

As Introduced

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H. B. No. 60

Representatives Humphrey, Williams

**Cosponsors: Representatives Russo, Upchurch, Lett, Brewer, Jarrells, Rogers,
Brennan, Sigrist, Synenberg, Piccolantonio, Rader, Baker, Brent**

A BILL

To amend section 3517.13 of the Revised Code to 1
allow a candidate to use campaign funds to pay 2
certain child care costs. 3

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

Section 1. That section 3517.13 of the Revised Code be 4
amended to read as follows: 5

Sec. 3517.13. (A) (1) No campaign committee of a statewide 6
candidate shall fail to file a complete and accurate statement 7
required under division (A) (1) of section 3517.10 of the Revised 8
Code. 9

(2) No campaign committee of a statewide candidate shall 10
fail to file a complete and accurate monthly statement, and no 11
campaign committee of a statewide candidate or a candidate for 12
the office of chief justice or justice of the supreme court 13
shall fail to file a complete and accurate two-business-day 14
statement, as required under section 3517.10 of the Revised 15
Code. 16

As used in this division, "statewide candidate" has the 17

same meaning as in division (F) (2) of section 3517.10 of the Revised Code.

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

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

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

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

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

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

(2) (a) No person shall make a contribution to a campaign committee, political action committee, political contributing entity, legislative campaign fund, political party, or person making disbursements to pay the direct costs of producing or airing electioneering communications in the name of another person.

(b) A person does not make a contribution in the name of

another when either of the following applies: 46

(i) An individual makes a contribution from a partnership 47
or other unincorporated business account, if the contribution is 48
reported by listing both the name of the partnership or other 49
unincorporated business and the name of the partner or owner 50
making the contribution as required under division (I) of 51
section 3517.10 of the Revised Code. 52

(ii) A person makes a contribution in that person's 53
spouse's name or in both of their names. 54

(H) No person within this state, publishing a newspaper or 55
other periodical, shall charge a campaign committee for 56
political advertising a rate in excess of the rate such person 57
would charge if the campaign committee were a general rate 58
advertiser whose advertising was directed to promoting its 59
business within the same area as that encompassed by the 60
particular office that the candidate of the campaign committee 61
is seeking. The rate shall take into account the amount of space 62
used, as well as the type of advertising copy submitted by or on 63
behalf of the campaign committee. All discount privileges 64
otherwise offered by a newspaper or periodical to general rate 65
advertisers shall be available upon equal terms to all campaign 66
committees. 67

No person within this state, operating a radio or 68
television station or network of stations in this state, shall 69
charge a campaign committee for political broadcasts a rate that 70
exceeds: 71

(1) During the forty-five days preceding the date of a 72
primary election and during the sixty days preceding the date of 73
a general or special election in which the candidate of the 74

campaign committee is seeking office, the lowest unit charge of 75
the station for the same class and amount of time for the same 76
period; 77

(2) At any other time, the charges made for comparable use 78
of that station by its other users. 79

(I) Subject to divisions (K), (L), (M), and (N) of this 80
section, no agency or department of this state or any political 81
subdivision shall award any contract, other than one let by 82
competitive bidding or a contract incidental to such contract or 83
which is by force account, for the purchase of goods costing 84
more than five hundred dollars or services costing more than 85
five hundred dollars to any individual, partnership, 86
association, including, without limitation, a professional 87
association organized under Chapter 1785. of the Revised Code, 88
estate, or trust if the individual has made or the individual's 89
spouse has made, or any partner, shareholder, administrator, 90
executor, or trustee or the spouse of any of them has made, as 91
an individual, within the two previous calendar years, one or 92
more contributions totaling in excess of one thousand dollars to 93
the holder of the public office having ultimate responsibility 94
for the award of the contract or to the public officer's 95
campaign committee. 96

(J) Subject to divisions (K), (L), (M), and (N) of this 97
section, no agency or department of this state or any political 98
subdivision shall award any contract, other than one let by 99
competitive bidding or a contract incidental to such contract or 100
which is by force account, for the purchase of goods costing 101
more than five hundred dollars or services costing more than 102
five hundred dollars to a corporation or business trust, except 103
a professional association organized under Chapter 1785. of the 104

Revised Code, if an owner of more than twenty per cent of the
corporation or business trust or the spouse of that person has
made, as an individual, within the two previous calendar years,
taking into consideration only owners for all of that period,
one or more contributions totaling in excess of one thousand
dollars to the holder of a public office having ultimate
responsibility for the award of the contract or to the public
officer's campaign committee.

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

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

(M) (1) Divisions (I) and (J) of this section do not apply
to contracts awarded by the board of commissioners of the

sinking fund, municipal legislative authorities, boards of 135
education, boards of county commissioners, boards of township 136
trustees, or other boards, commissions, committees, authorities, 137
councils, boards of trustees, task forces, and other such 138
entities created by law, by the supreme court or courts of 139
appeals, by county courts consisting of more than one judge, 140
courts of common pleas consisting of more than one judge, or 141
municipal courts consisting of more than one judge, or by a 142
division of any court if the division consists of more than one 143
judge. This division shall apply to the specified entity only if 144
the members of the entity act collectively in the award of a 145
contract for goods or services. 146

(2) Divisions (I) and (J) of this section do not apply to 147
actions of the controlling board. 148

(N) (1) Divisions (I) and (J) of this section apply to 149
contributions made to the holder of a public office having 150
ultimate responsibility for the award of a contract, or to the 151
public officer's campaign committee, during the time the person 152
holds the office and during any time such person was a candidate 153
for the office. Those divisions do not apply to contributions 154
made to, or to the campaign committee of, a candidate for or 155
holder of the office other than the holder of the office at the 156
time of the award of the contract. 157

(2) Divisions (I) and (J) of this section do not apply to 158
contributions of a partner, shareholder, administrator, 159
executor, trustee, or owner of more than twenty per cent of a 160
corporation or business trust made before the person held any of 161
those positions or after the person ceased to hold any of those 162
positions in the partnership, association, estate, trust, 163
corporation, or business trust whose eligibility to be awarded a 164

contract is being determined, nor to contributions of the 165
person's spouse made before the person held any of those 166
positions, after the person ceased to hold any of those 167
positions, before the two were married, after the granting of a 168
decree of divorce, dissolution of marriage, or annulment, or 169
after the granting of an order in an action brought solely for 170
legal separation. Those divisions do not apply to contributions 171
of the spouse of an individual whose eligibility to be awarded a 172
contract is being determined made before the two were married, 173
after the granting of a decree of divorce, dissolution of 174
marriage, or annulment, or after the granting of an order in an 175
action brought solely for legal separation. 176

(O) No beneficiary of a campaign fund or other person 177
shall convert for personal use, and no person shall knowingly 178
give to a beneficiary of a campaign fund or any other person, 179
for the beneficiary's or any other person's personal use, 180
anything of value from the beneficiary's campaign fund, 181
including, without limitation, payments to a beneficiary for 182
services the beneficiary personally performs, except as 183
reimbursement for any of the following: 184

(1) Legitimate and verifiable prior campaign expenses 185
incurred by the beneficiary; 186

(2) Legitimate and verifiable ordinary and necessary prior 187
expenses incurred by the beneficiary in connection with duties 188
as the holder of a public office, including, without limitation, 189
expenses incurred through participation in nonpartisan or 190
bipartisan events if the participation of the holder of a public 191
office would normally be expected; 192

(3) Legitimate and verifiable ordinary and necessary prior 193
expenses incurred by the beneficiary while doing any of the 194

following:	195
(a) Engaging in activities in support of or opposition to	196
a candidate other than the beneficiary, political party, or	197
ballot issue;	198
(b) Raising funds for a political party, political action	199
committee, political contributing entity, legislative campaign	200
fund, campaign committee, or other candidate;	201
(c) Participating in the activities of a political party,	202
political action committee, political contributing entity,	203
legislative campaign fund, or campaign committee;	204
(d) Attending a political party convention or other	205
political meeting.	206
For purposes of this division, an expense is incurred	207
whenever a beneficiary has either made payment or is obligated	208
to make payment, as by the use of a credit card or other credit	209
procedure or by the use of goods or services received on	210
account.	211
(P) No beneficiary of a campaign fund shall knowingly	212
accept, and no person shall knowingly give to the beneficiary of	213
a campaign fund, reimbursement for an expense under division (O)	214
of this section to the extent that the expense previously was	215
reimbursed or paid from another source of funds. If an expense	216
is reimbursed under division (O) of this section and is later	217
paid or reimbursed, wholly or in part, from another source of	218
funds, the beneficiary shall repay the reimbursement received	219
under division (O) of this section to the extent of the payment	220
made or reimbursement received from the other source.	221
(Q) No candidate or public official or employee shall	222
accept for personal or business use anything of value from a	223

political party, political action committee, political 224
contributing entity, legislative campaign fund, or campaign 225
committee other than the candidate's or public official's or 226
employee's own campaign committee, and no person shall knowingly 227
give to a candidate or public official or employee anything of 228
value from a political party, political action committee, 229
political contributing entity, legislative campaign fund, or 230
such a campaign committee, except for the following: 231

(1) Reimbursement for legitimate and verifiable ordinary 232
and necessary prior expenses not otherwise prohibited by law 233
incurred by the candidate or public official or employee while 234
engaged in any legitimate activity of the political party, 235
political action committee, political contributing entity, 236
legislative campaign fund, or such campaign committee. Without 237
limitation, reimbursable expenses under this division include 238
those incurred while doing any of the following: 239

(a) Engaging in activities in support of or opposition to 240
another candidate, political party, or ballot issue; 241

(b) Raising funds for a political party, legislative 242
campaign fund, campaign committee, or another candidate; 243

(c) Attending a political party convention or other 244
political meeting. 245

(2) Compensation not otherwise prohibited by law for 246
actual and valuable personal services rendered under a written 247
contract to the political party, political action committee, 248
political contributing entity, legislative campaign fund, or 249
such campaign committee for any legitimate activity of the 250
political party, political action committee, political 251
contributing entity, legislative campaign fund, or such campaign 252

committee. 253

Reimbursable expenses under this division do not include, 254
and it is a violation of this division for a candidate or public 255
official or employee to accept, or for any person to knowingly 256
give to a candidate or public official or employee from a 257
political party, political action committee, political 258
contributing entity, legislative campaign fund, or campaign 259
committee other than the candidate's or public official's or 260
employee's own campaign committee, anything of value for 261
activities primarily related to the candidate's or public 262
official's or employee's own campaign for election, except for 263
contributions to the candidate's or public official's or 264
employee's campaign committee. 265

For purposes of this division, an expense is incurred 266
whenever a candidate or public official or employee has either 267
made payment or is obligated to make payment, as by the use of a 268
credit card or other credit procedure, or by the use of goods or 269
services on account. 270

(R) (1) Division (O) or (P) of this section does not 271
prohibit a campaign committee from making direct advance or post 272
payment from contributions to vendors for goods and services for 273
which reimbursement is permitted under division (O) of this 274
section, except that no campaign committee shall pay its 275
candidate or other beneficiary for services personally performed 276
by the candidate or other beneficiary. 277

(2) If any expense that may be reimbursed under division 278
(O), (P), or (Q) of this section is part of other expenses that 279
may not be paid or reimbursed, the separation of the two types 280
of expenses for the purpose of allocating for payment or 281
reimbursement those expenses that may be paid or reimbursed may 282

be by any reasonable accounting method, considering all of the 283
surrounding circumstances. 284

(3) For purposes of divisions (O), (P), and (Q) of this 285
section, mileage allowance at a rate not greater than that 286
allowed by the internal revenue service at the time the travel 287
occurs may be paid instead of reimbursement for actual travel 288
expenses allowable. 289

(4) For purposes of divisions (O), (P), and (Q) of this 290
section, the cost of child care provided by a person licensed to 291
provide child care under Chapter 5104. of the Revised Code is 292
considered an ordinary and necessary expense incurred by a 293
beneficiary while engaging in the activities and duties 294
described in those divisions, so long as the cost is incurred 295
only as a direct result of the beneficiary engaging in those 296
activities and duties and would not otherwise be incurred. 297

(S) (1) As used in division (S) of this section: 298

(a) "State elective office" has the same meaning as in 299
section 3517.092 of the Revised Code. 300

(b) "Federal office" means a federal office as defined in 301
the Federal Election Campaign Act. 302

(c) "Federal campaign committee" means a principal 303
campaign committee or authorized committee as defined in the 304
Federal Election Campaign Act. 305

(2) No person who is a candidate for state elective office 306
and who previously sought nomination or election to a federal 307
office shall transfer any funds or assets from that person's 308
federal campaign committee for nomination or election to the 309
federal office to that person's campaign committee as a 310
candidate for state elective office. 311

(3) No campaign committee of a person who is a candidate 312
for state elective office and who previously sought nomination 313
or election to a federal office shall accept any funds or assets 314
from that person's federal campaign committee for that person's 315
nomination or election to the federal office. 316

(T) (1) Except as otherwise provided in division (B) (6) (c) 317
of section 3517.102 of the Revised Code, a state or county 318
political party shall not disburse moneys from any account other 319
than a state candidate fund to make contributions to any of the 320
following: 321

(a) A state candidate fund; 322

(b) A legislative campaign fund; 323

(c) A campaign committee of a candidate for the office of 324
governor, lieutenant governor, secretary of state, auditor of 325
state, treasurer of state, attorney general, member of the state 326
board of education, or member of the general assembly. 327

(2) No state candidate fund, legislative campaign fund, or 328
campaign committee of a candidate for any office described in 329
division (T) (1) (c) of this section shall knowingly accept a 330
contribution in violation of division (T) (1) of this section. 331

(U) No person shall fail to file a statement required 332
under section 3517.12 of the Revised Code. 333

(V) No campaign committee shall fail to file a statement 334
required under division (K) (3) of section 3517.10 of the Revised 335
Code. 336

(W) (1) No foreign national shall, directly or indirectly 337
through any other person or entity, make a contribution, 338
expenditure, or independent expenditure or promise, either 339

expressly or implicitly, to make a contribution, expenditure, or 340
independent expenditure in support of or opposition to a 341
candidate for any elective office in this state, including an 342
office of a political party. 343

(2) No candidate, campaign committee, political action 344
committee, political contributing entity, legislative campaign 345
fund, state candidate fund, political party, or separate 346
segregated fund shall solicit or accept a contribution, 347
expenditure, or independent expenditure from a foreign national. 348
The secretary of state may direct any candidate, committee, 349
entity, fund, or party that accepts a contribution, expenditure, 350
or independent expenditure in violation of this division to 351
return the contribution, expenditure, or independent expenditure 352
or, if it is not possible to return the contribution, 353
expenditure, or independent expenditure, then to return instead 354
the value of it, to the contributor. 355

(3) As used in division (W) of this section, "foreign 356
national" has the same meaning as in section 441e(b) of the 357
Federal Election Campaign Act. 358

(X) (1) No state or county political party shall transfer 359
any moneys from its restricted fund to any account of the 360
political party into which contributions may be made or from 361
which contributions or expenditures may be made. 362

(2) (a) No state or county political party shall deposit a 363
contribution or contributions that it receives into its 364
restricted fund. 365

(b) No state or county political party shall make a 366
contribution or an expenditure from its restricted fund. 367

(3) (a) No corporation or labor organization shall make a 368

gift or gifts from the corporation's or labor organization's 369
money or property aggregating more than ten thousand dollars to 370
any one state or county political party for the party's 371
restricted fund in a calendar year. 372

(b) No state or county political party shall accept a gift 373
or gifts for the party's restricted fund aggregating more than 374
ten thousand dollars from any one corporation or labor 375
organization in a calendar year. 376

(4) No state or county political party shall transfer any 377
moneys in the party's restricted fund to any other state or 378
county political party. 379

(5) No state or county political party shall knowingly 380
fail to file a statement required under section 3517.1012 of the 381
Revised Code. 382

(Y) The administrator of workers' compensation and the 383
employees of the bureau of workers' compensation shall not 384
conduct any business with or award any contract, other than one 385
awarded by competitive bidding, for the purchase of goods 386
costing more than five hundred dollars or services costing more 387
than five hundred dollars to any individual, partnership, 388
association, including, without limitation, a professional 389
association organized under Chapter 1785. of the Revised Code, 390
estate, or trust, if the individual has made, or the 391
individual's spouse has made, or any partner, shareholder, 392
administrator, executor, or trustee, or the spouses of any of 393
those individuals has made, as an individual, within the two 394
previous calendar years, one or more contributions totaling in 395
excess of one thousand dollars to the campaign committee of the 396
governor or lieutenant governor or to the campaign committee of 397
any candidate for the office of governor or lieutenant governor. 398

(Z) The administrator of workers' compensation and the 399
employees of the bureau of workers' compensation shall not 400
conduct business with or award any contract, other than one 401
awarded by competitive bidding, for the purchase of goods 402
costing more than five hundred dollars or services costing more 403
than five hundred dollars to a corporation or business trust, 404
except a professional association organized under Chapter 1785. 405
of the Revised Code, if an owner of more than twenty per cent of 406
the corporation or business trust, or the spouse of the owner, 407
has made, as an individual, within the two previous calendar 408
years, taking into consideration only owners for all of such 409
period, one or more contributions totaling in excess of one 410
thousand dollars to the campaign committee of the governor or 411
lieutenant governor or to the campaign committee of any 412
candidate for the office of governor or lieutenant governor. 413

Section 2. That existing section 3517.13 of the Revised 414
Code is hereby repealed. 415