

**As Reported by the House Government Oversight Committee**

**135th General Assembly**

**Special Session**

**2023-2024**

**Sub. H. B. No. 1**

**Representative Seitz**

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**A BILL**

To enact section 3517.121 of the Revised Code to  
modify the Campaign Finance Law regarding  
foreign nationals and ballot issues.

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

**Section 1.** That section 3517.121 of the Revised Code be  
enacted to read as follows:

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**Sec. 3517.121.** Notwithstanding any contrary provision of  
the Revised Code:

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(A) As used in this section:

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(1) "Electioneering communication" has the same meaning as  
in section 3517.1011 of the Revised Code.

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(2) "Foreign national" has the same meaning as in 52  
U.S.C. 30121.

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(B) No foreign national shall, directly or indirectly  
through any person or entity, do any of the following:

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(1) Make a contribution, expenditure, or independent  
expenditure in support of or opposition to a candidate for any  
elective office in this state, including an office of a

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political party; 18

(2) Make a contribution, expenditure, or independent 19  
expenditure in support of or opposition to a statewide ballot 20  
issue or question, regardless of whether the ballot issue or 21  
question has yet been certified to appear on the ballot; 22

(3) Make a disbursement for the direct cost of producing 23  
or airing an electioneering communication; 24

(4) Make a contribution to a candidate, campaign 25  
committee, political action committee, political contributing 26  
entity, legislative campaign fund, state candidate fund, 27  
political party, or separate segregated fund, to any committee 28  
created to support or oppose a ballot issue or question, or, to 29  
the maximum extent permitted by law and by the constitutions of 30  
the United States and of this state, to a continuing 31  
association; 32

(5) Promise, either expressly or implicitly, to make a 33  
contribution, expenditure, independent expenditure, or 34  
disbursement described in division (B) (1), (2), (3), or (4) of 35  
this section. 36

(C) No individual, candidate, campaign committee, 37  
political action committee, political contributing entity, 38  
legislative campaign fund, state candidate fund, political 39  
party, separate segregated fund, or committee created to support 40  
or oppose a ballot issue or question and, to the maximum extent 41  
permitted by law and by the constitutions of the United States 42  
and of this state, no continuing association shall, directly or 43  
indirectly through any other person or entity, knowingly do 44  
either of the following: 45

(1) Solicit, accept, or receive any funds from a foreign 46

national for any purpose described in division (B) of this 47  
section; 48

(2) Make a contribution, expenditure, or independent 49  
expenditure using any funds the person knows were received from 50  
a foreign national for any purpose described in division (B) of 51  
this section. 52

(D) No person shall knowingly aid or facilitate a 53  
violation of division (B) or (C) of this section. 54

(E) Any complaint that alleges a violation of division (W) 55  
of section 3517.13 of the Revised Code shall be treated as 56  
instead alleging a violation of this section. 57

(F) (1) Whoever knowingly violates division (B) of this 58  
section is guilty of a misdemeanor of the first degree on a 59  
first offense and is guilty of a felony of the fifth degree on a 60  
second or subsequent offense. The violator also shall be fined 61  
an amount equal to three times the amount involved in the 62  
violation or ten thousand dollars, whichever amount is greater. 63

(2) Whoever knowingly violates division (C) of this 64  
section is guilty of a misdemeanor of the first degree on a 65  
first offense and is guilty of a felony of the fifth degree on a 66  
second or subsequent offense. The violator also shall be fined 67  
an amount equal to three times the amount involved in the 68  
violation or ten thousand dollars, whichever amount is greater, 69  
and shall be required to return the total amount accepted in 70  
violation of that division to the foreign national from whom it 71  
was accepted. 72

(3) Whoever knowingly violates division (D) of this 73  
section is guilty of a misdemeanor of the first degree and shall 74  
be fined one thousand dollars. 75

(G) (1) (a) Except as otherwise provided in division (G) (1) 76  
(b) of this section, the attorney general has exclusive 77  
authority to prosecute a violation of this section and has 78  
exclusive supervision and control of all investigations, 79  
prosecutions, and enforcement proceedings under this section. 80

(b) If the attorney general is a victim or witness or 81  
otherwise involved in an alleged violation of this section, the 82  
attorney general shall refer the matter to the appropriate 83  
prosecutor, as determined under division (A) (2) of section 84  
3517.155 of the Revised Code, except that if applicable, the 85  
attorney general shall make the determination described in 86  
division (A) (2) (b) of that section instead of the Ohio elections 87  
commission. 88

(2) Upon the occurrence of either of the following, the 89  
attorney general shall investigate an alleged violation of this 90  
section in consultation with the secretary of state: 91

(a) The submission of a written request to the attorney 92  
general by the governor, the secretary of state, the general 93  
assembly, or the Ohio elections commission, alleging a violation 94  
of this section; 95

(b) The filing of a complaint with the attorney general by 96  
an elector of this state, alleging a violation of this section. 97

(3) If it appears to the attorney general, after 98  
conducting an investigation under division (G) (2) of this 99  
section, that there is probable cause to believe that a 100  
violation of this section has occurred, the attorney general may 101  
prosecute the violation in a court of competent jurisdiction. 102

(H) When proceeding under this section, the attorney 103  
general and any assistant or special counsel designated by the 104

<u>attorney general for that purpose have all the rights,</u>	105
<u>privileges, and powers conferred by law on prosecuting</u>	106
<u>attorneys, including the power to appear before grand juries and</u>	107
<u>to interrogate witnesses before such grand juries. These powers</u>	108
<u>of the attorney general are in addition to any other applicable</u>	109
<u>powers of the attorney general.</u>	110