

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 362

Representatives Miller, J., Abdullahi

**Cosponsors: Representatives Russo, Grim, McNally, Brennan, White, E., Rader,
Brent, Troy**

To amend sections 3517.153, 3517.154, 3517.155,	1
3517.993, and 3599.40 and to enact section	2
3517.24 of the Revised Code to regulate the	3
dissemination of deceptive and fraudulent	4
synthetic media for the purpose of influencing	5
the results of an election.	6

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

Section 1. That sections 3517.153, 3517.154, 3517.155,	7
3517.993, and 3599.40 be amended and section 3517.24 of the	8
Revised Code be enacted to read as follows:	9

Sec. 3517.153. (A) Upon the filing of a complaint with the	10
Ohio elections commission, which shall be made by affidavit of	11
any person, on personal knowledge, and subject to the penalties	12
for perjury, or upon the filing of a complaint made by the	13
secretary of state or an official at the board of elections,	14
setting forth a failure to comply with or a violation of any	15
provision in sections 3517.08 to 3517.13, 3517.20 to 3517.22,	16
3599.03, or 3599.031 of the Revised Code, the commission shall	17
proceed in accordance with sections 3517.154 to 3517.157 of the	18
Revised Code.	19

(B) The commission shall prescribe the form for complaints 20
made under division (A) of this section. The secretary of state 21
and boards of elections shall furnish the information that the 22
commission requests. The commission or a member of the 23
commission may administer oaths, and the commission may issue 24
subpoenas to any person in the state compelling the attendance 25
of witnesses and the production of relevant papers, books, 26
accounts, and reports. Section 101.42 of the Revised Code 27
governs the issuance of subpoenas insofar as applicable. Upon 28
the refusal of any person to obey a subpoena or to be sworn or 29
to answer as a witness, the commission may apply to the court of 30
common pleas of Franklin county under section 2705.03 of the 31
Revised Code. The court shall hold proceedings in accordance 32
with Chapter 2705. of the Revised Code. 33

(C) No prosecution shall commence for a violation of a 34
provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 35
3517.20 to 3517.22, 3517.24, 3599.03, or 3599.031 of the Revised 36
Code unless a complaint has been filed with the commission under 37
this section and all proceedings of the commission or a panel of 38
the commission, as appropriate, under sections 3517.154 to 39
3517.157 of the Revised Code are completed. 40

(D) The commission may recommend legislation and render 41
advisory opinions concerning sections 3517.08, 3517.082, 42
3517.092, 3517.102, 3517.105, 3517.1014, 3517.13, 3517.20 to 43
3517.22, 3517.24, 3599.03, and 3599.031 of the Revised Code for 44
persons over whose acts it has or may have jurisdiction. When 45
the commission renders an advisory opinion relating to a 46
specific set of circumstances involving any of those sections 47
stating that there is no violation of a provision in those 48
sections, the person to whom the opinion is directed or a person 49
who is similarly situated may reasonably rely on the opinion and 50

is immune from criminal prosecution and a civil action, 51
including, without limitation, a civil action for removal from 52
public office or employment, based on facts and circumstances 53
covered by the opinion. 54

(E) The commission shall establish a web site on which it 55
shall post, at a minimum, all decisions and advisory opinions 56
issued by the commission and copies of each election law as it 57
is amended by the general assembly. The commission shall update 58
the web site regularly to reflect any changes to those decisions 59
and advisory opinions and any new decisions and advisory 60
opinions. 61

Sec. 3517.154. (A) (1) The full-time attorney for the Ohio 62
elections commission shall review each complaint filed with the 63
commission under section 3517.153 of the Revised Code, shall 64
determine the nature of the complaint, and, unless division (A) 65
(2) (a) of this section requires that the complaint receive an 66
automatic expedited hearing, shall make a recommendation to the 67
commission for its disposition, in accordance with this section. 68
The attorney shall make the determination and the 69
recommendation, if required, not later than one business day 70
after the complaint is filed. 71

(2) (a) If the attorney determines that the complaint sets 72
forth a violation of division (B) of section 3517.21~~or,~~ 73
division (B) of section 3517.22, or section 3517.24 of the 74
Revised Code and that the complaint is filed during one of the 75
periods of time specified in division (B) (1) of section 3517.156 76
of the Revised Code, the complaint shall receive an automatic 77
expedited hearing under section 3517.156 of the Revised Code. 78

(b) If the attorney determines that the complaint sets 79
forth a failure to comply with or a violation of division (G), 80

(I), (J), (O), (P), or (Q) of section 3517.13, division (A) of 81
section 3517.21, ~~or~~ division (A) of section 3517.22, or section 82
3517.24 of the Revised Code and that the complaint is filed 83
during one of the periods of time specified in division (B) (1) 84
of section 3517.156 of the Revised Code, the attorney shall 85
recommend to the commission that the complaint receive an 86
expedited hearing under section 3517.156 of the Revised Code, 87
and the complaint shall receive such a hearing. 88

(c) If the attorney determines that the complaint sets 89
forth a failure to comply with or a violation of a section of 90
the Revised Code over which the commission has jurisdiction to 91
hear complaints other than the sections described in divisions 92
(A) (2) (a) and (b) of this section, and unless the attorney makes 93
a determination as provided for in division (A) (3) of this 94
section, the attorney shall recommend to the commission that the 95
complaint be submitted to the commission under section 3517.155 96
of the Revised Code. After the attorney makes that 97
recommendation, the attorney shall notify all parties to the 98
complaint of the attorney's recommendation. 99

(3) (a) If a complaint sets forth a failure to comply with 100
or a violation of a section of the Revised Code over which the 101
commission has jurisdiction to hear complaints other than the 102
sections described in divisions (A) (2) (a) and (b) of this 103
section and if the complaint is filed during one of the periods 104
of time specified in division (B) (1) of section 3517.156 of the 105
Revised Code, the attorney may determine that the complaint 106
should receive an expedited hearing under that section. The 107
attorney shall make that determination by considering one or 108
more of the following: 109

(i) The number of prior failures to comply with or 110

violations of Title XXXV of the Revised Code that the person or 111
entity against whom the complaint has been brought has committed 112
and any prior penalties the commission has imposed on the person 113
or entity; 114

(ii) If the complaint involves a statement required to be 115
filed under section 3517.10, division (E) of section 3517.102, 116
or section 3517.105, 3517.107, 3517.108, 3517.109, 3517.1011, 117
3517.1012, or 3517.1014 of the Revised Code or an addendum 118
required to be filed under section 3517.11 of the Revised Code 119
that is filed late, how late the filing is and how much time has 120
elapsed between the deadline for filing the statement or 121
addendum and the filing of the complaint; 122

(iii) If the complaint involves contributions and 123
expenditures, contributions and disbursements, deposits and 124
disbursements, gifts and disbursements, or donations and 125
disbursements required to be reported under section 3517.10, 126
division (E) of section 3517.102, or section 3517.105, 3517.107, 127
3517.108, 3517.109, 3517.1011, 3517.1012, 3517.1013, or 128
3517.1014 of the Revised Code that are either not reported or 129
reported late, the number of contributions and expenditures, 130
contributions and disbursements, deposits and disbursements, 131
gifts and disbursements, or donations and disbursements not 132
reported or how late they were reported; 133

(iv) If the complaint involves contributions required to 134
be reported by a campaign committee under section 3517.10, 135
division (E) of section 3517.102, or section 3517.105, 3517.107, 136
3517.108, or 3517.109 of the Revised Code that are not reported, 137
whether any of the contributors of the contributions not 138
reported have a personal or professional relationship with the 139
campaign committee's candidate; 140

(v) If the complaint involves a statement required to be 141
filed under section 3517.10, division (E) of section 3517.102, 142
or section 3517.105, 3517.107, 3517.108, 3517.109, 3517.1011, 143
3517.1012, 3517.1013, or 3517.1014 of the Revised Code that is 144
incomplete, the degree to which it is incomplete; 145

(vi) If the complaint involves the receipt of 146
contributions in violation of section 3599.03 of the Revised 147
Code, the dollar amount and number of contributions received in 148
violation of that section; 149

(vii) If the complaint involves a failure to make the 150
identification or a misstatement of the identification required 151
under section 3517.105 or 3517.20 of the Revised Code, whether 152
the failure or misstatement was purposely made; 153

(viii) If the complaint sets forth a failure to comply 154
with or a violation of a section of the Revised Code described 155
in division (A) (2) (c) of this section, whether the person or 156
entity against whom the complaint has been made has committed 157
more than one such failure or violation within a reasonable 158
amount of time, or whether the cumulative nature of the failures 159
or violations indicates a systematic disregard for the law. 160

(b) Prior to making a determination under division (A) (3) 161
(a) of this section that the complaint should receive an 162
expedited hearing under section 3517.156 of the Revised Code, 163
the attorney shall take into consideration the number of panels 164
of the commission that have cases pending before them and the 165
number of cases pending before the panels and shall not make a 166
determination that will place an undue burden on a panel of the 167
commission. 168

(c) If the attorney determines that the complaint should 169

receive an expedited hearing under section 3517.156 of the 170
Revised Code, the attorney shall recommend to the commission 171
that the complaint receive an expedited hearing, and, if a 172
majority of the members of the commission agrees with the 173
recommendation, the complaint shall receive an expedited hearing 174
under that section. 175

(4) The attorney may join two or more complaints if the 176
attorney determines that the allegations in each complaint are 177
of the same or similar character, are based on the same act or 178
failure to act, or are based on two or more acts or failures to 179
act constituting parts of a common scheme or plan. If one 180
complaint contains two or more allegations, the attorney may 181
separate the allegations if they are not of the same or similar 182
character, if they are not based on the same act or failure to 183
act, or if they are not based on two or more acts or failures to 184
act constituting parts of a common scheme or plan. If the 185
attorney separates the allegations in a complaint, the attorney 186
may make separate recommendations under division (A) (2) or (3) 187
of this section for each allegation. 188

(B) Whenever a person or other entity files a complaint 189
with the commission setting forth a failure to comply with or a 190
violation of a section of the Revised Code as described in 191
division (A) (2) (c) of this section and the complaint is filed 192
during one of the periods of time specified in division (B) (1) 193
of section 3517.156 of the Revised Code, the person or entity 194
may request an expedited hearing under that section at the time 195
the complaint is filed. The attorney for the commission shall 196
inform the members of the commission of that request at the time 197
the attorney makes a recommendation under division (A) of this 198
section. The commission may grant the request for an expedited 199
hearing under this division if it determines that an expedited 200

hearing is practicable. 201

Sec. 3517.155. (A) (1) Except as otherwise provided in 202
division (B) of this section, the Ohio elections commission 203
shall hold its first hearing on a complaint filed with it, other 204
than a complaint that receives an expedited hearing under 205
section 3517.156 of the Revised Code, not later than ninety 206
business days after the complaint is filed unless the commission 207
has good cause to hold the hearing after that time, in which 208
case it shall hold the hearing not later than one hundred eighty 209
business days after the complaint is filed. At the hearing, the 210
commission shall determine whether or not the failure to act or 211
the violation alleged in the complaint has occurred and shall do 212
only one of the following, except as otherwise provided in 213
division (B) of this section or in division (B) of section 214
3517.151 of the Revised Code: 215

(a) Enter a finding that good cause has been shown not to 216
impose a fine or not to refer the matter to the appropriate 217
prosecutor; 218

(b) Impose a fine under section 3517.993 of the Revised 219
Code; 220

(c) Refer the matter to the appropriate prosecutor~~+~~. 221

(2) As used in division (A) of this section, "appropriate 222
prosecutor" means a prosecutor as defined in section 2935.01 of 223
the Revised Code and either of the following: 224

(a) In the case of a failure to comply with or a violation 225
of law involving a campaign committee or the committee's 226
candidate, a political party, a legislative campaign fund, a 227
political action committee, or a political contributing entity, 228
that is required to file a statement of contributions and 229

expenditures with the secretary of state under division (A) of 230
section 3517.11 of the Revised Code, the prosecutor of Franklin 231
county; 232

(b) In the case of a failure to comply with or a violation 233
of law involving any other campaign committee or committee's 234
candidate, or any other political party, political action 235
committee, or political contributing entity either of the 236
following as determined by the commission: 237

(i) The prosecutor of Franklin county; 238

(ii) The prosecutor of the county in which the candidacy 239
or ballot question or issue is submitted to the electors or, if 240
it is submitted in more than one county, the most populous of 241
those counties. 242

(B) If the commission decides that the evidence is 243
insufficient for it to determine whether or not the failure to 244
act or the violation alleged in the complaint has occurred, the 245
commission, by the affirmative vote of five members, may request 246
that an investigatory attorney investigate the complaint. Upon 247
that request, an investigatory attorney shall make an 248
investigation in order to produce sufficient evidence for the 249
commission to decide the matter. If the commission requests an 250
investigation under this division, for good cause shown by the 251
investigatory attorney, the commission may extend by sixty days 252
the deadline for holding its first hearing on the complaint as 253
required in division (A) of this section. 254

(C) The commission shall take one of the actions required 255
under division (A) of this section not later than thirty days 256
after the close of all the evidence presented. 257

(D) (1) The commission shall make any finding of a failure 258

to comply with or a violation of law in regard to a complaint 259
that alleges a violation of division (A) or (B) of section 260
3517.21, or division (A) or (B) of section 3517.22 of the 261
Revised Code by clear and convincing evidence. The commission 262
shall make any finding of a failure to comply with or a 263
violation of law in regard to any other complaint by a 264
preponderance of the evidence. 265

(2) If the commission finds a violation of division (B) of 266
section 3517.21 or division (B) of section 3517.22 of the 267
Revised Code, it shall refer the matter to the appropriate 268
prosecutor under division (A)(1)(c) of this section and shall 269
not impose a fine under division (A)(1)(b) of this section or 270
section 3517.993 of the Revised Code. 271

(3) If the commission finds a violation of section 3517.24 272
of the Revised Code, it may impose a fine under section 3517.993 273
of the Revised Code, but it shall not refer the matter to a 274
prosecutor. 275

(E) In an action before the commission or a panel of the 276
commission, if the allegations of the complainant are not 277
proved, and the commission takes the action described in 278
division (A)(1)(a) of this section or a panel of the commission 279
takes the action described in division (C)(1) of section 280
3517.156 of the Revised Code, the commission or a panel of the 281
commission may find that the complaint is frivolous, and, if the 282
commission or panel so finds, the commission shall order the 283
complainant to pay reasonable attorney's fees and to pay the 284
costs of the commission or panel as determined by a majority of 285
the members of the commission. The costs paid to the commission 286
or panel under this division shall be deposited into the Ohio 287
elections commission fund. 288

Sec. 3517.24. (A) As used in this section: 289

(1) "Synthetic media" means an image or an audio or video 290
recording of a real individual's appearance, speech, or conduct 291
that is realistic but false and that is created or intentionally 292
manipulated using generative adversarial network techniques or 293
other digital technology. 294

(2) "Deceptive and fraudulent synthetic media" means 295
synthetic media to which either of the following apply: 296

(a) It appears to a reasonable person to depict the 297
individual making a statement the individual did not make or 298
taking an action the individual did not take. 299

(b) It gives a reasonable person a fundamentally different 300
understanding or impression of the individual's appearance, 301
speech, or conduct than an unaltered, original version of the 302
image or audio or video recording would give the reasonable 303
person. 304

(B) Except as otherwise provided in division (C) of this 305
section, during the period beginning ninety days before the day 306
of an election and ending on the day of the election, no person 307
shall recklessly disseminate deceptive and fraudulent synthetic 308
media for the purpose of influencing the results of the election 309
without disclosing that fact as follows: 310

(1) In the case of an image, the image shall be 311
accompanied by the following written statement: "This image has 312
been manipulated or generated by artificial intelligence." The 313
statement shall be in a font size that is easily readable by the 314
average viewer. 315

(2) In the case of an audio recording, the audio recording 316
shall include the following statement, spoken in a clear manner 317

at a pitch that is easily heard by the average listener: "This 318
audio recording has been manipulated or generated by artificial 319
intelligence." The statement shall be made at the beginning and 320
end of the audio recording and, in the case of an audio 321
recording that is more than four minutes long, at least every 322
two minutes during the audio recording. 323

(3) In the case of a video recording, the video recording 324
shall include, for the entire duration of the video recording, 325
the following written statement: "This video recording has been 326
manipulated or generated by artificial intelligence." The 327
statement shall be in a font size that is easily readable by the 328
average viewer. 329

(C) Division (B) of this section does not apply to any of 330
the following: 331

(1) The dissemination of deceptive and fraudulent 332
synthetic media by a radio or television broadcaster, including 333
a cable or satellite television operator, programmer, or 334
producer, when either of the following apply: 335

(a) The dissemination is part of a bona fide newscast, 336
news interview, news documentary, or on-the-spot coverage of 337
bona fide news events and either of the following apply: 338

(i) The broadcast clearly acknowledges through content or 339
a disclosure, in a manner that can be easily heard or read by 340
the average listener or viewer, that there are questions about 341
the authenticity of the deceptive and fraudulent synthetic 342
media. 343

(ii) The broadcaster is required by law to disseminate the 344
deceptive and fraudulent synthetic media at the direction of a 345
candidate. 346

(b) The broadcaster is paid to disseminate the deceptive 347
and fraudulent synthetic media and either of the following 348
apply: 349

(i) The broadcaster, after making a good faith effort, 350
determines that the image or video or audio recording is not 351
deceptive and fraudulent synthetic media. 352

(ii) The broadcaster is required by law to disseminate the 353
deceptive and fraudulent synthetic media at the direction of a 354
candidate. 355

(2) The dissemination of deceptive and fraudulent 356
synthetic media on an internet web site or in a regularly 357
published newspaper, magazine, or other periodical of general 358
circulation, including an internet or electronic publication, 359
that routinely carries news and commentary of general interest, 360
if the web site or periodical clearly states that the deceptive 361
and fraudulent synthetic media does not accurately represent the 362
depicted individual's appearance, speech, or conduct; 363

(3) The dissemination of deceptive and fraudulent 364
synthetic media that constitutes satire or parody. 365

(D) (1) Whoever violates this section is subject to a civil 366
penalty as follows: 367

(a) Except as otherwise provided in divisions (D) (1) (b) 368
and (c) of this section, a fine of not more than one thousand 369
dollars; 370

(b) Except as otherwise provided in division (D) (1) (c) of 371
this section, if the violator commits the violation with the 372
intention to incite violence or bodily harm, a fine of not more 373
than five thousand dollars; 374

(c) For a second or subsequent violation within a period 375
of five years, a fine of not more than ten thousand dollars. 376

(2) A person harmed by a violation of this section has and 377
may commence a civil cause of action against the violator for 378
injunctive or other equitable relief. The cause of action 379
created by this division is in addition to any other cause of 380
action available under statutory or common law. 381

Sec. 3517.993. This section authorizes the establishment 382
of fines that may be imposed only with respect to acts or 383
failures to act that occur on and after August 24, 1995. 384

(A) Except as otherwise provided in division (D) (2) of 385
section 3517.155 of the Revised Code, the Ohio elections 386
commission may impose administrative fines under division (A) (1) 387
(b) of section 3517.155 of the Revised Code in accordance with 388
the amounts set forth under sections 3517.24, 3517.992, 3599.03, 389
and 3599.031 of the Revised Code. 390

(B) The commission may suspend all or part of a fine it 391
imposes under this section upon whatever terms and conditions 392
the commission considers just. 393

(C) (1) The commission shall consider any of the following 394
circumstances in determining whether to impose a maximum fine 395
under this section: 396

(a) Whether the violator has been found guilty of any 397
other violation of Title XXXV of the Revised Code; 398

(b) Whether the violation was made knowingly or purposely; 399

(c) Whether any relevant statements, addenda, or 400
affidavits required to be filed have not been filed; 401

(d) Whether the violator has any outstanding fines imposed 402

for a violation of Title XXXV of the Revised Code; 403

(e) Whether the violation occurred during the course of a 404
campaign. 405

(2) The commission shall consider any of the following 406
circumstances in determining whether to impose a minimal fine or 407
no fine under this section: 408

(a) Whether the violator previously has not been found 409
guilty of any other violation of Title XXXV of the Revised Code; 410

(b) Whether the violator has promptly corrected the 411
violator's violation; 412

(c) Whether the nature and circumstances of the violation 413
merit a minimum fine; 414

(d) Whether there are substantial grounds tending to 415
excuse or justify the violation, although failing to establish a 416
defense to the violation; 417

(e) Whether the violation was not purposely committed. 418

(3) The circumstances set forth in divisions (C) (1) and 419
(2) of this section shall be considered by, but shall not 420
control the decision of, the commission in imposing a fine. 421

(D) Fines imposed by the commission under this section 422
shall be paid into the Ohio elections commission fund. 423

Sec. 3599.40. Except as otherwise provided in section 424
3599.39 of the Revised Code and except for a violation of 425
section 3517.24 of the Revised Code, whoever violates any 426
provision of Title XXXV of the Revised Code, unless otherwise 427
provided in such title, and whoever violates division (D) of 428
section 9.03 of the Revised Code, is guilty of a misdemeanor of 429

the first degree. 430

Section 2. That existing sections 3517.153, 3517.154, 431
3517.155, 3517.993, and 3599.40 of the Revised Code are hereby 432
repealed. 433