employees if the contribution from the amount deducted from 547
the wages and salary of any one employee is twenty-five dollars 548

or less aggregated in a calendar year. An account of the total 549
contributions from each social or fund-raising activity shall 550
include a description of and the value of each in-kind 551
contribution received at that activity from any person who made 552
one or more such contributions whose aggregate value exceeded 553
two hundred fifty dollars and shall be listed separately, 554
together with the expenses incurred and paid in connection with 555
that activity. A campaign committee, political action committee, 556
legislative campaign fund, political party, or political 557
contributing entity shall keep records of contributions from 558
each person in the amount of twenty-five dollars or less at one 559
social or fund-raising activity and contributions from amounts 560
deducted under section 3599.031 of the Revised Code from the 561
wages and salary of each employee in the amount of twenty-five 562
dollars or less aggregated in a calendar year. No continuing 563
association that is recognized by a state or local committee of 564
a political party as an auxiliary of the party and that makes a 565
contribution from funds derived solely from regular dues paid by 566
members of the auxiliary shall be required to list the name or 567
address of any members who paid those dues. 568

Contributions that are other income shall be itemized 569
separately from all other contributions. The information 570
required under division (B)(4) of this section shall be provided 571
for all other income itemized. As used in this paragraph, "other 572
income" means a loan, investment income, or interest income. 573

(f) In the case of a campaign committee of a state elected 574
officer, if a person doing business with the state elected 575
officer in the officer's official capacity makes a contribution 576
to the campaign committee of that officer, the information 577
required under division (B)(4) of this section in regard to that 578
contribution, which shall be filed together with and considered 579

a part of the committee's statement of contributions as required 580
under division (A) of this section but shall be filed on a 581
separate form provided by the secretary of state. As used in 582
this division: 583

(i) "State elected officer" has the same meaning as in 584
section 3517.092 of the Revised Code. 585

(ii) "Person doing business" means a person or an officer 586
of an entity who enters into one or more contracts with a state 587
elected officer or anyone authorized to enter into contracts on 588
behalf of that officer to receive payments for goods or 589
services, if the payments total, in the aggregate, more than 590
five thousand dollars during a calendar year. 591

(5) A statement of expenditures which shall include the 592
following information: 593

(a) The month, day, and year of the expenditure; 594

(b) The full name and address of each person, political 595
party, campaign committee, legislative campaign fund, political 596
action committee, or political contributing entity to whom the 597
expenditure was made and the registration number assigned to the 598
political action committee under division (D)(1) of this 599
section; 600

(c) The object or purpose for which the expenditure was 601
made; 602

(d) The amount of each expenditure. 603

(C)(1) The statement of contributions and expenditures 604
shall be signed by the person completing the form. If a 605
statement of contributions and expenditures is filed by 606
electronic means of transmission pursuant to this section or 607

section 3517.106 of the Revised Code, the electronic signature 608
of the person who executes the statement and transmits the 609
statement by electronic means of transmission, as provided in 610
division (F) of section 3517.106 of the Revised Code, shall be 611
attached to or associated with the statement and shall be 612
binding on all persons and for all purposes under the campaign 613
finance reporting law as if the signature had been handwritten 614
in ink on a printed form. 615

(2) The person filing the statement, under penalty of 616
election falsification, shall include with it a both of the 617
following: 618

(a) A list of each anonymous contribution, the 619
circumstances under which it was received, and the reason it 620
cannot be attributed to a specific donor; 621

(b) A certification that the campaign committee, political 622
action committee, legislative campaign fund, political party, or 623
political contributing entity, as applicable, has not accepted 624
any contribution that is prohibited under this chapter or 625
section 3599.03 or 3599.031 of the Revised Code during the 626
period covered by the statement. 627

(3) Each statement of a campaign committee of a candidate 628
who holds public office shall contain a designation of each 629
contributor who is an employee in any unit or department under 630
the candidate's direct supervision and control. In a space 631
provided in the statement, the person filing the statement shall 632
affirm that each such contribution was voluntarily made. 633

(4) A campaign committee that did not receive 634
contributions or make expenditures in connection with the 635
nomination or election of its candidate shall file a statement 636

to that effect, on a form prescribed under this section and made 637
under penalty of election falsification, on the date required in 638
division (A) (2) of this section. 639

(5) The campaign committee of any person who attempts to 640
become a candidate and who, for any reason, does not become 641
certified in accordance with Title XXXV of the Revised Code for 642
placement on the official ballot of a primary, general, or 643
special election to be held in this state, and who, at any time 644
prior to or after an election, receives contributions or makes 645
expenditures, or has given consent for another to receive 646
contributions or make expenditures, for the purpose of bringing 647
about the person's nomination or election to public office, 648
shall file the statement or statements prescribed by this 649
section and a termination statement, if applicable. Division (C) 650
(5) of this section does not apply to any person with respect to 651
an election to the offices of member of a county or state 652
central committee, presidential elector, or delegate to a 653
national convention or conference of a political party. 654

(6) (a) The statements required to be filed under this 655
section shall specify the balance in the hands of the campaign 656
committee, political action committee, legislative campaign 657
fund, political party, or political contributing entity and the 658
disposition intended to be made of that balance. 659

(b) The secretary of state shall prescribe the form for 660
all statements required to be filed under this section and shall 661
furnish the forms to the boards of elections in the several 662
counties. The boards of elections shall supply printed copies of 663
those forms without charge. The secretary of state shall 664
prescribe the appropriate methodology, protocol, and data file 665
structure for statements required or permitted to be filed by 666

electronic means of transmission to the secretary of state or a 667
board of elections under division (A) of this section, division 668
(E) of section 3517.106, division (D) of section 3517.1011, 669
division (B) of section 3517.1012, division (C) of section 670
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 671
Revised Code. Subject to division (A) of this section, division 672
(E) of section 3517.106, division (D) of section 3517.1011, 673
division (B) of section 3517.1012, division (C) of section 674
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 675
Revised Code, the statements required to be stored on computer 676
by the secretary of state under division (B) of section 3517.106 677
of the Revised Code shall be filed in whatever format the 678
secretary of state considers necessary to enable the secretary 679
of state to store the information contained in the statements on 680
computer. Any such format shall be of a type and nature that is 681
readily available to whoever is required to file the statements 682
in that format. 683

(c) The secretary of state shall assess the need for 684
training regarding the filing of campaign finance statements by 685
electronic means of transmission and regarding associated 686
technologies for candidates, campaign committees, political 687
action committees, legislative campaign funds, political 688
parties, or political contributing entities, for individuals, 689
partnerships, or other entities, for persons making 690
disbursements to pay the direct costs of producing or airing 691
electioneering communications, or for treasurers of transition 692
funds, required or permitted to file statements by electronic 693
means of transmission under this section or section 3517.105, 694
3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the 695
Revised Code. If, in the opinion of the secretary of state, 696
training in these areas is necessary, the secretary of state 697

shall arrange for the provision of voluntary training programs 698
for candidates, campaign committees, political action 699
committees, legislative campaign funds, political parties, or 700
political contributing entities, for individuals, partnerships, 701
and other entities, for persons making disbursements to pay the 702
direct costs of producing or airing electioneering 703
communications, or for treasurers of transition funds, as 704
appropriate. 705

(7) Each monthly statement and each two-business-day 706
statement required by division (A) of this section shall contain 707
the information required by divisions (B) (1) to (4), (C) (2), 708
and, if appropriate, (C) (3) of this section. Each statement 709
shall be signed as required by division (C) (1) of this section. 710

(D) (1) (a) Prior to receiving a contribution or making an 711
expenditure, every campaign committee, political action 712
committee, legislative campaign fund, political party, or 713
political contributing entity shall appoint a treasurer and 714
shall file, on a form prescribed by the secretary of state, a 715
designation of that appointment, including the full name and 716
address of the treasurer and of the campaign committee, 717
political action committee, legislative campaign fund, political 718
party, or political contributing entity. That designation shall 719
be filed with the official with whom the campaign committee, 720
political action committee, legislative campaign fund, political 721
party, or political contributing entity is required to file 722
statements under section 3517.11 of the Revised Code. The name 723
of a campaign committee shall include at least the last name of 724
the campaign committee's candidate. If two or more candidates 725
are the beneficiaries of a single campaign committee under 726
division (B) of section 3517.081 of the Revised Code, the name 727
of the campaign committee shall include at least the last name 728

of each candidate who is a beneficiary of that campaign 729
committee. The secretary of state shall assign a registration 730
number to each political action committee that files a 731
designation of the appointment of a treasurer under this 732
division if the political action committee is required by 733
division (A) (1) of section 3517.11 of the Revised Code to file 734
the statements prescribed by this section with the secretary of 735
state. 736

(b) The form of the designation of treasurer shall require 737
the filer to certify, under penalty of election falsification, 738
that the campaign committee, political action committee, 739
legislative campaign fund, political party, or political 740
contributing entity, as applicable, has not accepted, and will 741
not accept, any contribution that is prohibited under this 742
chapter or section 3599.03 or 3599.031 of the Revised Code. 743

(c) The secretary of state shall not accept for filing a 744
designation of treasurer of a political action committee or 745
political contributing entity if, in the opinion of the 746
secretary of state, the name of the political action committee 747
or political contributing entity would lead a reasonable person 748
to believe that the political action committee or political 749
contributing entity acts on behalf of or represents a county 750
political party, unless the designation is accompanied by a 751
written statement, signed by the chairperson of the county 752
political party's executive committee, granting the political 753
action committee or political contributing entity permission to 754
act on behalf of or represent the county political party. 755

(2) The treasurer appointed under division (D) (1) of this 756
section shall keep a strict account of all contributions, from 757
whom received and the purpose for which they were disbursed. 758

(3) (a) Except as otherwise provided in section 3517.108 of 759
the Revised Code, a campaign committee shall deposit all 760
monetary contributions received by the committee into an account 761
separate from a personal or business account of the candidate or 762
campaign committee. 763

(b) A political action committee shall deposit all 764
monetary contributions received by the committee into an account 765
separate from all other funds. 766

(c) A state or county political party may establish a 767
state candidate fund that is separate from all other funds. A 768
state or county political party may deposit into its state 769
candidate fund any amounts of monetary contributions that are 770
made to or accepted by the political party subject to the 771
applicable limitations, if any, prescribed in section 3517.102 772
of the Revised Code. A state or county political party shall 773
deposit all other monetary contributions received by the party 774
into one or more accounts that are separate from its state 775
candidate fund. 776

(d) Each state political party shall have only one 777
legislative campaign fund for each house of the general 778
assembly. Each such fund shall be separate from any other funds 779
or accounts of that state party. A legislative campaign fund is 780
authorized to receive contributions and make expenditures for 781
the primary purpose of furthering the election of candidates who 782
are members of that political party to the house of the general 783
assembly with which that legislative campaign fund is 784
associated. Each legislative campaign fund shall be administered 785
and controlled in a manner designated by the caucus. As used in 786
this division, "caucus" has the same meaning as in section 787
3517.01 of the Revised Code and includes, as an ex officio 788

member, the chairperson of the state political party with which 789
the caucus is associated or that chairperson's designee. 790

(4) Every expenditure in excess of twenty-five dollars 791
shall be vouched for by a receipted bill, stating the purpose of 792
the expenditure, that shall be filed with the statement of 793
expenditures. A canceled check with a notation of the purpose of 794
the expenditure is a receipted bill for purposes of division (D) 795
(4) of this section. 796

(5) The secretary of state or the board of elections, as 797
the case may be, shall issue a receipt for each statement filed 798
under this section and shall preserve a copy of the receipt for 799
a period of at least six years. All statements filed under this 800
section shall be open to public inspection in the office where 801
they are filed and shall be carefully preserved for a period of 802
at least six years after the year in which they are filed. 803

(6) The secretary of state, by rule adopted pursuant to 804
section 3517.23 of the Revised Code, shall prescribe both of the 805
following: 806

(a) The manner of immediately acknowledging, with date and 807
time received, and preserving the receipt of statements that are 808
transmitted by electronic means of transmission to the secretary 809
of state or a board of elections pursuant to this section or 810
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 811
of the Revised Code; 812

(b) The manner of preserving the contribution and 813
expenditure, contribution and disbursement, deposit and 814
disbursement, gift and disbursement, or donation and 815
disbursement information in the statements described in division 816
(D) (6) (a) of this section. The secretary of state shall preserve 817

the contribution and expenditure, contribution and disbursement, 818
deposit and disbursement, gift and disbursement, or donation and 819
disbursement information in those statements for at least ten 820
years after the year in which they are filed by electronic means 821
of transmission. 822

(7) (a) The secretary of state, pursuant to division (G) of 823
section 3517.106 of the Revised Code, shall make available 824
online to the public through the internet the contribution and 825
expenditure, contribution and disbursement, deposit and 826
disbursement, gift and disbursement, or donation and 827
disbursement information in all of the following documents: 828

(i) All statements, all addenda, amendments, or other 829
corrections to statements, and all amended statements filed with 830
the secretary of state by electronic or other means of 831
transmission under this section, division (B) (2) (b) or (C) (2) (b) 832
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 833
3517.1013, 3517.1014, or 3517.11 of the Revised Code; 834

(ii) All statements filed with a board of elections by 835
electronic means of transmission, and all addenda, amendments, 836
corrections, and amended versions of those statements, filed 837
with the board under this section, division (B) (2) (b) or (C) (2) 838
(b) of section 3517.105, or section 3517.106, 3517.1012, or 839
3517.11 of the Revised Code. 840

(b) The secretary of state may remove the information from 841
the internet after a reasonable period of time. 842

(E) (1) Any person, political party, campaign committee, 843
legislative campaign fund, political action committee, or 844
political contributing entity that makes a contribution in 845
connection with the nomination or election of any candidate or 846

in connection with any ballot issue or question at any election 847
held or to be held in this state shall provide its full name and 848
address to the recipient of the contribution at the time the 849
contribution is made. The political action committee also shall 850
provide the registration number assigned to the committee under 851
division (D) (1) of this section to the recipient of the 852
contribution at the time the contribution is made. 853

(2) Any individual who makes a contribution that exceeds 854
one hundred dollars to a political action committee, political 855
contributing entity, legislative campaign fund, or political 856
party or to a campaign committee of a statewide candidate or 857
candidate for the office of member of the general assembly shall 858
provide the name of the individual's current employer, if any, 859
or, if the individual is self-employed, the individual's 860
occupation and the name of the individual's business, if any, to 861
the recipient of the contribution at the time the contribution 862
is made. Sections 3599.39 and 3599.40 of the Revised Code do not 863
apply to division (E) (2) of this section. 864

(3) If a campaign committee shows that it has exercised 865
its best efforts to obtain, maintain, and submit the information 866
required under divisions (B) (4) (b) (ii) and (iii) of this 867
section, that committee is considered to have met the 868
requirements of those divisions. A campaign committee shall not 869
be considered to have exercised its best efforts unless, in 870
connection with written solicitations, it regularly includes a 871
written request for the information required under division (B) 872
(4) (b) (ii) of this section from the contributor or the 873
information required under division (B) (4) (b) (iii) of this 874
section from whoever transmits the contribution. 875

(4) Any check that a political action committee uses to 876

make a contribution or an expenditure shall contain the full 877
name and address of the committee and the registration number 878
assigned to the committee under division (D) (1) of this section. 879

(F) As used in this section: 880

(1) (a) Except as otherwise provided in division (F) (1) of 881
this section, "address" means all of the following if they 882
exist: apartment number, street, road, or highway name and 883
number, rural delivery route number, city or village, state, and 884
zip code as used in a person's post-office address, but not 885
post-office box. 886

(b) Except as otherwise provided in division (F) (1) of 887
this section, if an address is required in this section, a post- 888
office box and office, room, or suite number may be included in 889
addition to, but not in lieu of, an apartment, street, road, or 890
highway name and number. 891

(c) If an address is required in this section, a campaign 892
committee, political action committee, legislative campaign 893
fund, political party, or political contributing entity may use 894
the business or residence address of its treasurer or deputy 895
treasurer. The post-office box number of the campaign committee, 896
political action committee, legislative campaign fund, political 897
party, or political contributing entity may be used in addition 898
to that address. 899

(d) For the sole purpose of a campaign committee's 900
reporting of contributions on a statement of contributions 901
received under division (B) (4) of this section, "address" has 902
one of the following meanings at the option of the campaign 903
committee: 904

(i) The same meaning as in division (F) (1) (a) of this 905

section; 906

(ii) All of the following, if they exist: the 907
contributor's post-office box number and city or village, state, 908
and zip code as used in the contributor's post-office address. 909

(e) As used with regard to the reporting under this 910
section of any expenditure, "address" means all of the following 911
if they exist: apartment number, street, road, or highway name 912
and number, rural delivery route number, city or village, state, 913
and zip code as used in a person's post-office address, or post- 914
office box. If an address concerning any expenditure is required 915
in this section, a campaign committee, political action 916
committee, legislative campaign fund, political party, or 917
political contributing entity may use the business or residence 918
address of its treasurer or deputy treasurer or its post-office 919
box number. 920

(2) "Statewide candidate" means the joint candidates for 921
the offices of governor and lieutenant governor or a candidate 922
for the office of secretary of state, auditor of state, 923
treasurer of state, attorney general, member of the state board 924
of education, chief justice of the supreme court, or justice of 925
the supreme court. 926

(3) "Candidate for county office" means a candidate for 927
the office of county auditor, county treasurer, clerk of the 928
court of common pleas, judge of the court of common pleas, 929
sheriff, county recorder, county engineer, county commissioner, 930
prosecuting attorney, or coroner. 931

(G) An independent expenditure shall be reported whenever 932
and in the same manner that an expenditure is required to be 933
reported under this section and shall be reported pursuant to 934

division (B) (2) (a) or (C) (2) (a) of section 3517.105 of the Revised Code. 935
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(H) (1) Except as otherwise provided in division (H) (2) of this section, if, during the combined pre-election and postelection reporting periods for an election, a campaign committee has received contributions of five hundred dollars or less and has made expenditures in the total amount of five hundred dollars or less, it may file a statement to that effect, under penalty of election falsification, in lieu of the statement required by division (A) (2) of this section. The statement shall indicate the total amount of contributions received and the total amount of expenditures made during those combined reporting periods. 937
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(2) In the case of a successful candidate at a primary election, if either the total contributions received by or the total expenditures made by the candidate's campaign committee during the preprimary, postprimary, pregeneral, and postgeneral election periods combined equal more than five hundred dollars, the campaign committee may file the statement under division (H) (1) of this section only for the primary election. The first statement that the campaign committee files in regard to the general election shall reflect all contributions received and all expenditures made during the preprimary and postprimary election periods. 948
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(3) Divisions (H) (1) and (2) of this section do not apply if a campaign committee receives contributions or makes expenditures prior to the first day of January of the year of the election at which the candidate seeks nomination or election to office or if the campaign committee does not file a termination statement with its postprimary election statement in 959
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the case of an unsuccessful primary election candidate or with 965
its postgeneral election statement in the case of other 966
candidates. 967

(I) In the case of a contribution made by a partner of a 968
partnership or an owner or a member of another unincorporated 969
business from any funds of the partnership or other 970
unincorporated business, all of the following apply: 971

(1) The recipient of the contribution shall report the 972
contribution by listing both the partnership or other 973
unincorporated business and the name of the partner, owner, or 974
member making the contribution. 975

(2) In reporting the contribution, the recipient of the 976
contribution shall be entitled to conclusively rely upon the 977
information provided by the partnership or other unincorporated 978
business, provided that the information includes one of the 979
following: 980

(a) The name of each partner, owner, or member as of the 981
date of the contribution or contributions, and a statement that 982
the total contributions are to be allocated equally among all of 983
the partners, owners, or members; or 984

(b) The name of each partner, owner, or member as of the 985
date of the contribution or contributions who is participating 986
in the contribution or contributions, and a statement that the 987
contribution or contributions are to be allocated to those 988
individuals in accordance with the information provided by the 989
partnership or other unincorporated business to the recipient of 990
the contribution. 991

(3) For purposes of section 3517.102 of the Revised Code, 992
the contribution shall be considered to have been made by the 993

partner, owner, or member reported under division (I) (1) of this section.	994 995
(4) No contribution from a partner of a partnership or an owner or a member of another unincorporated business shall be accepted from any funds of the partnership or other unincorporated business unless the recipient reports the contribution under division (I) (1) of this section together with the information provided under division (I) (2) of this section.	996 997 998 999 1000 1001
(5) No partnership or other unincorporated business shall make a contribution or contributions solely in the name of the partnership or other unincorporated business.	1002 1003 1004
(6) As used in division (I) of this section, "partnership or other unincorporated business" includes, but is not limited to, a cooperative, a sole proprietorship, a general partnership, a limited partnership, a limited partnership association, a limited liability partnership, and a limited liability company.	1005 1006 1007 1008 1009
(J) A candidate shall have only one campaign committee at any given time for all of the offices for which the person is a candidate or holds office.	1010 1011 1012
(K) (1) In addition to filing a designation of appointment of a treasurer under division (D) (1) of this section, the campaign committee of any candidate for an elected municipal office that pays an annual amount of compensation of five thousand dollars or less, the campaign committee of any candidate for member of a board of education except member of the state board of education, or the campaign committee of any candidate for township trustee or township fiscal officer may sign, under penalty of election falsification, a certificate attesting that the committee will not accept contributions	1013 1014 1015 1016 1017 1018 1019 1020 1021 1022

during an election period that exceed in the aggregate two 1023
thousand dollars from all contributors and one hundred dollars 1024
from any one individual, and that the campaign committee will 1025
not make expenditures during an election period that exceed in 1026
the aggregate two thousand dollars. 1027

The certificate shall be on a form prescribed by the 1028
secretary of state and shall be filed not later than ten days 1029
after the candidate files a declaration of candidacy and 1030
petition, a nominating petition, or a declaration of intent to 1031
be a write-in candidate. 1032

(2) Except as otherwise provided in division (K) (3) of 1033
this section, a campaign committee that files a certificate 1034
under division (K) (1) of this section is not required to file 1035
the statements required by division (A) of this section. 1036

(3) If, after filing a certificate under division (K) (1) 1037
of this section, a campaign committee exceeds any of the 1038
limitations described in that division during an election 1039
period, the certificate is void and thereafter the campaign 1040
committee shall file the statements required by division (A) of 1041
this section. If the campaign committee has not previously filed 1042
a statement, then on the first statement the campaign committee 1043
is required to file under division (A) of this section after the 1044
committee's certificate is void, the committee shall report all 1045
contributions received and expenditures made from the time the 1046
candidate filed the candidate's declaration of candidacy and 1047
petition, nominating petition, or declaration of intent to be a 1048
write-in candidate. 1049

(4) As used in division (K) of this section, "election 1050
period" means the period of time beginning on the day a person 1051
files a declaration of candidacy and petition, nominating 1052

petition, or declaration of intent to be a write-in candidate 1053
through the day of the election at which the person seeks 1054
nomination to office if the person is not elected to office, or, 1055
if the candidate was nominated in a primary election, the day of 1056
the election at which the candidate seeks office. 1057

(L) A political contributing entity that receives 1058
contributions from the dues, membership fees, or other 1059
assessments of its members or from its officers, shareholders, 1060
and employees may report the aggregate amount of contributions 1061
received from those contributors and the number of individuals 1062
making those contributions, for each filing period under 1063
divisions (A) (1), (2), (3), and (4) of this section, rather than 1064
reporting information as required under division (B) (4) of this 1065
section, including, when applicable, the name of the current 1066
employer, if any, of a contributor whose contribution exceeds 1067
one hundred dollars or, if such a contributor is self-employed, 1068
the contributor's occupation and the name of the contributor's 1069
business, if any. Division (B) (4) of this section applies to a 1070
political contributing entity with regard to contributions it 1071
receives from all other contributors. 1072

Sec. 3517.12. (A) ~~Prior to receiving a contribution or~~ 1073
~~making an expenditure, the circulator or~~ If the committee in 1074
charge of an initiative or referendum petition, or supplementary 1075
petition for additional signatures, for the submission to the 1076
electors of a ~~constitutional amendment, proposed law, section,~~ 1077
~~or item of any law~~ ballot issue or question receives a 1078
contribution or makes an expenditure for the purpose of 1079
achieving the successful circulation of the petition, the 1080
committee is considered a political action committee for that 1081
purpose and shall appoint a treasurer and shall file with the 1082
~~secretary of state, on a form prescribed by the secretary of~~ 1083

~~state, a designation of that appointment, including the full-~~ 1084
~~name and address of the treasurer and of the circulator or~~ 1085
~~committee~~ comply with all applicable requirements of this 1086
chapter concerning political action committees, including filing 1087
a designation of treasurer under division (D) of section 3517.10 1088
of the Revised Code before receiving a contribution or making an 1089
expenditure and filing all required statements of contributions 1090
and expenditures. 1091

(B) ~~The circulator or~~ If the committee in charge of an 1092
initiative or referendum petition, or supplementary petition for 1093
additional signatures, for the submission to the electors of a 1094
~~constitutional amendment, proposed law, section, or item of any-~~ 1095
~~law ballot issue or question receives no contributions and makes~~ 1096
no expenditures for the purpose of achieving the successful 1097
circulation of the petition, and is not otherwise considered a 1098
campaign committee, political party, legislative campaign fund, 1099
political action committee, or political contributing entity, 1100
then the committee shall, within thirty days after ~~those the~~ 1101
~~petition papers are~~ is filed, file with the secretary of state- 1102
office with which the petition is filed, on a form prescribed by 1103
the secretary of state, an itemized a statement, made under 1104
penalty of election falsification, ~~showing in detail the~~ 1105
following: 1106

~~(1) All money or things of value paid, given, promised, or~~ 1107
~~received for circulating the petitions;~~ 1108

~~(2) All appointments, promotions, or increases in salary,~~ 1109
~~in positions which were given, promised, or received, or to~~ 1110
~~obtain which assistance was given, promised, or received as a~~ 1111
~~consideration for work done in circulating petitions;~~ 1112

~~(3) Full names and addresses, including street, city, and~~ 1113

~~state, of all persons to whom such payments or promises were~~ 1114
~~made and of all persons from whom such payments or promises were~~ 1115
~~received;~~ 1116

~~(4) Full names and addresses, including street, city, and~~ 1117
~~state, of all persons who contributed anything of value to be~~ 1118
~~used in circulating the petitions, and the amounts of those~~ 1119
~~contributions;~~ 1120

~~(5) Time spent and salaries earned while soliciting~~ 1121
~~signatures to petitions by persons who were regular salaried~~ 1122
~~employees of some person or whom that employer authorized to~~ 1123
~~solicit as part of their regular duties.~~ 1124

~~If that the committee received no money or things of~~ 1125
~~value were paid or received or if no promises were made or~~ 1126
~~received as a consideration for work done in circulating a~~ 1127
~~petition, the statement shall contain words to that effect~~ 1128
~~contributions and made no expenditures for the purpose of~~ 1129
~~achieving the successful circulation of the petition.~~ 1130

~~(C) The treasurer designated under division (A) of this~~ 1131
~~section shall file statements of contributions and expenditures~~ 1132
~~in accordance with section 3517.10 of the Revised Code regarding~~ 1133
~~all contributions made or received and all expenditures made by~~ 1134
~~that treasurer or the circulator or committee in connection with~~ 1135
~~the initiative or referendum petition, or supplementary petition~~ 1136
~~for additional signatures, for the submission of a~~ 1137
~~constitutional amendment, proposed law, section, or item of any~~ 1138
~~law.~~ 1139

Sec. 3517.121. (A) Before receiving a contribution, as 1140
defined in section 3517.01 of the Revised Code, or making an 1141
expenditure on or after the effective date of this section, 1142

every alternative political organization shall appoint a 1143
treasurer and shall file a designation of that appointment under 1144
division (D) (1) of section 3517.10 of the Revised Code as though 1145
the alternative political organization were a political 1146
contributing entity. The form of the designation shall indicate 1147
that the filer is an alternative political organization. 1148

(B) (1) Except as otherwise provided in division (C) of 1149
this section, an alternative political organization shall file 1150
statements of contributions and expenditures under section 1151
3517.10 of the Revised Code as though it were a political 1152
contributing entity and shall be deemed to be a political 1153
contributing entity for all purposes under this chapter. 1154

(2) For purposes of an alternative political organization 1155
reporting contributions received by the alternative political 1156
organization as required by division (B) (1) of this section: 1157

(a) "Contribution" has the meaning defined in section 1158
3517.01 of the Revised Code if the alternative political 1159
organization does all of the following: 1160

(i) Deposits in a separate account from its general funds 1161
all loans, gifts, deposits, donations, advances, payments, or 1162
transfers of funds or anything of value, including a transfer of 1163
funds from an inter vivos or testamentary trust or decedent's 1164
estate and the payment by any person other than the person to 1165
whom the services are rendered for the personal services of 1166
another person, that are made to or received by the alternative 1167
political organization for the purpose of influencing the 1168
results of an election; 1169

(ii) Does not transfer to that separate account any other 1170
loans, gifts, deposits, donations, advances, payments, or 1171

transfers of funds or anything of value, including a transfer of 1172
funds from an inter vivos or testamentary trust or decedent's 1173
estate and the payment by any person other than the person to 1174
whom the services are rendered for the personal services of 1175
another person, that are made to or received by the alternative 1176
political organization; 1177

(iii) Makes contributions and expenditures only from that 1178
separate account. 1179

(b) If an alternative political organization does not 1180
follow the procedure described in division (B) (2) (a) of this 1181
section, then any loan, gift, deposit, forgiveness of 1182
indebtedness, donation, advance, payment, or transfer of funds 1183
or anything of value, including a transfer of funds from an 1184
inter vivos or testamentary trust or decedent's estate and the 1185
payment by any person other than the person to whom the services 1186
are rendered for the personal services of another person, that 1187
is made to or received by the alternative political organization 1188
is considered a contribution, regardless of whether it is made 1189
or received for the purpose of influencing the results of an 1190
election. 1191

(C) (1) Upon filing a designation of appointment of a 1192
treasurer under division (A) of this section or upon filing a 1193
report of contributions and expenditures under division (B) of 1194
this section, an alternative political organization may file a 1195
certificate attesting that the alternative political 1196
organization has not accepted, and will not accept, anything of 1197
value from a foreign national, directly or indirectly, in the 1198
form of a contribution or for any other purpose. The certificate 1199
shall be on a form prescribed by the secretary of state and 1200
shall be signed under penalty of election falsification. Except 1201

as otherwise provided in division (C) (2) of this section, an 1202
alternative political organization that files a certificate 1203
under this division is no longer subject to the requirements of 1204
division (B) of this section. 1205

(2) If, after filing a certificate under division (C) (1) 1206
of this section, an alternative political organization accepts 1207
anything of value from a foreign national, directly or 1208
indirectly, in the form of a contribution or for any other 1209
purpose, the certificate is void. Thereafter, the alternative 1210
political organization is subject to the requirements of 1211
division (B) of this section. On the first statement of 1212
contributions and expenditures the alternative political 1213
organization is required to file after the certificate is void, 1214
the alternative political organization shall report all 1215
contributions received and expenditures made from the time the 1216
alternative political organization filed its designation of 1217
appointment of a treasurer under division (A) of this section or 1218
from the close of business on the last day reflected in its last 1219
previously filed statement of contributions and expenditures, as 1220
applicable. 1221

(3) As used in division (D) of this section, "foreign 1222
national" has the same meaning as in division (W) of section 1223
3517.13 of the Revised Code. 1224

Sec. 3517.13. (A) (1) No campaign committee of a statewide 1225
candidate shall fail to file a complete and accurate statement 1226
required under division (A) (1) of section 3517.10 of the Revised 1227
Code. 1228

(2) No campaign committee of a statewide candidate shall 1229
fail to file a complete and accurate monthly statement, and no 1230
campaign committee of a statewide candidate or a candidate for 1231

the office of chief justice or justice of the supreme court 1232
shall fail to file a complete and accurate two-business-day 1233
statement, as required under section 3517.10 of the Revised 1234
Code. 1235

As used in this division, "statewide candidate" has the 1236
same meaning as in division (F) (2) of section 3517.10 of the 1237
Revised Code. 1238

(B) No campaign committee shall fail to file a complete 1239
and accurate statement required under division (A) (1) of section 1240
3517.10 of the Revised Code. 1241

(C) No campaign committee shall fail to file a complete 1242
and accurate statement required under division (A) (2) of section 1243
3517.10 of the Revised Code. 1244

(D) No campaign committee shall fail to file a complete 1245
and accurate statement required under division (A) (3) or (4) of 1246
section 3517.10 of the Revised Code. 1247

(E) No person other than a campaign committee shall 1248
knowingly fail to file a statement required under section 1249
3517.10 ~~or~~, 3517.107, or 3517.121 of the Revised Code. 1250

(F) No person shall make cash contributions to any person 1251
totaling more than one hundred dollars in each primary, special, 1252
or general election. 1253

(G) (1) No person shall knowingly conceal or misrepresent 1254
contributions given or received, expenditures made, or any other 1255
information required to be reported by a provision in sections 1256
3517.08 to 3517.13 of the Revised Code. 1257

(2) (a) No person shall make a contribution to a campaign 1258
committee, political action committee, political contributing 1259

entity, legislative campaign fund, political party, or person 1260
making disbursements to pay the direct costs of producing or 1261
airing electioneering communications in the name of another 1262
person. 1263

(b) A person does not make a contribution in the name of 1264
another when either of the following applies: 1265

(i) An individual makes a contribution from a partnership 1266
or other unincorporated business account, if the contribution is 1267
reported by listing both the name of the partnership or other 1268
unincorporated business and the name of the partner or owner 1269
making the contribution as required under division (I) of 1270
section 3517.10 of the Revised Code. 1271

(ii) A person makes a contribution in that person's 1272
spouse's name or in both of their names. 1273

(H) No person within this state, publishing a newspaper or 1274
other periodical, shall charge a campaign committee for 1275
political advertising a rate in excess of the rate such person 1276
would charge if the campaign committee were a general rate 1277
advertiser whose advertising was directed to promoting its 1278
business within the same area as that encompassed by the 1279
particular office that the candidate of the campaign committee 1280
is seeking. The rate shall take into account the amount of space 1281
used, as well as the type of advertising copy submitted by or on 1282
behalf of the campaign committee. All discount privileges 1283
otherwise offered by a newspaper or periodical to general rate 1284
advertisers shall be available upon equal terms to all campaign 1285
committees. 1286

No person within this state, operating a radio or 1287
television station or network of stations in this state, shall 1288

charge a campaign committee for political broadcasts a rate that 1289
exceeds: 1290

(1) During the forty-five days preceding the date of a 1291
primary election and during the sixty days preceding the date of 1292
a general or special election in which the candidate of the 1293
campaign committee is seeking office, the lowest unit charge of 1294
the station for the same class and amount of time for the same 1295
period; 1296

(2) At any other time, the charges made for comparable use 1297
of that station by its other users. 1298

(I) Subject to divisions (K), (L), (M), and (N) of this 1299
section, no agency or department of this state or any political 1300
subdivision shall award any contract, other than one let by 1301
competitive bidding or a contract incidental to such contract or 1302
which is by force account, for the purchase of goods costing 1303
more than five hundred dollars or services costing more than 1304
five hundred dollars to any individual, partnership, 1305
association, including, without limitation, a professional 1306
association organized under Chapter 1785. of the Revised Code, 1307
estate, or trust if the individual has made or the individual's 1308
spouse has made, or any partner, shareholder, administrator, 1309
executor, or trustee or the spouse of any of them has made, as 1310
an individual, within the two previous calendar years, one or 1311
more contributions totaling in excess of one thousand dollars to 1312
the holder of the public office having ultimate responsibility 1313
for the award of the contract or to the public officer's 1314
campaign committee. 1315

(J) Subject to divisions (K), (L), (M), and (N) of this 1316
section, no agency or department of this state or any political 1317
subdivision shall award any contract, other than one let by 1318

competitive bidding or a contract incidental to such contract or 1319
which is by force account, for the purchase of goods costing 1320
more than five hundred dollars or services costing more than 1321
five hundred dollars to a corporation or business trust, except 1322
a professional association organized under Chapter 1785. of the 1323
Revised Code, if an owner of more than twenty per cent of the 1324
corporation or business trust or the spouse of that person has 1325
made, as an individual, within the two previous calendar years, 1326
taking into consideration only owners for all of that period, 1327
one or more contributions totaling in excess of one thousand 1328
dollars to the holder of a public office having ultimate 1329
responsibility for the award of the contract or to the public 1330
officer's campaign committee. 1331

(K) For purposes of divisions (I) and (J) of this section, 1332
if a public officer who is responsible for the award of a 1333
contract is appointed by the governor, whether or not the 1334
appointment is subject to the advice and consent of the senate, 1335
excluding members of boards, commissions, committees, 1336
authorities, councils, boards of trustees, task forces, and 1337
other such entities appointed by the governor, the office of the 1338
governor is considered to have ultimate responsibility for the 1339
award of the contract. 1340

(L) For purposes of divisions (I) and (J) of this section, 1341
if a public officer who is responsible for the award of a 1342
contract is appointed by the elected chief executive officer of 1343
a municipal corporation, or appointed by the elected chief 1344
executive officer of a county operating under an alternative 1345
form of county government or county charter, excluding members 1346
of boards, commissions, committees, authorities, councils, 1347
boards of trustees, task forces, and other such entities 1348
appointed by the chief executive officer, the office of the 1349

chief executive officer is considered to have ultimate 1350
responsibility for the award of the contract. 1351

(M) (1) Divisions (I) and (J) of this section do not apply 1352
to contracts awarded by the board of commissioners of the 1353
sinking fund, municipal legislative authorities, boards of 1354
education, boards of county commissioners, boards of township 1355
trustees, or other boards, commissions, committees, authorities, 1356
councils, boards of trustees, task forces, and other such 1357
entities created by law, by the supreme court or courts of 1358
appeals, by county courts consisting of more than one judge, 1359
courts of common pleas consisting of more than one judge, or 1360
municipal courts consisting of more than one judge, or by a 1361
division of any court if the division consists of more than one 1362
judge. This division shall apply to the specified entity only if 1363
the members of the entity act collectively in the award of a 1364
contract for goods or services. 1365

(2) Divisions (I) and (J) of this section do not apply to 1366
actions of the controlling board. 1367

(N) (1) Divisions (I) and (J) of this section apply to 1368
contributions made to the holder of a public office having 1369
ultimate responsibility for the award of a contract, or to the 1370
public officer's campaign committee, during the time the person 1371
holds the office and during any time such person was a candidate 1372
for the office. Those divisions do not apply to contributions 1373
made to, or to the campaign committee of, a candidate for or 1374
holder of the office other than the holder of the office at the 1375
time of the award of the contract. 1376

(2) Divisions (I) and (J) of this section do not apply to 1377
contributions of a partner, shareholder, administrator, 1378
executor, trustee, or owner of more than twenty per cent of a 1379

corporation or business trust made before the person held any of 1380
those positions or after the person ceased to hold any of those 1381
positions in the partnership, association, estate, trust, 1382
corporation, or business trust whose eligibility to be awarded a 1383
contract is being determined, nor to contributions of the 1384
person's spouse made before the person held any of those 1385
positions, after the person ceased to hold any of those 1386
positions, before the two were married, after the granting of a 1387
decree of divorce, dissolution of marriage, or annulment, or 1388
after the granting of an order in an action brought solely for 1389
legal separation. Those divisions do not apply to contributions 1390
of the spouse of an individual whose eligibility to be awarded a 1391
contract is being determined made before the two were married, 1392
after the granting of a decree of divorce, dissolution of 1393
marriage, or annulment, or after the granting of an order in an 1394
action brought solely for legal separation. 1395

(0) No beneficiary of a campaign fund or other person 1396
shall convert for personal use, and no person shall knowingly 1397
give to a beneficiary of a campaign fund or any other person, 1398
for the beneficiary's or any other person's personal use, 1399
anything of value from the beneficiary's campaign fund, 1400
including, without limitation, payments to a beneficiary for 1401
services the beneficiary personally performs, except as 1402
reimbursement for any of the following: 1403

(1) Legitimate and verifiable prior campaign expenses 1404
incurred by the beneficiary; 1405

(2) Legitimate and verifiable ordinary and necessary prior 1406
expenses incurred by the beneficiary in connection with duties 1407
as the holder of a public office, including, without limitation, 1408
expenses incurred through participation in nonpartisan or 1409

bipartisan events if the participation of the holder of a public office would normally be expected; 1410
1411

(3) Legitimate and verifiable ordinary and necessary prior expenses incurred by the beneficiary while doing any of the following: 1412
1413
1414

(a) Engaging in activities in support of or opposition to a candidate other than the beneficiary, political party, or ballot issue; 1415
1416
1417

(b) Raising funds for a political party, political action committee, political contributing entity, legislative campaign fund, campaign committee, or other candidate; 1418
1419
1420

(c) Participating in the activities of a political party, political action committee, political contributing entity, legislative campaign fund, or campaign committee; 1421
1422
1423

(d) Attending a political party convention or other political meeting. 1424
1425

For purposes of this division, an expense is incurred whenever a beneficiary has either made payment or is obligated to make payment, as by the use of a credit card or other credit procedure or by the use of goods or services received on account. 1426
1427
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(P) No beneficiary of a campaign fund shall knowingly accept, and no person shall knowingly give to the beneficiary of a campaign fund, reimbursement for an expense under division (O) of this section to the extent that the expense previously was reimbursed or paid from another source of funds. If an expense is reimbursed under division (O) of this section and is later paid or reimbursed, wholly or in part, from another source of funds, the beneficiary shall repay the reimbursement received 1431
1432
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under division (O) of this section to the extent of the payment 1439
made or reimbursement received from the other source. 1440

(Q) No candidate or public official or employee shall 1441
accept for personal or business use anything of value from a 1442
political party, political action committee, political 1443
contributing entity, legislative campaign fund, or campaign 1444
committee other than the candidate's or public official's or 1445
employee's own campaign committee, and no person shall knowingly 1446
give to a candidate or public official or employee anything of 1447
value from a political party, political action committee, 1448
political contributing entity, legislative campaign fund, or 1449
such a campaign committee, except for the following: 1450

(1) Reimbursement for legitimate and verifiable ordinary 1451
and necessary prior expenses not otherwise prohibited by law 1452
incurred by the candidate or public official or employee while 1453
engaged in any legitimate activity of the political party, 1454
political action committee, political contributing entity, 1455
legislative campaign fund, or such campaign committee. Without 1456
limitation, reimbursable expenses under this division include 1457
those incurred while doing any of the following: 1458

(a) Engaging in activities in support of or opposition to 1459
another candidate, political party, or ballot issue; 1460

(b) Raising funds for a political party, legislative 1461
campaign fund, campaign committee, or another candidate; 1462

(c) Attending a political party convention or other 1463
political meeting. 1464

(2) Compensation not otherwise prohibited by law for 1465
actual and valuable personal services rendered under a written 1466
contract to the political party, political action committee, 1467

political contributing entity, legislative campaign fund, or 1468
such campaign committee for any legitimate activity of the 1469
political party, political action committee, political 1470
contributing entity, legislative campaign fund, or such campaign 1471
committee. 1472

Reimbursable expenses under this division do not include, 1473
and it is a violation of this division for a candidate or public 1474
official or employee to accept, or for any person to knowingly 1475
give to a candidate or public official or employee from a 1476
political party, political action committee, political 1477
contributing entity, legislative campaign fund, or campaign 1478
committee other than the candidate's or public official's or 1479
employee's own campaign committee, anything of value for 1480
activities primarily related to the candidate's or public 1481
official's or employee's own campaign for election, except for 1482
contributions to the candidate's or public official's or 1483
employee's campaign committee. 1484

For purposes of this division, an expense is incurred 1485
whenever a candidate or public official or employee has either 1486
made payment or is obligated to make payment, as by the use of a 1487
credit card or other credit procedure, or by the use of goods or 1488
services on account. 1489

(R) (1) Division (O) or (P) of this section does not 1490
prohibit a campaign committee from making direct advance or post 1491
payment from contributions to vendors for goods and services for 1492
which reimbursement is permitted under division (O) of this 1493
section, except that no campaign committee shall pay its 1494
candidate or other beneficiary for services personally performed 1495
by the candidate or other beneficiary. 1496

(2) If any expense that may be reimbursed under division 1497

(O), (P), or (Q) of this section is part of other expenses that 1498
may not be paid or reimbursed, the separation of the two types 1499
of expenses for the purpose of allocating for payment or 1500
reimbursement those expenses that may be paid or reimbursed may 1501
be by any reasonable accounting method, considering all of the 1502
surrounding circumstances. 1503

(3) For purposes of divisions (O), (P), and (Q) of this 1504
section, mileage allowance at a rate not greater than that 1505
allowed by the internal revenue service at the time the travel 1506
occurs may be paid instead of reimbursement for actual travel 1507
expenses allowable. 1508

(S) (1) As used in division (S) of this section: 1509

(a) "State elective office" has the same meaning as in 1510
section 3517.092 of the Revised Code. 1511

(b) "Federal office" means a federal office as defined in 1512
the Federal Election Campaign Act. 1513

(c) "Federal campaign committee" means a principal 1514
campaign committee or authorized committee as defined in the 1515
Federal Election Campaign Act. 1516

(2) No person who is a candidate for state elective office 1517
and who previously sought nomination or election to a federal 1518
office shall transfer any funds or assets from that person's 1519
federal campaign committee for nomination or election to the 1520
federal office to that person's campaign committee as a 1521
candidate for state elective office. 1522

(3) No campaign committee of a person who is a candidate 1523
for state elective office and who previously sought nomination 1524
or election to a federal office shall accept any funds or assets 1525
from that person's federal campaign committee for that person's 1526

nomination or election to the federal office.	1527
(T) (1) Except as otherwise provided in division (B) (6) (c)	1528
of section 3517.102 of the Revised Code, a state or county	1529
political party shall not disburse moneys from any account other	1530
than a state candidate fund to make contributions to any of the	1531
following:	1532
(a) A state candidate fund;	1533
(b) A legislative campaign fund;	1534
(c) A campaign committee of a candidate for the office of	1535
governor, lieutenant governor, secretary of state, auditor of	1536
state, treasurer of state, attorney general, member of the state	1537
board of education, or member of the general assembly.	1538
(2) No state candidate fund, legislative campaign fund, or	1539
campaign committee of a candidate for any office described in	1540
division (T) (1) (c) of this section shall knowingly accept a	1541
contribution in violation of division (T) (1) of this section.	1542
(U) No person shall fail to file a statement required	1543
under section 3517.12 of the Revised Code.	1544
(V) No campaign committee shall fail to file a statement	1545
required under division (K) (3) of section 3517.10 of the Revised	1546
Code.	1547
(W) (1) No foreign national shall, directly or indirectly	1548
through any other person or entity, make <u>do either of the</u>	1549
<u>following:</u>	1550
<u>(a) Make</u> a contribution, expenditure, or independent	1551
expenditure or promise, either expressly or implicitly, to make	1552
a contribution, expenditure, or independent expenditure in	1553
support of or opposition to a candidate for any elective office	1554

~~in this state, including an office of a political party;~~ 1555

(b) Solicit another person to make a contribution, 1556
expenditure, or independent expenditure. 1557

(2) No candidate, campaign committee, political action 1558
committee, political contributing entity, legislative campaign 1559
fund, state candidate fund, political party, ~~or~~ separate 1560
segregated fund, federal political committee, or alternative 1561
political organization shall do either of the following: 1562

(a) Transfer funds, or accept a transfer of funds, 1563
directly or indirectly into an account from which the person 1564
makes contributions or expenditures from an account that is 1565
controlled by the person or by the person's affiliate and that, 1566
at any time, has contained funds received directly or indirectly 1567
from a foreign national. For purposes of this division, a person 1568
is affiliated with another person if they are both established, 1569
financed, maintained, or controlled by, or if they are, the same 1570
corporation, organization, labor organization, or other person, 1571
including any parent, subsidiary, division, or department of 1572
that corporation, organization, labor organization, or other 1573
person. 1574

(b) Otherwise solicit or accept a contribution, 1575
expenditure, or independent expenditure, directly or indirectly 1576
through another person, from a foreign national. ~~The secretary~~ 1577
~~of state may direct any candidate, committee, entity, fund, or~~ 1578
~~party that accepts a contribution, expenditure, or independent~~ 1579
~~expenditure in violation of this division to return the~~ 1580
~~contribution, expenditure, or independent expenditure or, if it~~ 1581
~~is not possible to return the contribution, expenditure, or~~ 1582
~~independent expenditure, then to return instead the value of it,~~ 1583
~~to the contributor.~~ 1584

(3) As used in division (W) of this section, "foreign national" ~~has the same meaning as in section 441c(b) of the Federal Election Campaign Act~~ means any of the following, as applicable:

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

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

(c) A foreign political party;

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

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

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

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

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

(b) No state or county political party shall accept a gift or gifts for the party's restricted fund aggregating more than

ten thousand dollars from any one corporation or labor 1613
organization in a calendar year. 1614

(4) No state or county political party shall transfer any 1615
moneys in the party's restricted fund to any other state or 1616
county political party. 1617

(5) No state or county political party shall knowingly 1618
fail to file a statement required under section 3517.1012 of the 1619
Revised Code. 1620

(Y) The administrator of workers' compensation and the 1621
employees of the bureau of workers' compensation shall not 1622
conduct any business with or award any contract, other than one 1623
awarded by competitive bidding, for the purchase of goods 1624
costing more than five hundred dollars or services costing more 1625
than five hundred dollars to any individual, partnership, 1626
association, including, without limitation, a professional 1627
association organized under Chapter 1785. of the Revised Code, 1628
estate, or trust, if the individual has made, or the 1629
individual's spouse has made, or any partner, shareholder, 1630
administrator, executor, or trustee, or the spouses of any of 1631
those individuals has made, as an individual, within the two 1632
previous calendar years, one or more contributions totaling in 1633
excess of one thousand dollars to the campaign committee of the 1634
governor or lieutenant governor or to the campaign committee of 1635
any candidate for the office of governor or lieutenant governor. 1636

(Z) The administrator of workers' compensation and the 1637
employees of the bureau of workers' compensation shall not 1638
conduct business with or award any contract, other than one 1639
awarded by competitive bidding, for the purchase of goods 1640
costing more than five hundred dollars or services costing more 1641
than five hundred dollars to a corporation or business trust, 1642

except a professional association organized under Chapter 1785. 1643
of the Revised Code, if an owner of more than twenty per cent of 1644
the corporation or business trust, or the spouse of the owner, 1645
has made, as an individual, within the two previous calendar 1646
years, taking into consideration only owners for all of such 1647
period, one or more contributions totaling in excess of one 1648
thousand dollars to the campaign committee of the governor or 1649
lieutenant governor or to the campaign committee of any 1650
candidate for the office of governor or lieutenant governor. 1651

Sec. 3517.155. (A) (1) Except as otherwise provided in 1652
division (B) of this section, the Ohio elections commission 1653
shall hold its first hearing on a complaint filed with it, other 1654
than a complaint that receives an expedited hearing under 1655
section 3517.156 of the Revised Code, not later than ninety 1656
business days after the complaint is filed unless the commission 1657
has good cause to hold the hearing after that time, in which 1658
case it shall hold the hearing not later than one hundred eighty 1659
business days after the complaint is filed. At the hearing, the 1660
commission shall determine whether or not the failure to act or 1661
the violation alleged in the complaint has occurred and shall do 1662
only one of the following, except as otherwise provided in 1663
~~division (B) of this section~~ or in division (B) of section 1664
3517.151 of the Revised Code: 1665

(a) Enter a finding that good cause has been shown not to 1666
impose a fine or not to refer the matter to the appropriate 1667
prosecutor; 1668

(b) Impose a fine under section 3517.993 of the Revised 1669
Code; 1670

(c) Refer the matter to the appropriate prosecutor~~+~~. 1671

(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;

(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;

(ii) The prosecutor of the county in which the candidacy or ballot question or issue is submitted to the electors or, if it is submitted in more than one county, the most populous of those counties.

(B) If the commission decides that the evidence is insufficient for it to determine whether or not the failure to act or the violation alleged in the complaint has occurred, the commission, by the affirmative vote of five members, may request that an investigatory attorney investigate the complaint. Upon that request, an investigatory attorney shall make an investigation in order to produce sufficient evidence for the commission to decide the matter. If the commission requests an

investigation under this division, for good cause shown by the 1701
investigatory attorney, the commission may extend by sixty days 1702
the deadline for holding its first hearing on the complaint as 1703
required in division (A) of this section. 1704

(C) The commission shall take one of the actions required 1705
under division (A) of this section not later than thirty days 1706
after the close of all the evidence presented. 1707

(D) (1) The commission shall make any finding of a failure 1708
to comply with or a violation of law in regard to a complaint 1709
that alleges a violation of division (A) or (B) of section 1710
3517.21, or division (A) or (B) of section 3517.22 of the 1711
Revised Code by clear and convincing evidence. The commission 1712
shall make any finding of a failure to comply with or a 1713
violation of law in regard to any other complaint by a 1714
preponderance of the evidence. 1715

(2) If the commission finds a violation of division (B) of 1716
section 3517.21 or division (B) of section 3517.22 of the 1717
Revised Code, it shall refer the matter to the appropriate 1718
prosecutor under division (A) (1) (c) of this section and shall 1719
not impose a fine under division (A) (1) (b) of this section or 1720
section 3517.993 of the Revised Code. 1721

(3) (a) If the commission finds a violation of division (W) 1722
of section 3517.13 of the Revised Code, it shall do one of the 1723
following: 1724

(i) Impose a fine under section 3517.993 of the Revised 1725
Code in an amount equal to three times the amount involved in 1726
the violation or ten thousand dollars, whichever amount is 1727
greater, with none of the fine suspended and, in the case of a 1728
violation of division (W) (2) of section 3517.13 of the Revised 1729

Code, order the violator to return an amount equal to any amount 1730
accepted in violation of that division to the foreign national 1731
from whom it was accepted; 1732

(ii) Refer the matter to the appropriate prosecutor or to 1733
the attorney general. 1734

(b) If the commission finds a violation of division (W) of 1735
section 3517.13 of the Revised Code and refers the matter for 1736
prosecution, the attorney general may prosecute the violation 1737
with all the rights, privileges, and powers conferred by law on 1738
prosecuting attorneys, including the power to appear before 1739
grand juries and to interrogate witnesses before such grand 1740
juries, under any of the following circumstances: 1741

(i) Upon the commission's referral of the matter to the 1742
attorney general; 1743

(ii) Upon the request of the prosecutor to whom the 1744
commission refers the matter; 1745

(iii) Upon the attorney general's own initiative. 1746

These powers of the attorney general are in addition to 1747
any other applicable powers of the attorney general. 1748

(E) In an action before the commission or a panel of the 1749
commission, if the allegations of the complainant are not 1750
proved, and the commission takes the action described in 1751
division (A) (1) (a) of this section or a panel of the commission 1752
takes the action described in division (C) (1) of section 1753
3517.156 of the Revised Code, the commission or a panel of the 1754
commission may find that the complaint is frivolous, and, if the 1755
commission or panel so finds, the commission shall order the 1756
complainant to pay reasonable attorney's fees and to pay the 1757
costs of the commission or panel as determined by a majority of 1758

the members of the commission. The costs paid to the commission 1759
or panel under this division shall be deposited into the Ohio 1760
elections commission fund. 1761

Sec. 3517.992. This section establishes penalties only 1762
with respect to acts or failures to act that occur on and after 1763
August 24, 1995. 1764

(A) (1) A candidate whose campaign committee violates 1765
division (A), (B), (C), (D), or (V) of section 3517.13 of the 1766
Revised Code, or a treasurer of a campaign committee who 1767
violates any of those divisions, shall be fined not more than 1768
one hundred dollars for each day of violation. 1769

(2) Whoever violates division (E) or (X) (5) of section 1770
3517.13 or division (E) (1) of section 3517.1014 of the Revised 1771
Code shall be fined not more than one hundred dollars for each 1772
day of violation. 1773

(B) An entity that violates division (G) (1) of section 1774
3517.101 of the Revised Code shall be fined not more than one 1775
hundred dollars for each day of violation. 1776

(C) Whoever violates division (G) (2) of section 3517.101, 1777
division (G) of section 3517.13, or division (E) (2) or (3) of 1778
section 3517.1014 of the Revised Code shall be fined not more 1779
than ten thousand dollars or, if the offender is a person who 1780
was nominated or elected to public office, shall forfeit the 1781
nomination or the office to which the offender was elected, or 1782
both. 1783

(D) Whoever violates division (F) of section 3517.13 of 1784
the Revised Code shall be fined not more than three times the 1785
amount contributed. 1786

(E) Whoever violates division (H) of section 3517.13 of 1787

the Revised Code shall be fined not more than one hundred 1788
dollars. 1789

(F) Whoever violates division (O), (P), or (Q) of section 1790
3517.13 of the Revised Code is guilty of a misdemeanor of the 1791
first degree. 1792

(G) A state or county committee of a political party that 1793
violates division (B) (1) of section 3517.18 of the Revised Code 1794
as that section existed before its repeal by H.B. 166 of the 1795
133rd general assembly shall be fined not more than twice the 1796
amount of the improper expenditure. 1797

(H) An entity that violates division (H) of section 1798
3517.101 of the Revised Code shall be fined not more than twice 1799
the amount of the improper expenditure or use. 1800

(I) (1) Any individual who violates division (B) (1) of 1801
section 3517.102 of the Revised Code and knows that the 1802
contribution the individual makes violates that division shall 1803
be fined an amount equal to three times the amount contributed 1804
in excess of the amount permitted by that division. 1805

(2) Any political action committee that violates division 1806
(B) (2) of section 3517.102 of the Revised Code shall be fined an 1807
amount equal to three times the amount contributed in excess of 1808
the amount permitted by that division. 1809

(3) Any campaign committee that violates division (B) (3) 1810
or (5) of section 3517.102 of the Revised Code shall be fined an 1811
amount equal to three times the amount contributed in excess of 1812
the amount permitted by that division. 1813

(4) (a) Any legislative campaign fund that violates 1814
division (B) (6) of section 3517.102 of the Revised Code shall be 1815
fined an amount equal to three times the amount transferred or 1816

contributed in excess of the amount permitted by that division, 1817
as applicable. 1818

(b) Any state political party, county political party, or 1819
state candidate fund of a state political party or county 1820
political party that violates division (B)(6) of section 1821
3517.102 of the Revised Code shall be fined an amount equal to 1822
three times the amount transferred or contributed in excess of 1823
the amount permitted by that division, as applicable. 1824

(c) Any political contributing entity that violates 1825
division (B)(7) of section 3517.102 of the Revised Code shall be 1826
fined an amount equal to three times the amount contributed in 1827
excess of the amount permitted by that division. 1828

(5) Any political party that violates division (B)(4) of 1829
section 3517.102 of the Revised Code shall be fined an amount 1830
equal to three times the amount contributed in excess of the 1831
amount permitted by that division. 1832

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and 1833
(5) of this section, no violation of division (B) of section 1834
3517.102 of the Revised Code occurs, and the secretary of state 1835
shall not refer parties to the Ohio elections commission, if the 1836
amount transferred or contributed in excess of the amount 1837
permitted by that division meets either of the following 1838
conditions: 1839

(a) It is completely refunded within five business days 1840
after it is accepted. 1841

(b) It is completely refunded on or before the tenth 1842
business day after notification to the recipient of the excess 1843
transfer or contribution by the board of elections or the 1844
secretary of state that a transfer or contribution in excess of 1845

the permitted amount has been received. 1846

(J) (1) Any campaign committee that violates division (C) 1847
(1), (2), (3), or (6) of section 3517.102 of the Revised Code 1848
shall be fined an amount equal to three times the amount 1849
accepted in excess of the amount permitted by that division. 1850

(2) (a) Any county political party that violates division 1851
(C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code 1852
shall be fined an amount equal to three times the amount 1853
accepted. 1854

(b) Any county political party that violates division (C) 1855
(4) (a) (i) of section 3517.102 of the Revised Code shall be fined 1856
an amount from its state candidate fund equal to three times the 1857
amount accepted in excess of the amount permitted by that 1858
division. 1859

(c) Any state political party that violates division (C) 1860
(4) (b) of section 3517.102 of the Revised Code shall be fined an 1861
amount from its state candidate fund equal to three times the 1862
amount accepted in excess of the amount permitted by that 1863
division. 1864

(3) Any legislative campaign fund that violates division 1865
(C) (5) of section 3517.102 of the Revised Code shall be fined an 1866
amount equal to three times the amount accepted in excess of the 1867
amount permitted by that division. 1868

(4) Any political action committee or political 1869
contributing entity that violates division (C) (7) of section 1870
3517.102 of the Revised Code shall be fined an amount equal to 1871
three times the amount accepted in excess of the amount 1872
permitted by that division. 1873

(5) Notwithstanding divisions (J) (1), (2), (3), and (4) of 1874

this section, no violation of division (C) of section 3517.102 1875
of the Revised Code occurs, and the secretary of state shall not 1876
refer parties to the Ohio elections commission, if the amount 1877
transferred or contributed in excess of the amount permitted to 1878
be accepted by that division meets either of the following 1879
conditions: 1880

(a) It is completely refunded within five business days 1881
after its acceptance. 1882

(b) It is completely refunded on or before the tenth 1883
business day after notification to the recipient of the excess 1884
transfer or contribution by the board of elections or the 1885
secretary of state that a transfer or contribution in excess of 1886
the permitted amount has been received. 1887

(K) (1) Any legislative campaign fund that violates 1888
division (F) (1) of section 3517.102 of the Revised Code shall be 1889
fined twenty-five dollars for each day of violation. 1890

(2) Any legislative campaign fund that violates division 1891
(F) (2) of section 3517.102 of the Revised Code shall give to the 1892
treasurer of state for deposit into the state treasury to the 1893
credit of the Ohio elections commission fund all excess 1894
contributions not disposed of as required by division (E) of 1895
section 3517.102 of the Revised Code. 1896

(L) Whoever violates section 3517.105 of the Revised Code 1897
shall be fined one thousand dollars. 1898

(M) (1) Whoever solicits a contribution in violation of 1899
section 3517.092 or violates division (B) of section 3517.09 of 1900
the Revised Code is guilty of a misdemeanor of the first degree. 1901

(2) Whoever knowingly accepts a contribution in violation 1902
of division (B) or (C) of section 3517.092 of the Revised Code 1903

shall be fined an amount equal to three times the amount 1904
accepted in violation of either of those divisions and shall 1905
return to the contributor any amount so accepted. Whoever 1906
unknowingly accepts a contribution in violation of division (B) 1907
or (C) of section 3517.092 of the Revised Code shall return to 1908
the contributor any amount so accepted. 1909

(N) Whoever violates division (S) of section 3517.13 of 1910
the Revised Code shall be fined an amount equal to three times 1911
the amount of funds transferred or three times the value of the 1912
assets transferred in violation of that division. 1913

(O) Any campaign committee that accepts a contribution or 1914
contributions in violation of section 3517.108 of the Revised 1915
Code, uses a contribution in violation of that section, or fails 1916
to dispose of excess contributions in violation of that section 1917
shall be fined an amount equal to three times the amount 1918
accepted, used, or kept in violation of that section. 1919

(P) Any political party, state candidate fund, legislative 1920
candidate fund, or campaign committee that violates division (T) 1921
of section 3517.13 of the Revised Code shall be fined an amount 1922
equal to three times the amount contributed or accepted in 1923
violation of that section. 1924

(Q) A treasurer of a committee or another person who 1925
violates division (U) of section 3517.13 of the Revised Code 1926
shall be fined not more than two hundred fifty dollars. 1927

(R) Whoever violates division (I) or (J) of section 1928
3517.13 of the Revised Code shall be fined not more than one 1929
thousand dollars. Whenever a person is found guilty of violating 1930
division (I) or (J) of section 3517.13 of the Revised Code, the 1931
contract awarded in violation of either of those divisions shall 1932

be rescinded if its terms have not yet been performed. 1933

(S) A candidate whose campaign committee violates or a 1934
treasurer of a campaign committee who violates section 3517.081 1935
of the Revised Code, and a candidate whose campaign committee 1936
violates or a treasurer of a campaign committee or another 1937
person who violates division (C) of section 3517.10 of the 1938
Revised Code, shall be fined not more than five hundred dollars. 1939

(T) A candidate whose campaign committee violates or a 1940
treasurer of a committee who violates division (B) of section 1941
3517.09 of the Revised Code, or a candidate whose campaign 1942
committee violates or a treasurer of a campaign committee or 1943
another person who violates division (C) of section 3517.09 of 1944
the Revised Code shall be fined not more than one thousand 1945
dollars. 1946

(U) Whoever violates section 3517.20 of the Revised Code 1947
shall be fined not more than five hundred dollars. 1948

(V) Whoever violates section 3517.21 or 3517.22 of the 1949
Revised Code shall be imprisoned for not more than six months or 1950
fined not more than five thousand dollars, or both. 1951

(W) A campaign committee that is required to file a 1952
declaration of no limits under division (D) (2) of section 1953
3517.103 of the Revised Code that, before filing that 1954
declaration, accepts a contribution or contributions that exceed 1955
the limitations prescribed in section 3517.102 of the Revised 1956
Code, shall return that contribution or those contributions to 1957
the contributor. 1958

(X) Any campaign committee that fails to file the 1959
declaration of filing-day finances required by division (F) of 1960
section 3517.109 of the Revised Code shall be fined twenty-five 1961

dollars for each day of violation. 1962

(Y) (1) Any campaign committee that fails to dispose of 1963
excess funds or excess aggregate contributions under division 1964
(B) of section 3517.109 of the Revised Code in the manner 1965
required by division (C) of that section shall give to the 1966
treasurer of state for deposit into the Ohio elections 1967
commission fund created under division (I) of section 3517.152 1968
of the Revised Code all funds not disposed of pursuant to that 1969
division. 1970

(2) Any treasurer of a transition fund that fails to 1971
dispose of assets remaining in the transition fund as required 1972
under division (H) (1) or (2) of section 3517.1014 of the Revised 1973
Code shall give to the treasurer of state for deposit into the 1974
Ohio elections commission fund all assets not disposed of 1975
pursuant to that division. 1976

(Z) Any individual, campaign committee, political action 1977
committee, political contributing entity, legislative campaign 1978
fund, political party, treasurer of a transition fund, or other 1979
entity that violates any provision of sections 3517.09 to 1980
3517.12 of the Revised Code for which no penalty is provided for 1981
under any other division of this section shall be fined not more 1982
than one thousand dollars. 1983

(AA) (1) Whoever knowingly violates division (W) (1) of 1984
section 3517.13 of the Revised Code shall be fined an amount 1985
equal to three times the amount contributed, expended, or 1986
promised in violation of that division or ten thousand dollars, 1987
whichever amount is greater. 1988

(2) Whoever knowingly violates division (W) (2) of section 1989
3517.13 of the Revised Code shall be fined an amount equal to 1990

three times the amount solicited or accepted in violation of 1991
that division or ten thousand dollars, whichever amount is 1992
greater, and shall be required to return an amount equal to any 1993
amount accepted in violation of that division to the foreign 1994
national from whom it was accepted. 1995

(BB) Whoever knowingly violates division (C) or (D) of 1996
section 3517.1011 of the Revised Code shall be fined not more 1997
than ten thousand dollars plus not more than one thousand 1998
dollars for each day of violation. 1999

(CC) (1) Subject to division (CC) (2) of this section, 2000
whoever violates division (H) of section 3517.1011 of the 2001
Revised Code shall be fined an amount up to three times the 2002
amount disbursed for the direct costs of airing the 2003
communication made in violation of that division. 2004

(2) Whoever has been ordered by the Ohio elections 2005
commission or by a court of competent jurisdiction to cease 2006
making communications in violation of division (H) of section 2007
3517.1011 of the Revised Code who again violates that division 2008
shall be fined an amount equal to three times the amount 2009
disbursed for the direct costs of airing the communication made 2010
in violation of that division. 2011

(DD) (1) Any corporation or labor organization that 2012
violates division (X) (3) (a) of section 3517.13 of the Revised 2013
Code shall be fined an amount equal to three times the amount 2014
given in excess of the amount permitted by that division. 2015

(2) Any state or county political party that violates 2016
division (X) (3) (b) of section 3517.13 of the Revised Code shall 2017
be fined an amount equal to three times the amount accepted in 2018
excess of the amount permitted by that division. 2019

(EE) (1) Any campaign committee or person who violates 2020
division (C) (1) (b) or (c) of section 3517.1014 of the Revised 2021
Code shall be fined an amount equal to three times the amount 2022
donated in excess of the amount permitted by that division. 2023

(2) Any officeholder or treasurer of a transition fund who 2024
violates division (C) (3) (a) or (b) of section 3517.1014 of the 2025
Revised Code shall be fined an amount equal to three times the 2026
amount accepted in excess of the amount permitted by that 2027
division. 2028

Section 2. That existing sections 3517.01, 3517.10, 2029
3517.12, 3517.13, 3517.155, and 3517.992 of the Revised Code are 2030
hereby repealed. 2031