

Sub. H. B. No. 96
As Passed by the Senate
SOSCD14

_____ moved to amend as follows:

After line 656, insert:

"**Sec. 3.15.** (A) Except as otherwise provided in division
(B) of this section, at all times during one's term of office:

(1) Each member of the general assembly ~~and each elected~~
~~voting member of the state board of education~~ shall be a
resident of the district the member represents.

(2) Each judge and each elected officer of a court shall
be a resident of the territory of that court.

(3) Each person holding an elective office of a political
subdivision shall be a resident of that political subdivision.

(4) Each member of a municipal legislative authority who
represents a ward shall be a resident of the ward the member
represents, and each member of a board of education of a city
school district who represents a subdistrict shall be a resident
of the subdistrict the member represents.

(B) Any person who fails to meet any of the requirements
of division (A) of this section that apply to the person shall

forfeit the office. Division (A) of this section applies to 18
persons who have been either elected or appointed to an elective 19
office. Division (A) of this section does not apply to a member 20
of the general assembly ~~or the state board of education~~, to a 21
member of a municipal legislative authority who represents a 22
ward, or to a member of a board of education of a city school 23
district who represents a subdistrict, during the remainder of 24
the member's existing term of office after there is a change in 25
the member's district's, ward's, or subdistrict's boundaries 26
that leaves the member's permanent residence outside the 27
district, ward, or subdistrict." 28

In the table on line 2863, in Row A, strike through ", except member 29
of the state board of education," 30

After line 43752, insert: 31

"**Sec. 3301.01.** ~~(A)~~ There is hereby created the state board 32
of education consisting of ~~nineteen members with eleven elected~~ 33
~~members, one each to be elected in accordance with section~~ 34
~~3301.03 of the Revised Code from each of the districts~~ 35
~~established in accordance with division (B) of this section, and~~ 36
~~with eight~~five members to be appointed by the governor with the 37
advice and consent of the senate.- 38

~~In addition to the nineteen elected or appointed members,~~ 39
~~the chairperson of the committee of the senate that primarily~~ 40
~~deals with education and the chairperson of the committee of the~~ 41
~~house of representatives that primarily deals with education~~ 42
~~shall be nonvoting ex officio members of the board.-~~ 43

~~(B) (1) The territory of each state board of education~~ 44
~~district for each elected voting member of the board shall~~ 45
~~consist of the territory of three contiguous senate districts as~~ 46

~~established in the most recent apportionment for members of the
general assembly, but the territory of no senate district shall
be part of the territory of more than one state board of
education district. Each state board of education district shall
be as compact as practicable. The districts shall include, when
practicable, some districts that primarily consist of territory
in rural areas and some districts that primarily consist of
territory in urban areas.~~

~~(2) If, after the apportionment for members of the general
assembly is made in any year, the general assembly does not
during that year enact legislation establishing state board of
education districts in accordance with division (B) (1) of this
section, the governor shall designate the boundaries of the
districts in accordance with division (B) (1) of this section no
later than the thirty-first day of January of the year next
succeeding such apportionment. Upon making such designation, the
governor shall give written notice of the boundaries of the
districts to each member of the state board of education,
including the nonvoting ex officio members; the superintendent
of public instruction; the director of education and workforce;
the president of the senate; the speaker of the house of
representatives; and the board of elections of each county in
each new district. On the first day of February in any year in
which the governor designates the boundaries of state board of
education districts under this section, the state board of
education districts as they existed prior to that date shall
cease to exist and the new districts shall be created.~~

Sec. 3301.02. ~~(A) Elected voting members of the state
board of education shall be elected as required by expiration of
respective terms, each for a term of four years or until a~~

~~successor is elected and qualified. One elected member shall be
elected from each district respectively in which the term of
office of a board member expires on the first day of January
following the election. The term of office of each member so
elected shall begin on the first day of January immediately
following this election.~~

~~(B) At any time the boundaries of state board of education
districts are changed under division (B) of section 3301.01 of
the Revised Code, a member of the state board whose term will
not expire within two years of the time the change in boundaries
is made shall represent, for the remainder of the term for which
the member was elected, the state board district containing the
largest portion of the population of the district from which the
member was elected. If more than one member whose term will not
so expire would represent the same district under the provisions
of this section, either the general assembly, if the general
assembly enacted legislation establishing those districts under
division (B) (2) of section 3301.01 of the Revised Code, or the
governor, if the governor designated the boundaries of the
districts under that division, shall designate which member
shall represent each district for the balance of the members'
terms.~~

~~(C) Appointed voting members~~Members of the board shall
serve four-year terms beginning the first day of January and
ending on the thirty-first day of December. ~~Except as provided
in division (D) of this section, members may be reappointed.~~

~~(D)~~ (B) No person, ~~elected or appointed,~~ shall hold the
office of member of the state board of education for a period of
longer than two successive terms of four years. Terms shall be
considered successive unless separated by a period of four or

more years. Only terms beginning on or after January 1, 1996,
shall be considered in determining an individual's eligibility
to hold office.

(C) Notwithstanding any provision of the Revised Code to
the contrary, members who were elected or appointed under this
section as it existed prior to the effective date of this
amendment shall remain in office until the expiration of their
current terms. Upon the expiration of the current term of
elected members, all eleven elected offices shall be abolished
and no successor shall be elected after the effective date of
this amendment. If such elected member vacates the office prior
to the expiration of the member's term, no individual shall be
appointed or elected to fill that vacancy, and that office is
abolished. The offices of the first three appointed members to
reach the expiration of their current terms or vacate the office
prior to the expiration of their current terms shall be
abolished. Thereafter, the state board consists of five
appointed members as prescribed under section 3301.01 of the
Revised Code.

~~Sec. 3301.03. Each elected voting member of the state
board of education shall be a qualified elector residing in the
territory composing the district from which the member is
elected, and shall be nominated and elected to office as
provided by Title XXXV of the Revised Code. (A) Each appointed
voting member of the board shall be a qualified elector residing
in the state. At least four of the appointed voting members
shall represent rural school districts in the state, as
evidenced by the member's current place of residence and at
least one One member shall represent each of the following:~~

~~(A) The member's children attend, or at one time attended,~~

~~school in a~~ (1) A rural school district; 137

~~(B) The member's past or present occupation is associated~~ 138
~~with rural areas of the state~~ (2) A suburban school district; 139

~~(C) The member possesses other credentials or experience~~ 140
~~demonstrating knowledge and familiarity with rural~~ (3) An urban 141
~~school districts~~district; 142

(4) A community school established under Chapter 3314. of 143
the Revised Code; 144

(5) A chartered nonpublic school. 145

No ~~elected or appointed voting~~ member of the board shall, 146
during the member's term of office, hold any other office of 147
trust or profit or be an employee or officer of any public or 148
private elementary or secondary school. Before entering on the 149
duties of office, each ~~elected and appointed voting~~ member shall 150
subscribe to the official oath of office. 151

Each ~~voting~~ member of the state board of education shall 152
be paid a salary fixed pursuant to division (J) of section 153
124.15 of the Revised Code, together with the member's actual 154
and necessary expenses incurred while engaged in the performance 155
of the member's official duties or in the conduct of authorized 156
board business, and while en route to and from the member's home 157
for such purposes. 158

~~(D)~~ (B) As used in this section only, "office of trust or 159
profit" means: 160

(1) A federal or state elective office or an elected 161
office of a political subdivision of the state; 162

(2) A position on a board or commission of the state that 163
is appointed by the governor; 164

(3) An office set forth in section 121.03, 121.04, or 121.05 of the Revised Code;

(4) An office of the government of the United States that is appointed by the president of the United States.

Sec. 3301.06. A vacancy in the state board of education may be caused by death, ~~nonresidence,~~ resignation, removal from office, ~~failure of a person elected to qualify within ten days after the organization of the board or of the person's election, removal from the district of election or from residence in the state,~~ or absence from any ~~two~~three consecutive regular meetings of the board if such absence is caused by reasons declared insufficient by a vote of twelve members of the board. When a vacancy occurs in the office of an elected member, the governor shall, within a period of thirty days and with the advice and consent of the senate, appoint a qualified person residing in the district in which the vacancy occurred to fill the vacancy until the next general election at which members of the state board of education are elected, at which time a qualified elector residing in the district in which the vacancy occurred shall be elected for the unexpired term. Such member shall assume office at the next succeeding meeting of the board for any reason. When a vacancy occurs in the office of an ~~appointed~~a member, the governor shall, within a period of thirty days and with the advice and consent of the senate, appoint a qualified person, in accordance with section 3301.03 of the Revised Code, to serve the remainder of the term."

After line 67614, insert:

"Sec. 3501.02. General elections in the state and its political subdivisions shall be held as follows:

(A) For the election of electors of president and vice- 194
president of the United States, in the year of 1932 and every 195
four years thereafter; 196

(B) For the election of a member of the senate of the 197
United States, in the years 1932 and 1934, and every six years 198
after each of such years; except as otherwise provided for 199
filling vacancies; 200

(C) For the election of representatives in the congress of 201
the United States and of elective state and county officers 202
~~including elected members of the state board of education,~~ in 203
the even-numbered years; except as otherwise provided for 204
filling vacancies; 205

(D) For municipal and township officers, members of boards 206
of education, judges and clerks of municipal courts, in the odd- 207
numbered years; 208

(E) Proposed constitutional amendments or proposed 209
measures submitted by the general assembly or by initiative or 210
referendum petitions to the voters of the state at large may be 211
submitted to the general election in any year occurring at least 212
~~sixty days, in case of a referendum, and ninety one hundred~~ 213
~~twenty-five days, in the case of an initiated measure,~~ 214
subsequent to the filing of the petitions therefor. Proposed 215
constitutional amendments submitted by the general assembly to 216
the voters of the state at large may be submitted at a special 217
election occurring on the day in any year specified by division 218
(E) of section 3501.01 of the Revised Code for the holding of a 219
primary election, when a special election on that date is 220
designated by the general assembly in the resolution adopting 221
the proposed constitutional amendment. 222

No special election shall be held on a day other than the day of a general election, unless a law or charter provides otherwise, regarding the submission of a question or issue to the voters of a county, township, city, village, or school district.

(F) (1) Notwithstanding any provision of the Revised Code to the contrary, any question or issue, except a candidacy, to be voted upon at an election shall be certified, for placement upon the ballot, to the board of elections not later than four p.m. of the ninetieth day before the day of the election.

(2) Any question or issue that is certified for placement on a ballot on or after ~~the effective date of this amendment~~ July 2, 2010, shall be certified not later than the ninetieth day before the day of the applicable election, notwithstanding any deadlines appearing in any section of the Revised Code governing the placement of that question or issue on the ballot. "

In line 68343, delete "member of the state board of education,"

In line 68373, delete everything after "(2) "

Delete lines 68374 through 68376

In line 68377, delete "(3) "

In line 68385, delete "(4) " and insert "(3) "

After line 68591, insert:

"Sec. 3505.33. When the board of elections has completed the canvass of the election returns from the precincts in its county, in which electors were entitled to vote at any general or special election, it shall determine and declare the results of the elections determined by the electors of such county or of a district or subdivision within such county. If more than the

number of candidates to be elected to an office received the 251
largest and an equal number of votes, such tie shall be resolved 252
by lot by the chairperson of the board in the presence of a 253
majority of the members of the board. Such declaration shall be 254
in writing and shall be signed by at least a majority of the 255
members of the board. It shall bear the date of the day upon 256
which it is made, and a copy thereof shall be posted by the 257
board in a conspicuous place in its office. The board shall keep 258
such copy posted for a period of at least five days. 259

Thereupon the board shall promptly certify abstracts of 260
the results of such elections within its county, in such forms 261
as the secretary of state prescribes. Such forms shall be 262
designated and shall contain abstracts as follows: 263

Form No. 1. An abstract of the votes cast for the office 264
of president and vice-president of the United States. 265

Form No. 2. An abstract of the votes cast for the office 266
of governor and lieutenant governor, secretary of state, auditor 267
of state, treasurer of state, attorney general, chief justice of 268
the supreme court of Ohio, judge of the supreme court of Ohio, 269
member of the senate of the congress of the United States, 270
member at large of the house of representatives of the congress 271
of the United States, district member of the house of 272
representatives of the congress of the United States, and an 273
abstract of the votes cast upon each question or issue submitted 274
at such election to electors throughout the entire state. 275

Form No. 3. An abstract of the votes cast for the office 276
of member of the senate of the general assembly, and member of 277
the house of representatives of the general assembly. 278

Form No. 4. A report of the votes cast for ~~the office of~~ 279

~~member of the state board of education,~~ judge of the court of 280
appeals, judge of the court of common pleas, judge of the 281
probate court, judge of the county court, county commissioner, 282
county auditor, prosecuting attorney, clerk of the court of 283
common pleas, sheriff, county recorder, county treasurer, county 284
engineer, and coroner. 285

Form No. 5. A report of the votes cast upon all questions 286
and issues other than such questions and issues which were 287
submitted to electors throughout the entire state. 288

Form No. 6. A report of the votes cast for municipal 289
offices, judge of the municipal court, township offices, and the 290
office of member of a board of education. 291

One copy of each of these forms shall be kept in the 292
office of the board. One copy of each of these forms shall 293
promptly be sent to the secretary of state, who shall place the 294
records contained in forms No. 1, No. 2, No. 3, No. 4, and No. 6 295
in electronic format. One copy of Form No. 2 shall promptly be 296
sent by electronic mail to the president of the senate of the 297
general assembly. The board shall also at once upon completion 298
of the official count send a certified copy of that part of each 299
of the forms which pertains to an election in which only 300
electors of a district comprised of more than one county but 301
less than all of the counties of the state voted to the board of 302
the most populous county in such district. It shall also at once 303
upon completion of the official count send a certified copy of 304
that part of each of the forms which pertains to an election in 305
which only electors of a subdivision located partly within the 306
county voted to the board of the county in which the major 307
portion of the population of such subdivision is located. 308

If, after certifying and sending abstracts and parts 309

thereof, a board finds that any such abstract or part thereof is 310
incorrect, it shall promptly prepare, certify, and send a 311
corrected abstract or part thereof to take the place of each 312
incorrect abstract or part thereof theretofore certified and 313
sent. 314

Sec. 3505.38. Election officials who are required to 315
declare the results of a special or general election in which 316
persons were elected to offices shall, unless otherwise provided 317
by law, issue to the persons declared elected by them 318
appropriate certificates of election in such form as is 319
prescribed by the secretary of state. Such certificates of 320
election shall be issued by such election officials after the 321
time within which applications may be made for recounts of votes 322
has expired, and after recounts of votes which have been applied 323
for are completed. 324

All persons declared to be elected by the president of the 325
senate as provided for in section 3505.34 of the Revised Code 326
shall be issued certificates of election by the secretary of 327
state as provided for in such section and shall be issued 328
commissions for such offices by the governor, provided that the 329
board of elections required to determine and declare the results 330
of the election for candidates for election to the office of 331
member of the house of representatives of the congress of the 332
United States ~~or member of the state board of education~~ shall, 333
in lieu of issuing a certificate of election, certify to the 334
secretary of state the names of such candidates declared 335
elected, and the secretary of state, from such certification, 336
shall issue to the persons certified to the secretary of state 337
as elected as a member of the house of representatives of the 338
congress of the United States ~~or member of the state board of~~ 339

education a certificate of the person's election, signed by the 340
governor, sealed with the great seal of the state, and 341
countersigned by the secretary of state. Certificates of 342
election of members of the house of representatives of the 343
congress of the United States shall be forwarded by registered 344
mail to the clerk of the house of representatives of the 345
congress of the United States, Washington, D.C., and the person 346
elected to such office shall be advised by letter from the 347
secretary of state that the person's certificate of election has 348
been forwarded to said clerk." 349

In line 69184, strike through "member of the state board" 350

In line 69185, strike through "of education," 351

In the table on line 69203, strike through row K 352

After line 69743, insert: 353

"Sec. 3517.092. (A) As used in this section: 354

(1) "Appointing authority" has the same meaning as in 355
section 124.01 of the Revised Code. 356

(2) "State elected officer" means any person appointed or 357
elected to a state elective office. 358

(3) "State elective office" means any of the offices of 359
governor, lieutenant governor, secretary of state, auditor of 360
state, treasurer of state, attorney general, ~~member of the state~~ 361
~~board of education,~~ member of the general assembly, and justice 362
and chief justice of the supreme court. 363

(4) "Contribution" includes a contribution to any 364
political party, campaign committee, political action committee, 365
political contributing entity, or legislative campaign fund. 366

(B) (1) No state elected officer, no campaign committee of such an officer, no employee of the state elected officer's office, and no other person or entity shall knowingly solicit a contribution to a state elected officer or to such an officer's campaign committee, and no state elected officer and no campaign committee of such an officer shall accept a contribution, from any of the following:

(a) A state employee whose appointing authority is the state elected officer;

(b) A state employee whose appointing authority is authorized or required by law to be appointed by the state elected officer;

(c) A state employee who functions in or is employed in or by the same public agency, department, division, or office as the state elected officer.

(2) No candidate for a state elective office, no campaign committee of such a candidate, no employee of the candidate's office if the candidate is a state elected officer or an elected officer of a political subdivision of the state, and no other person or entity shall knowingly solicit a contribution to a candidate for a state elective office or to such a candidate's campaign committee, and no candidate for a state elective office and no campaign committee of such a candidate shall accept a contribution, from any of the following:

(a) A state employee at the time of the solicitation, whose appointing authority will be the candidate, if elected;

(b) A state employee at the time of the solicitation, whose appointing authority will be appointed by the candidate, if elected, as authorized or required by law;

(c) A state employee at the time of the solicitation, who 396
will function in or be employed in or by the same public agency, 397
department, division, or office as the candidate, if elected. 398

(C) (1) No elected officer of a political subdivision of 399
the state, no campaign committee of such an officer, no employee 400
of such an officer's office, and no other person or entity shall 401
knowingly solicit a contribution to an elected officer of a 402
political subdivision of the state or to such an officer's 403
campaign committee from any of the following: 404

(a) An employee of that political subdivision whose 405
appointing authority is that elected officer; 406

(b) An employee of that political subdivision whose 407
appointing authority is authorized or required by law to be 408
appointed by that elected officer; 409

(c) An employee of that political subdivision who 410
functions in or is employed in or by the same public agency, 411
department, division, or office as that elected officer. 412

(2) No candidate for an elective office of a political 413
subdivision of the state, no campaign committee of such a 414
candidate, no employee of the candidate's office if the 415
candidate is a state elected officer or elected officer of a 416
political subdivision of the state, and no other person or 417
entity shall knowingly solicit a contribution to a candidate for 418
an elective office of a political subdivision of the state or to 419
such a candidate's campaign committee from any of the following: 420

(a) An employee of that political subdivision at the time 421
of the solicitation, whose appointing authority will be the 422
candidate, if elected; 423

(b) An employee of that political subdivision at the time 424
of the solicitation, whose appointing authority will be 425
appointed by the candidate, if elected, as authorized or 426
required by law; 427

(c) An employee of that political subdivision at the time 428
of the solicitation, who will function in or be employed in or 429
by the same public agency, department, division, or office as 430
the candidate, if elected. 431

(D) (1) No public employee shall solicit a contribution 432
from any person while the public employee is performing the 433
public employee's official duties or in those areas of a public 434
building where official business is transacted or conducted. 435

(2) No person shall solicit a contribution from any public 436
employee while the public employee is performing the public 437
employee's official duties or is in those areas of a public 438
building where official business is transacted or conducted. 439

(3) As used in division (D) of this section, "public 440
employee" does not include any person holding an elective 441
office. 442

(E) The prohibitions in divisions (B), (C), and (D) of 443
this section are in addition to the prohibitions in sections 444
124.57, 3304.22, and 4503.032 of the Revised Code." 445

In line 70328, strike through "member of the state board" 446

In line 70329, strike through "of education," 447

In line 70434, strike through "except member of" 448

In line 70435, strike through "the state board of education," 449

In line 70495, strike through "member of the state" 450

In line 70496, strike through "board of education,"

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In line 70502, strike through "member of the state board of
education,"

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After line 70998, insert:

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"Sec. 3517.103. (A) For purposes of this section:

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(1) "Statewide candidate" means the joint candidates for
the offices of governor and lieutenant governor or a candidate
for the office of secretary of state, auditor of state,
treasurer of state, or attorney general, ~~or member of the state
board of education.~~

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(2) (a) "Personal funds" means contributions to the
campaign committee of a candidate by the candidate.

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(b) A loan obtained by, guaranteed by, or for the benefit
of a statewide candidate, senate candidate, or house candidate
shall be considered "personal funds" subject to the provisions
of this section to the extent that the loan is obtained or
guaranteed by the candidate. A loan that is obtained or
guaranteed and that is for the benefit of a statewide candidate,
senate candidate, or house candidate shall not be considered
"personal funds" for the purposes of this section but shall be
considered to be a "contribution" for the purposes of this
chapter if the loan is obtained or guaranteed by anyone other
than the candidate.

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(c) When a debt or other obligation incurred by a
committee or by a candidate on behalf of the candidate's
committee is to be paid from "personal funds," those funds are
considered to be expended when the debt or other obligation is
incurred, regardless of when it is paid.

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(B) (1) Except as otherwise provided in division (B) (2) of 479
this section, no statewide candidate or candidate for the office 480
of member of the general assembly shall make an expenditure of 481
personal funds to influence the results of an election for that 482
candidate's nomination or election to office unless the personal 483
funds are first deposited into the campaign fund of that 484
candidate's campaign committee. 485

(2) A statewide candidate or candidate for the office of 486
member of the general assembly may make an expenditure of 487
personal funds without first depositing those funds into the 488
campaign committee's funds as long as the aggregate total of 489
those expenditures does not exceed five hundred dollars at any 490
time during an election period. After the candidate's campaign 491
committee reimburses the candidate for any direct expenditure of 492
personal funds, the amount that was reimbursed is no longer 493
included in the aggregate total of expenditures of personal 494
funds subject to the five-hundred-dollar limit. 495

Sec. 3517.104. (A) In January of each odd-numbered year, 496
the secretary of state, in accordance with this division and 497
division (B) of this section, shall adjust each amount specified 498
in section 3517.102, in division (B) (4) (e) of section 3517.10, 499
and in division (B) of section 3517.101 of the Revised Code. The 500
adjustment shall be based on the yearly average of the previous 501
two years of the Consumer Price Index for All Urban Consumers or 502
its successive equivalent, as determined by the United States 503
department of labor, bureau of labor statistics, or its 504
successor in responsibility, for all items, Series A. Using the 505
1996 yearly average as the base year, the secretary of state 506
shall compare the most current average consumer price index with 507
that determined in the preceding odd-numbered year, and shall 508

determine the percentage increase or decrease. The percentage 509
increase or decrease shall be multiplied by the actual dollar 510
figure for each office or entity specified in section 3517.102 511
of the Revised Code and by each actual dollar figure specified 512
in division (B) (4) (e) of section 3517.10 and in division (B) of 513
section 3517.101 of the Revised Code as determined in the 514
previous odd-numbered year, and the product shall be added to or 515
subtracted from its corresponding actual dollar figure, as 516
necessary, for that previous odd-numbered year. 517

The resulting amount shall be rounded to the nearest 518
twenty-five dollars if the calculations are made regarding the 519
amounts specified in division (B) (4) (e) of section 3517.10 of 520
the Revised Code. 521

If the calculations are made regarding the amounts 522
specified in section 3517.101 or 3517.102 of the Revised Code, 523
the resulting amount shall not be rounded. If that resulting 524
amount is less than one hundred dollars, the secretary of state 525
shall retain a record of the resulting amount and the manner in 526
which it was calculated, but shall not make an adjustment unless 527
the resulting amount, when added to the resulting amount 528
calculated in each prior odd-numbered year since the last 529
adjustment was made, equals or exceeds one hundred dollars. 530

(B) (1) The secretary of state shall calculate the 531
adjustment under division (A) of this section and shall report 532
the calculations and necessary materials to the auditor of 533
state, on or before the thirty-first day of January of each odd- 534
numbered year. The secretary of state shall base the adjustment 535
on the most current consumer price index that is described in 536
division (A) of this section and that is in effect as of the 537
first day of January of each odd-numbered year. 538

(2) The calculations made by the secretary of state under 539
divisions (A) and (B)(1) of this section shall be certified by 540
the auditor of state on or before the fifteenth day of February 541
of each odd-numbered year. 542

(3) On or before the twenty-fifth day of February of each 543
odd-numbered year, the secretary of state shall prepare a report 544
setting forth the maximum contribution limitations under section 545
3517.102 of the Revised Code, the maximum amounts, if any, of 546
contributions permitted to be kept under that section, the 547
amounts required under division (B)(4)(e) of section 3517.10 of 548
the Revised Code for reporting contributions and in-kind 549
contributions at social or fund-raising activities and 550
contributions from amounts deducted from an employee's wages and 551
salary, and the maximum office facility gift limitations under 552
section 3517.101 of the Revised Code, as calculated and 553
certified pursuant to divisions (A) and (B)(1) and (2) of this 554
section. The report and all documents relating to the 555
calculations contained in the report are public records. The 556
report shall contain an indication of the period in which the 557
limitations, the maximum contribution or gift amounts, and the 558
reporting amounts apply, a summary of how the limitations, the 559
maximum contribution or gift amounts, and the reporting amounts 560
were calculated, and a statement that the report and all related 561
documents are available for inspection and copying at the office 562
of the secretary of state. 563

(4) On or before the twenty-fifth day of February of each 564
odd-numbered year, the secretary of state shall transmit the 565
report to the general assembly and shall send the report by mail 566
to the board of elections of each county. 567

(5) The secretary of state shall send the report by mail 568

to each person who files a declaration of candidacy or 569
nominating petition with the secretary of state for the office 570
of governor, lieutenant governor, secretary of state, auditor of 571
state, treasurer of state, attorney general, ~~member of the state~~ 572
~~board of education,~~ chief justice of the supreme court, or 573
justice of the supreme court. The report shall be mailed on or 574
before the tenth day after the filing. 575

(6) A board of elections shall send the report by mail to 576
each person who files a declaration of candidacy or nominating 577
petition with the board for the office of state representative 578
or state senator. The report shall be mailed on or before the 579
tenth day after the filing. 580

Sec. 3517.108. (A) As used in divisions (A) and (B) of 581
this section: 582

(1) "Candidate" has the same meaning as in section 3517.01 583
of the Revised Code but includes only candidates for the offices 584
of governor, lieutenant governor, secretary of state, auditor of 585
state, treasurer of state, attorney general, ~~member of the state~~ 586
~~board of education,~~ member of the general assembly, chief 587
justice of the supreme court, and justice of the supreme court. 588

(2) A "general election period" begins on the day after 589
the primary election immediately preceding the general election 590
at which a candidate seeks an office specified in division (A) 591
(1) of this section and ends on the thirty-first day of December 592
following that general election. 593

(3) A "primary election period" begins on the first day of 594
January of the year following the year in which the general 595
election was held for the office that the candidate seeks, 596
including any mid-term election, and ends on the day of the 597

primary election. 598

(B) Whenever the campaign committee of a candidate has 599
unpaid debt at the end of a primary election period or at the 600
end of a general election period, the committee may accept 601
additional contributions during the immediately following 602
election period up to the applicable limitation prescribed under 603
section 3517.102 of the Revised Code from any individual, 604
political action committee, political contributing entity, or 605
other campaign committee who, during the primary or general 606
election period for which debt remains unpaid, has contributed 607
less than the contribution limitations prescribed under section 608
3517.102 of the Revised Code applicable to that individual, 609
political action committee, political contributing entity, or 610
other campaign committee. Any additional contribution that a 611
campaign committee accepts under this division shall count 612
toward the applicable limitations prescribed under section 613
3517.102 of the Revised Code for that primary or general 614
election period at the end of which the debt remains unpaid, and 615
shall not count toward the applicable limitations for any other 616
primary or general election period if all of the following 617
conditions apply: 618

(1) The campaign committee reports, on the statement 619
required to be filed under division (A)(2) of section 3517.10 of 620
the Revised Code, all debt remaining unpaid at the end of the 621
election period. The committee shall also file a separate 622
statement, on a form prescribed by the secretary of state, at 623
the same time that the committee is required to file a statement 624
of contributions and expenditures under section 3517.10 of the 625
Revised Code. The separate statement shall include the name and 626
address of each contributor who makes an additional contribution 627

under division (B) of this section, how the contribution was 628
applied to pay the unpaid debt as required by division (B) (3) of 629
this section, and the balance of the unpaid debt after each 630
contribution was applied to it. 631

(2) The additional contributions are accepted only during 632
the primary or general election period, whichever is applicable, 633
immediately following the election period covered in the 634
statement filed under division (B) (1) of this section. 635

(3) All additional contributions made under division (B) 636
of this section are used by the campaign committee that receives 637
them only to pay the debt of the committee reported under 638
division (B) (1) of this section. 639

(4) The campaign committee maintains a separate account 640
for all additional contributions made under division (B) of this 641
section and uses moneys in that account only to pay the unpaid 642
debt reported under division (B) (1) of this section and to 643
administer the account. 644

(5) The campaign committee stops accepting additional 645
contributions after funds sufficient to repay the unpaid debt 646
reported under division (B) (1) of this section have been raised 647
and promptly disposes of any contributions received that exceed 648
the amount of the unpaid debt by returning the excess 649
contributions to the contributors or by giving the excess 650
contributions to an organization that is exempt from federal 651
income taxation under subsection 501(a) and described in 652
subsection 501(c) (3), (4), (8), (10), or (19) of the Internal 653
Revenue Code." 654

In line 71622, strike through "member of the state" 655

In line 71623, strike through "board of education," 656

In line 71627, after the first comma, insert "and"; strike through 657
 ", and member of the state" 658

In line 71628, strike through "board of education" 659

In line 71634, strike through "member of the state board" 660

In line 71635, strike through "of education," 661

In line 71678, strike through "or a" 662

In line 71679, strike through "candidate for the state board of 663
 education" 664

In line 71681, strike through "other" 665

In line 71682, strike through "than a candidate for the state board 666
 of education" 667

In line 72136, strike through "or the state board of education" 668

In line 72795, strike through "member of the state" 669

In line 72796, strike through "board of education," 670

In line 156673, delete "the office of member of the State Board of" 671

In line 156674, delete "Education and" 672

The motion was _____ agreed to.

SYNOPSIS

State Board of Education membership

**R.C. 3301.01, 3301.02, 3301.03, and 3301.06; conforming 675
 changes in R.C. 3.15, 102.02, 3501.02, 3505.03, 3505.33, 676**

3505.38, 3513.052, 3513.10, 3517.092, 3517.10, 3517.102, 677
 3517.103, 3517.104, 3517.108, 3517.109, 3517.11, and 3517.13 678

Restores the House-added provisions that do the following: 679

- Reduces SBE membership from eight members appointed by 680
 the Governor and 11 elected members to a total of five members 681
 appointed by the Governor. 682

- Abolishes the offices of the elected SBE members upon 683
 expiration of their current terms or a vacancy in their offices. 684

- Abolishes the offices of the first three appointed SBE 685
 members whose terms expire or who vacate their offices. 686

- Modifies the representation requirements for appointed 687
 SBE members to require at least one member to represent each of 688
 a rural, suburban, and urban school district, a community 689
 school, and a chartered nonpublic school. 690

- Changes criteria for determining whether absences lead 691
 to a vacancy in SBE from two absences for reasons that are 692
 declared insufficient by a vote of 12 members to three absences 693
 for any reason. 694

- Eliminates all requirements regarding the election of 695
 SBE members. 696

**State Board of Education members nominated by primary 697
 election 698**

**R.C. 3501.01, 3505.03, 3505.04, and 3513.052; Section 699
 735.10 700**

Restores current law and removes the following from the 701
 bill: 702

- Requires candidates for the State Board of Education be 703

704 nominated by primary election.

705 - Requires candidates for that office to appear on the

706 general election ballot with a political party designation along

707 with other partisan offices.

708 - Requires that office to be treated as a partisan office

709 under the Election Law for all other purposes, such as filling

710 vacancies on the ballot.