

As Introduced

135th General Assembly

Special Session

2023-2024

H. B. No. 1

Representative Seitz

A BILL

To amend sections 3517.12, 3517.13, and 3517.155 of
the Revised Code to modify the Campaign Finance
Law regarding foreign nationals and statewide
initiatives and referenda and to declare an
emergency.

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

Section 1. That sections 3517.12, 3517.13, and 3517.155 of
the Revised Code be amended to read as follows:

Sec. 3517.12. (A) Prior to receiving a contribution or
making an expenditure, the circulator or committee in charge of
an initiative or referendum petition, or supplementary petition
for additional signatures, for the submission of a
constitutional amendment, proposed law, section, or item of any
law shall appoint a treasurer and shall file with the secretary
of state, on a form prescribed by the secretary of state under
division (D) of section 3517.10 of the Revised Code, a
designation of that appointment, including the full name and
address of the treasurer and of the circulator or committee.

(B) The circulator or the committee in charge of an
initiative or referendum petition, or supplementary petition for

additional signatures, for the submission of a constitutional 20
amendment, proposed law, section, or item of any law shall, 21
within thirty days after those petition papers are filed, file 22
with the secretary of state, on a form prescribed by the 23
secretary of state, an itemized statement, made under penalty of 24
election falsification, showing in detail the following: 25

(1) All money or things of value paid, given, promised, or 26
received for circulating the petitions; 27

(2) All appointments, promotions, or increases in salary, 28
in positions which were given, promised, or received, or to 29
obtain which assistance was given, promised, or received as a 30
consideration for work done in circulating petitions; 31

(3) Full names and addresses, including street, city, and 32
state, of all persons to whom such payments or promises were 33
made and of all persons from whom such payments or promises were 34
received; 35

(4) Full names and addresses, including street, city, and 36
state, of all persons who contributed anything of value to be 37
used in circulating the petitions, and the amounts of those 38
contributions; 39

(5) Time spent and salaries earned while soliciting 40
signatures to petitions by persons who were regular salaried 41
employees of some person or whom that employer authorized to 42
solicit as part of their regular duties. 43

If no money or things of value were paid or received or if 44
no promises were made or received as a consideration for work 45
done in circulating a petition, the statement shall contain 46
words to that effect. 47

(C) The treasurer designated under division (A) of this 48

section shall file statements of contributions and expenditures 49
in accordance with section 3517.10 of the Revised Code regarding 50
all contributions made or received and all expenditures made by 51
that treasurer or the circulator or committee in connection with 52
the initiative or referendum petition, or supplementary petition 53
for additional signatures, for the submission of a 54
constitutional amendment, proposed law, section, or item of any 55
law. 56

Sec. 3517.13. (A) (1) No campaign committee of a statewide 57
candidate shall fail to file a complete and accurate statement 58
required under division (A) (1) of section 3517.10 of the Revised 59
Code. 60

(2) No campaign committee of a statewide candidate shall 61
fail to file a complete and accurate monthly statement, and no 62
campaign committee of a statewide candidate or a candidate for 63
the office of chief justice or justice of the supreme court 64
shall fail to file a complete and accurate two-business-day 65
statement, as required under section 3517.10 of the Revised 66
Code. 67

As used in this division, "statewide candidate" has the 68
same meaning as in division (F) (2) of section 3517.10 of the 69
Revised Code. 70

(B) No campaign committee shall fail to file a complete 71
and accurate statement required under division (A) (1) of section 72
3517.10 of the Revised Code. 73

(C) No campaign committee shall fail to file a complete 74
and accurate statement required under division (A) (2) of section 75
3517.10 of the Revised Code. 76

(D) No campaign committee shall fail to file a complete 77

and accurate statement required under division (A) (3) or (4) of 78
section 3517.10 of the Revised Code. 79

(E) No person other than a campaign committee shall 80
knowingly fail to file a statement required under section 81
3517.10 or 3517.107 of the Revised Code. 82

(F) No person shall make cash contributions to any person 83
totaling more than one hundred dollars in each primary, special, 84
or general election. 85

(G) (1) No person shall knowingly conceal or misrepresent 86
contributions given or received, expenditures made, or any other 87
information required to be reported by a provision in sections 88
3517.08 to 3517.13 of the Revised Code. 89

(2) (a) No person shall make a contribution to a campaign 90
committee, political action committee, political contributing 91
entity, legislative campaign fund, political party, committee 92
described in section 3517.12 of the Revised Code, or person 93
making disbursements to pay the direct costs of producing or 94
airing electioneering communications in the name of another 95
person. 96

(b) A person does not make a contribution in the name of 97
another when either of the following applies: 98

(i) An individual makes a contribution from a partnership 99
or other unincorporated business account, if the contribution is 100
reported by listing both the name of the partnership or other 101
unincorporated business and the name of the partner or owner 102
making the contribution as required under division (I) of 103
section 3517.10 of the Revised Code. 104

(ii) A person makes a contribution in that person's 105
spouse's name or in both of their names. 106

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

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

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

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

(I) Subject to divisions (K), (L), (M), and (N) of this
section, no agency or department of this state or any political
subdivision shall award any contract, other than one let by
competitive bidding or a contract incidental to such contract or
which is by force account, for the purchase of goods costing

more than five hundred dollars or services costing more than 137
five hundred dollars to any individual, partnership, 138
association, including, without limitation, a professional 139
association organized under Chapter 1785. of the Revised Code, 140
estate, or trust if the individual has made or the individual's 141
spouse has made, or any partner, shareholder, administrator, 142
executor, or trustee or the spouse of any of them has made, as 143
an individual, within the two previous calendar years, one or 144
more contributions totaling in excess of one thousand dollars to 145
the holder of the public office having ultimate responsibility 146
for the award of the contract or to the public officer's 147
campaign committee. 148

(J) Subject to divisions (K), (L), (M), and (N) of this 149
section, no agency or department of this state or any political 150
subdivision shall award any contract, other than one let by 151
competitive bidding or a contract incidental to such contract or 152
which is by force account, for the purchase of goods costing 153
more than five hundred dollars or services costing more than 154
five hundred dollars to a corporation or business trust, except 155
a professional association organized under Chapter 1785. of the 156
Revised Code, if an owner of more than twenty per cent of the 157
corporation or business trust or the spouse of that person has 158
made, as an individual, within the two previous calendar years, 159
taking into consideration only owners for all of that period, 160
one or more contributions totaling in excess of one thousand 161
dollars to the holder of a public office having ultimate 162
responsibility for the award of the contract or to the public 163
officer's campaign committee. 164

(K) For purposes of divisions (I) and (J) of this section, 165
if a public officer who is responsible for the award of a 166
contract is appointed by the governor, whether or not the 167

appointment is subject to the advice and consent of the senate, 168
excluding members of boards, commissions, committees, 169
authorities, councils, boards of trustees, task forces, and 170
other such entities appointed by the governor, the office of the 171
governor is considered to have ultimate responsibility for the 172
award of the contract. 173

(L) For purposes of divisions (I) and (J) of this section, 174
if a public officer who is responsible for the award of a 175
contract is appointed by the elected chief executive officer of 176
a municipal corporation, or appointed by the elected chief 177
executive officer of a county operating under an alternative 178
form of county government or county charter, excluding members 179
of boards, commissions, committees, authorities, councils, 180
boards of trustees, task forces, and other such entities 181
appointed by the chief executive officer, the office of the 182
chief executive officer is considered to have ultimate 183
responsibility for the award of the contract. 184

(M) (1) Divisions (I) and (J) of this section do not apply 185
to contracts awarded by the board of commissioners of the 186
sinking fund, municipal legislative authorities, boards of 187
education, boards of county commissioners, boards of township 188
trustees, or other boards, commissions, committees, authorities, 189
councils, boards of trustees, task forces, and other such 190
entities created by law, by the supreme court or courts of 191
appeals, by county courts consisting of more than one judge, 192
courts of common pleas consisting of more than one judge, or 193
municipal courts consisting of more than one judge, or by a 194
division of any court if the division consists of more than one 195
judge. This division shall apply to the specified entity only if 196
the members of the entity act collectively in the award of a 197
contract for goods or services. 198

(2) Divisions (I) and (J) of this section do not apply to 199
actions of the controlling board. 200

(N)(1) Divisions (I) and (J) of this section apply to 201
contributions made to the holder of a public office having 202
ultimate responsibility for the award of a contract, or to the 203
public officer's campaign committee, during the time the person 204
holds the office and during any time such person was a candidate 205
for the office. Those divisions do not apply to contributions 206
made to, or to the campaign committee of, a candidate for or 207
holder of the office other than the holder of the office at the 208
time of the award of the contract. 209

(2) Divisions (I) and (J) of this section do not apply to 210
contributions of a partner, shareholder, administrator, 211
executor, trustee, or owner of more than twenty per cent of a 212
corporation or business trust made before the person held any of 213
those positions or after the person ceased to hold any of those 214
positions in the partnership, association, estate, trust, 215
corporation, or business trust whose eligibility to be awarded a 216
contract is being determined, nor to contributions of the 217
person's spouse made before the person held any of those 218
positions, after the person ceased to hold any of those 219
positions, before the two were married, after the granting of a 220
decree of divorce, dissolution of marriage, or annulment, or 221
after the granting of an order in an action brought solely for 222
legal separation. Those divisions do not apply to contributions 223
of the spouse of an individual whose eligibility to be awarded a 224
contract is being determined made before the two were married, 225
after the granting of a decree of divorce, dissolution of 226
marriage, or annulment, or after the granting of an order in an 227
action brought solely for legal separation. 228

(O) No beneficiary of a campaign fund or other person 229
shall convert for personal use, and no person shall knowingly 230
give to a beneficiary of a campaign fund or any other person, 231
for the beneficiary's or any other person's personal use, 232
anything of value from the beneficiary's campaign fund, 233
including, without limitation, payments to a beneficiary for 234
services the beneficiary personally performs, except as 235
reimbursement for any of the following: 236

(1) Legitimate and verifiable prior campaign expenses 237
incurred by the beneficiary; 238

(2) Legitimate and verifiable ordinary and necessary prior 239
expenses incurred by the beneficiary in connection with duties 240
as the holder of a public office, including, without limitation, 241
expenses incurred through participation in nonpartisan or 242
bipartisan events if the participation of the holder of a public 243
office would normally be expected; 244

(3) Legitimate and verifiable ordinary and necessary prior 245
expenses incurred by the beneficiary while doing any of the 246
following: 247

(a) Engaging in activities in support of or opposition to 248
a candidate other than the beneficiary, political party, or 249
ballot issue; 250

(b) Raising funds for a political party, political action 251
committee, political contributing entity, legislative campaign 252
fund, campaign committee, or other candidate; 253

(c) Participating in the activities of a political party, 254
political action committee, political contributing entity, 255
legislative campaign fund, or campaign committee; 256

(d) Attending a political party convention or other 257

political meeting. 258

For purposes of this division, an expense is incurred 259
whenever a beneficiary has either made payment or is obligated 260
to make payment, as by the use of a credit card or other credit 261
procedure or by the use of goods or services received on 262
account. 263

(P) No beneficiary of a campaign fund shall knowingly 264
accept, and no person shall knowingly give to the beneficiary of 265
a campaign fund, reimbursement for an expense under division (O) 266
of this section to the extent that the expense previously was 267
reimbursed or paid from another source of funds. If an expense 268
is reimbursed under division (O) of this section and is later 269
paid or reimbursed, wholly or in part, from another source of 270
funds, the beneficiary shall repay the reimbursement received 271
under division (O) of this section to the extent of the payment 272
made or reimbursement received from the other source. 273

(Q) No candidate or public official or employee shall 274
accept for personal or business use anything of value from a 275
political party, political action committee, political 276
contributing entity, legislative campaign fund, or campaign 277
committee other than the candidate's or public official's or 278
employee's own campaign committee, and no person shall knowingly 279
give to a candidate or public official or employee anything of 280
value from a political party, political action committee, 281
political contributing entity, legislative campaign fund, or 282
such a campaign committee, except for the following: 283

(1) Reimbursement for legitimate and verifiable ordinary 284
and necessary prior expenses not otherwise prohibited by law 285
incurred by the candidate or public official or employee while 286
engaged in any legitimate activity of the political party, 287

political action committee, political contributing entity, 288
legislative campaign fund, or such campaign committee. Without 289
limitation, reimbursable expenses under this division include 290
those incurred while doing any of the following: 291

(a) Engaging in activities in support of or opposition to 292
another candidate, political party, or ballot issue; 293

(b) Raising funds for a political party, legislative 294
campaign fund, campaign committee, or another candidate; 295

(c) Attending a political party convention or other 296
political meeting. 297

(2) Compensation not otherwise prohibited by law for 298
actual and valuable personal services rendered under a written 299
contract to the political party, political action committee, 300
political contributing entity, legislative campaign fund, or 301
such campaign committee for any legitimate activity of the 302
political party, political action committee, political 303
contributing entity, legislative campaign fund, or such campaign 304
committee. 305

Reimbursable expenses under this division do not include, 306
and it is a violation of this division for a candidate or public 307
official or employee to accept, or for any person to knowingly 308
give to a candidate or public official or employee from a 309
political party, political action committee, political 310
contributing entity, legislative campaign fund, or campaign 311
committee other than the candidate's or public official's or 312
employee's own campaign committee, anything of value for 313
activities primarily related to the candidate's or public 314
official's or employee's own campaign for election, except for 315
contributions to the candidate's or public official's or 316

employee's campaign committee. 317

For purposes of this division, an expense is incurred 318
whenever a candidate or public official or employee has either 319
made payment or is obligated to make payment, as by the use of a 320
credit card or other credit procedure, or by the use of goods or 321
services on account. 322

(R) (1) Division (O) or (P) of this section does not 323
prohibit a campaign committee from making direct advance or post 324
payment from contributions to vendors for goods and services for 325
which reimbursement is permitted under division (O) of this 326
section, except that no campaign committee shall pay its 327
candidate or other beneficiary for services personally performed 328
by the candidate or other beneficiary. 329

(2) If any expense that may be reimbursed under division 330
(O), (P), or (Q) of this section is part of other expenses that 331
may not be paid or reimbursed, the separation of the two types 332
of expenses for the purpose of allocating for payment or 333
reimbursement those expenses that may be paid or reimbursed may 334
be by any reasonable accounting method, considering all of the 335
surrounding circumstances. 336

(3) For purposes of divisions (O), (P), and (Q) of this 337
section, mileage allowance at a rate not greater than that 338
allowed by the internal revenue service at the time the travel 339
occurs may be paid instead of reimbursement for actual travel 340
expenses allowable. 341

(S) (1) As used in division (S) of this section: 342

(a) "State elective office" has the same meaning as in 343
section 3517.092 of the Revised Code. 344

(b) "Federal office" means a federal office as defined in 345

the Federal Election Campaign Act. 346

(c) "Federal campaign committee" means a principal 347
campaign committee or authorized committee as defined in the 348
Federal Election Campaign Act. 349

(2) No person who is a candidate for state elective office 350
and who previously sought nomination or election to a federal 351
office shall transfer any funds or assets from that person's 352
federal campaign committee for nomination or election to the 353
federal office to that person's campaign committee as a 354
candidate for state elective office. 355

(3) No campaign committee of a person who is a candidate 356
for state elective office and who previously sought nomination 357
or election to a federal office shall accept any funds or assets 358
from that person's federal campaign committee for that person's 359
nomination or election to the federal office. 360

(T) (1) Except as otherwise provided in division (B) (6) (c) 361
of section 3517.102 of the Revised Code, a state or county 362
political party shall not disburse moneys from any account other 363
than a state candidate fund to make contributions to any of the 364
following: 365

(a) A state candidate fund; 366

(b) A legislative campaign fund; 367

(c) A campaign committee of a candidate for the office of 368
governor, lieutenant governor, secretary of state, auditor of 369
state, treasurer of state, attorney general, member of the state 370
board of education, or member of the general assembly. 371

(2) No state candidate fund, legislative campaign fund, or 372
campaign committee of a candidate for any office described in 373

division (T) (1) (c) of this section shall knowingly accept a 374
contribution in violation of division (T) (1) of this section. 375

(U) No person shall fail to file a statement required 376
under section 3517.12 of the Revised Code. 377

(V) No campaign committee shall fail to file a statement 378
required under division (K) (3) of section 3517.10 of the Revised 379
Code. 380

(W) (1) No foreign national shall, directly or indirectly 381
through any other person or entity, ~~make knowingly do any of the~~ 382
following: 383

(a) Make a contribution, to a candidate, campaign 384
committee, political action committee, political contributing 385
entity, legislative campaign fund, state candidate fund, 386
political party, or separate segregated fund or to any committee 387
described in section 3517.12 of the Revised Code; 388

(b) Make an expenditure, or independent expenditure or 389
~~promise, either expressly or implicitly, to make a contribution,~~ 390
~~expenditure, or independent expenditure~~ in support of or 391
opposition to a candidate for any elective office in this state, 392
including an office of a political party, or in support of or 393
opposition to any statewide ballot issue or question; 394

(c) Promise, either expressly or implicitly, to make a 395
contribution, expenditure, or independent expenditure described 396
in division (W) (1) (a) or (b) of this section. 397

(2) No candidate, campaign committee, political action 398
committee, political contributing entity, legislative campaign 399
fund, state candidate fund, political party, or separate 400
segregated fund and no committee described in section 3517.12 of 401
the Revised Code shall knowingly solicit or accept a 402

contribution, expenditure, or independent expenditure from a 403
foreign national. The secretary of state ~~may~~ shall direct any 404
candidate, committee, entity, fund, or party that knowingly 405
accepts a contribution, expenditure, or independent expenditure 406
in violation of this division to return the contribution, 407
expenditure, or independent expenditure or, if it is not 408
possible to return the contribution, expenditure, or independent 409
expenditure, then to return instead the value of it, to the 410
contributor. 411

(3) As used in division (W) of this section, "foreign 412
national" has the same meaning as in section 441e(b) of the 413
Federal Election Campaign Act. 414

(X) (1) No state or county political party shall transfer 415
any moneys from its restricted fund to any account of the 416
political party into which contributions may be made or from 417
which contributions or expenditures may be made. 418

(2) (a) No state or county political party shall deposit a 419
contribution or contributions that it receives into its 420
restricted fund. 421

(b) No state or county political party shall make a 422
contribution or an expenditure from its restricted fund. 423

(3) (a) No corporation or labor organization shall make a 424
gift or gifts from the corporation's or labor organization's 425
money or property aggregating more than ten thousand dollars to 426
any one state or county political party for the party's 427
restricted fund in a calendar year. 428

(b) No state or county political party shall accept a gift 429
or gifts for the party's restricted fund aggregating more than 430
ten thousand dollars from any one corporation or labor 431

organization in a calendar year. 432

(4) No state or county political party shall transfer any 433
moneys in the party's restricted fund to any other state or 434
county political party. 435

(5) No state or county political party shall knowingly 436
fail to file a statement required under section 3517.1012 of the 437
Revised Code. 438

(Y) The administrator of workers' compensation and the 439
employees of the bureau of workers' compensation shall not 440
conduct any business with or award any contract, other than one 441
awarded by competitive bidding, for the purchase of goods 442
costing more than five hundred dollars or services costing more 443
than five hundred dollars to any individual, partnership, 444
association, including, without limitation, a professional 445
association organized under Chapter 1785. of the Revised Code, 446
estate, or trust, if the individual has made, or the 447
individual's spouse has made, or any partner, shareholder, 448
administrator, executor, or trustee, or the spouses of any of 449
those individuals has made, as an individual, within the two 450
previous calendar years, one or more contributions totaling in 451
excess of one thousand dollars to the campaign committee of the 452
governor or lieutenant governor or to the campaign committee of 453
any candidate for the office of governor or lieutenant governor. 454

(Z) The administrator of workers' compensation and the 455
employees of the bureau of workers' compensation shall not 456
conduct business with or award any contract, other than one 457
awarded by competitive bidding, for the purchase of goods 458
costing more than five hundred dollars or services costing more 459
than five hundred dollars to a corporation or business trust, 460
except a professional association organized under Chapter 1785. 461

of the Revised Code, if an owner of more than twenty per cent of 462
the corporation or business trust, or the spouse of the owner, 463
has made, as an individual, within the two previous calendar 464
years, taking into consideration only owners for all of such 465
period, one or more contributions totaling in excess of one 466
thousand dollars to the campaign committee of the governor or 467
lieutenant governor or to the campaign committee of any 468
candidate for the office of governor or lieutenant governor. 469

Sec. 3517.155. (A) (1) Except as otherwise provided in 470
division (B) of this section, the Ohio elections commission 471
shall hold its first hearing on a complaint filed with it, other 472
than a complaint that receives an expedited hearing under 473
section 3517.156 of the Revised Code, not later than ninety 474
business days after the complaint is filed unless the commission 475
has good cause to hold the hearing after that time, in which 476
case it shall hold the hearing not later than one hundred eighty 477
business days after the complaint is filed. At the hearing, the 478
commission shall determine whether or not the failure to act or 479
the violation alleged in the complaint has occurred and shall do 480
only one of the following, except as otherwise provided in 481
~~division (B) of this section~~ or in division (B) of section 482
3517.151 of the Revised Code: 483

(a) Enter a finding that good cause has been shown not to 484
impose a fine or not to refer the matter to the appropriate 485
prosecutor; 486

(b) Impose a fine under section 3517.993 of the Revised 487
Code; 488

(c) Refer the matter to the appropriate prosecutor~~r~~, as 489
determined under division (A) (2) of this section. 490

(2) ~~As used in division (A) of this section, "appropriate~~ 491
~~prosecutor" means a prosecutor as defined in section 2935.01 of~~ 492
~~the Revised Code and either of the following:~~ 493

(a) In the case of a failure to comply with or a violation 494
of law involving ~~a campaign committee or the committee's~~ 495
~~candidate, a political party, a legislative campaign fund, a~~ 496
~~political action committee, or a political contributing entity,~~ 497
~~that is required to file a statement of contributions and~~ 498
~~expenditures with the secretary of state under division (A) of~~ 499
~~section 3517.11 of the Revised Code~~ any of the following 500
persons, the prosecutor of Franklin county, commission shall 501
refer the matter to the attorney general, except that if the 502
attorney general is a victim or witness or otherwise involved in 503
the matter, the commission shall refer the matter to a county 504
prosecutor whom the commission deems appropriate to prosecute 505
the matter: 506

(i) A campaign committee, or the committee's candidate, 507
for a statewide office or the state board of education; 508

(ii) A committee described in section 3517.12 of the 509
Revised Code; 510

(iii) Any person, other than an individual, whose 511
principal place of business is not in Ohio; 512

(iv) Any individual who is not a resident of Ohio. 513

(b) In the case of a failure to comply with or a violation 514
of law involving ~~any other campaign committee or committee's~~ 515
~~candidate, or any other political party, political action~~ 516
~~committee, or political contributing entity either of the~~ 517
~~following as determined by the commission:~~ 518

~~(i) The prosecutor of Franklin county;~~ 519

~~(ii) The other person, the commission shall refer the~~ 520
~~matter to the prosecutor of the county in which the candidacy or~~ 521
~~ballot question or issue is submitted to the electors or, if it~~ 522
~~is submitted in more than one county, the most populous of those~~ 523
~~counties~~person, other than an individual, has its principal 524
place of business or the county in which the individual resides, 525
as applicable, except that if that prosecutor is a victim or 526
witness or otherwise involved in the matter, the commission 527
shall refer the matter to a county prosecutor whom the 528
commission deems appropriate to prosecute the matter. Upon the 529
request of the prosecutor to whom the commission refers the 530
matter, the attorney general may assume responsibility for 531
prosecuting the matter, unless the attorney general is a victim 532
or witness or is otherwise involved in the matter. 533

(3) When the commission refers a matter to the attorney 534
general under this section, or when the attorney general assumes 535
responsibility for prosecuting a matter under this section, the 536
attorney general may prosecute the matter with all the rights, 537
privileges, and powers conferred by law on prosecuting 538
attorneys, including the power to appear before grand juries and 539
to interrogate witnesses before such grand juries. These powers 540
of the attorney general are in addition to any other applicable 541
powers of the attorney general. 542

(B) If the commission decides that the evidence is 543
insufficient for it to determine whether or not the failure to 544
act or the violation alleged in the complaint has occurred, the 545
commission, by the affirmative vote of five members, may request 546
that an investigatory attorney investigate the complaint. Upon 547
that request, an investigatory attorney shall make an 548
investigation in order to produce sufficient evidence for the 549
commission to decide the matter. If the commission requests an 550

investigation under this division, for good cause shown by the 551
investigatory attorney, the commission may extend by sixty days 552
the deadline for holding its first hearing on the complaint as 553
required in division (A) of this section. 554

(C) The commission shall take one of the actions required 555
under division (A) of this section not later than thirty days 556
after the close of all the evidence presented. 557

(D) (1) The commission shall make any finding of a failure 558
to comply with or a violation of law in regard to a complaint 559
that alleges a violation of division (A) or (B) of section 560
3517.21, or division (A) or (B) of section 3517.22 of the 561
Revised Code by clear and convincing evidence. The commission 562
shall make any finding of a failure to comply with or a 563
violation of law in regard to any other complaint by a 564
preponderance of the evidence. 565

(2) If the commission finds a violation of division (B) of 566
section 3517.21 or division (B) of section 3517.22 of the 567
Revised Code, it shall refer the matter to the appropriate 568
prosecutor under division (A) (1) (c) of this section and shall 569
not impose a fine under division (A) (1) (b) of this section or 570
section 3517.993 of the Revised Code. 571

(3) If the commission finds a violation of division (W) of 572
section 3517.13 of the Revised Code, it shall do one of the 573
following: 574

(a) Impose a fine under section 3517.993 of the Revised 575
Code in an amount equal to three times the amount involved in 576
the violation or ten thousand dollars, whichever amount is 577
greater, with none of the fine suspended and, in the case of a 578
violation of division (W) (2) of section 3517.13 of the Revised 579

Code, order the violator to return an amount equal to any amount 580
accepted in violation of that division to the foreign national 581
from whom it was accepted; 582

(b) Refer the matter to the appropriate prosecutor. 583

(E) In an action before the commission or a panel of the 584
commission, if the allegations of the complainant are not 585
proved, and the commission takes the action described in 586
division (A)(1)(a) of this section or a panel of the commission 587
takes the action described in division (C)(1) of section 588
3517.156 of the Revised Code, the commission or a panel of the 589
commission may find that the complaint is frivolous, and, if the 590
commission or panel so finds, the commission shall order the 591
complainant to pay reasonable attorney's fees and to pay the 592
costs of the commission or panel as determined by a majority of 593
the members of the commission. The costs paid to the commission 594
or panel under this division shall be deposited into the Ohio 595
elections commission fund. 596

Section 2. That existing sections 3517.12, 3517.13, and 597
3517.155 of the Revised Code are hereby repealed. 598

Section 3. This act is hereby declared to be an emergency 599
measure necessary for the immediate preservation of the public 600
peace, health, and safety. The reason for such necessity is to 601
allow its provisions to be effective for purposes of the 2024 602
general election. Therefore, this act shall go into immediate 603
effect. 604