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H.B. 770
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Glassburn

Emily E. Wendel, Attorney

SUMMARY

- Allows a campaign committee to refund a political contribution.

DETAILED ANALYSIS

Refunds of campaign contributions

The bill allows a candidate's campaign committee to give a full or partial refund of a political contribution to the donor at any time. The campaign committee must report both the contribution and the refund (as an expenditure) on the campaign committee's statement of contributions and expenditures.

Under continuing law, other regulated political entities may refund a contribution only in certain circumstances permitted by law. Those entities include a political party, legislative campaign fund, political action committee, or political contributing entity.¹

Current law allows or requires a refund of a contribution only in the following cases:

- R.C. 3517.102(E)(2) – Allows a legislative campaign fund that is required to dispose of excess contributions after a general election to make refunds to contributors.
- R.C. 3517.108(B)(5) – Allows a campaign committee that accepts contributions after an election for the purpose of repaying unpaid debt to return any excess contributions to contributors.
- R.C. 3517.109(C) – Allows a campaign committee that is required to dispose of excess funds to do so by making refunds to contributors.

¹ R.C. 3517.01 and 3517.08.

- R.C. 3517.121(F)(2) – Requires a person who accepts prohibited political funds from a foreign national to return the amount involved in the violation to the foreign national.
- R.C. 3517.1014(H) – Allows an officeholder’s transition fund to refund unused donations to all donors on a pro rata basis before terminating the fund but prohibits any refund to a campaign committee.
- R.C. 3517.99(I)(6) and (J)(6) – Specifies that the dollar limits on campaign contributions are not violated if an excessive contribution is refunded by a certain deadline.
- R.C. 3517.99(M)(2) – Requires a candidate or political entity that accepts a prohibited contribution from a public employee to return it to the contributor.

Since 1999, the Campaign Finance Law has been interpreted as prohibiting refunds except in those specifically listed circumstances. An opinion by the Ohio Elections Commission reasons that because the definition of “expenditure” includes only the disbursement or use of a contribution for the purpose of (1) influencing the results of an election or (2) making a permitted charitable donation, making a refund would not be considered a permitted expenditure unless it is specifically authorized elsewhere in the statute. (The Ohio Elections Commission has since been replaced by the Ohio Election Integrity Commission, but the old opinion remains in effect.)²

HISTORY

Action	Date
Introduced	03-18-26

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² Ohio Elections Commission, [Advisory Opinion 99ELC-03](#) (1999). See also R.C. 3517.15(B)(2), not in the bill.