As Introduced

133rd General Assembly Regular Session 2019-2020

S. B. No. 107

Senator Rulli

Cosponsors: Senators Brenner, Eklund, Antonio, Sykes, Fedor

A BILL

То	amend sections 3517.10, 3517.105, 3517.106,	1
	3517.1011, and 3517.11 of the Revised Code to	2
	allow certain entities to file campaign finance	3
	statements electronically and to require the	4
	Secretary of State to make the information in	5
	those electronic statements available online.	6

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

Section 1. That sections 3517.10, 3517.105, 3517.106,	7
3517.1011, and 3517.11 of the Revised Code be amended to read as	8
follows:	9
Sec. 3517.10. (A) Except as otherwise provided in this	10
division, every campaign committee, political action committee,	11
legislative campaign fund, political party, and political	12
contributing entity that made or received a contribution or made	13
an expenditure in connection with the nomination or election of	14
any candidate or in connection with any ballot issue or question	15
at any election held or to be held in this state shall file, on	16
a form prescribed under this section or by electronic means of	17
transmission as provided in this section and section 3517.106 of	18

the Revised Code, a full, true, and itemized statement, made 19 under penalty of election falsification, setting forth in detail 20 the contributions and expenditures, not later than four p.m. of 21 the following dates: 22

(1) The twelfth day before the election to reflect contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the twentieth day before the election;

(2) The thirty-eighth day after the election to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the seventh day before the filing of the statement;

(3) The last business day of January of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of December of the previous year;

(4) The last business day of July of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of June of that year.

A campaign committee shall only be required to file the 43 statements prescribed under divisions (A)(1) and (2) of this 44 section in connection with the nomination or election of the 45 committee's candidate. 46

The statement required under division (A)(1) of this

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section shall not be required of any campaign committee, 48 political action committee, legislative campaign fund, political 49 party, or political contributing entity that has received 50 contributions of less than one thousand dollars and has made 51 expenditures of less than one thousand dollars at the close of 52 business on the twentieth day before the election. Those 53 contributions and expenditures shall be reported in the 54 statement required under division (A)(2) of this section. 55

If an election to select candidates to appear on the 56 general election ballot is held within sixty days before a 57 general election, the campaign committee of a successful 58 candidate in the earlier election may file the statement 59 required by division (A)(1) of this section for the general 60 election instead of the statement required by division (A)(2) of 61 this section for the earlier election if the pregeneral election 62 statement reflects the status of contributions and expenditures 63 for the period twenty days before the earlier election to twenty 64 days before the general election. 65

If a person becomes a candidate less than twenty days 66 before an election, the candidate's campaign committee is not 67 required to file the statement required by division (A)(1) of 68 this section. 69

No statement under division (A)(3) of this section shall 70 be required for any year in which a campaign committee, 71 political action committee, legislative campaign fund, political 72 73 party, or political contributing entity is required to file a postgeneral election statement under division (A)(2) of this 74 section. However, a statement under division (A)(3) of this 75 section may be filed, at the option of the campaign committee, 76 political action committee, legislative campaign fund, political 77 party, or political contributing entity.

No campaign committee of a candidate for the office of chief justice or justice of the supreme court, and no campaign committee of a candidate for the office of judge of any court in this state, shall be required to file a statement under division (A) (4) of this section.

Except as otherwise provided in this paragraph and in the 84 next paragraph of this section, the only campaign committees 85 required to file a statement under division (A)(4) of this 86 section are the campaign committee of a statewide candidate and 87 the campaign committee of a candidate for county office. The 88 campaign committee of a candidate for any other nonjudicial 89 office is required to file a statement under division (A)(4) of 90 this section if that campaign committee receives, during that 91 period, contributions exceeding ten thousand dollars. 92

No statement under division (A) (4) of this section shall 93 be required of a campaign committee, a political action 94 committee, a legislative campaign fund, a political party, or a 95 political contributing entity for any year in which the campaign 96 committee, political action committee, legislative campaign 97 fund, political party, or political contributing entity is 98 required to file a postprimary election statement under division 99 (A) (2) of this section. However, a statement under division (A) 100 (4) of this section may be filed at the option of the campaign 101 committee, political action committee, legislative campaign 102 fund, political party, or political contributing entity. 103

No statement under division (A)(3) or (4) of this section 104 shall be required if the campaign committee, political action 105 committee, legislative campaign fund, political party, or 106 political contributing entity has no contributions that it has 107

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received and no expenditures that it has made since the last 108 date reflected in its last previously filed statement. However, 109 the campaign committee, political action committee, legislative 110 campaign fund, political party, or political contributing entity 111 shall file a statement to that effect, on a form prescribed 112 under this section and made under penalty of election 113 falsification, on the date required in division (A)(3) or (4) of 114 this section, as applicable. 115

The campaign committee of a statewide candidate shall file 116 a monthly statement of contributions received during each of the 117 months of July, August, and September in the year of the general 118 election in which the candidate seeks office. The campaign 119 committee of a statewide candidate shall file the monthly 120 statement not later than three business days after the last day 121 of the month covered by the statement. During the period 122 beginning on the nineteenth day before the general election in 123 which a statewide candidate seeks election to office and 124 extending through the day of that general election, each time 125 the campaign committee of the joint candidates for the offices 126 of governor and lieutenant governor or of a candidate for the 127 office of secretary of state, auditor of state, treasurer of 128 state, or attorney general receives a contribution from a 129 contributor that causes the aggregate amount of contributions 130 received from that contributor during that period to equal or 131 exceed ten thousand dollars and each time the campaign committee 132 of a candidate for the office of chief justice or justice of the 133 supreme court receives a contribution from a contributor that 134 causes the aggregate amount of contributions received from that 135 contributor during that period to exceed ten thousand dollars, 136 the campaign committee shall file a two-business-day statement 137 reflecting that contribution. Contributions reported on a two-138 business-day statement required to be filed by a campaign 139 committee of a statewide candidate in a primary election shall 140 also be included in the postprimary election statement required 141 to be filed by that campaign committee under division (A)(2) of 142 this section. A two-business-day statement required by this 143 paragraph shall be filed not later than two business days after 144 receipt of the contribution. The statements required by this 145 paragraph shall be filed in addition to any other statements 146 required by this section. 147

Subject to the secretary of state having implemented, 148 tested, and verified the successful operation of any system the 149 secretary of state prescribes pursuant to divisions (C)(6)(b) 150 and (D)(6) of this section and division (H)(F)(1) of section 151 3517.106 of the Revised Code for the filing of campaign finance 152 statements by electronic means of transmission, a campaign 153 committee of a statewide candidate shall file a two-business-day 154 statement under the preceding paragraph by electronic means of 155 transmission if the campaign committee is required to file a 156 pre-election, postelection, or monthly statement of 157 contributions and expenditures by electronic means of 158 transmission under this section or section 3517.106 of the 159 Revised Code. 160

If a campaign committee or political action committee has 161 no balance on hand and no outstanding obligations and desires to 162 terminate itself, it shall file a statement to that effect, on a 163 form prescribed under this section and made under penalty of 164 election falsification, with the official with whom it files a 165 statement under division (A) of this section after filing a 166 final statement of contributions and a final statement of 167 expenditures, if contributions have been received or 168 expenditures made since the period reflected in its last 169

previously filed statement.

(B) Except as otherwise provided in division (C)(7) of 171 this section, each statement required by division (A) of this 172 section shall contain the following information: 173

(1) The full name and address of each campaign committee, 174 political action committee, legislative campaign fund, political 175 party, or political contributing entity, including any treasurer 176 of the committee, fund, party, or entity, filing a contribution 177 and expenditure statement; 178

(2) (a) In the case of a campaign committee, the 179 candidate's full name and address;

(b) In the case of a political action committee, the registration number assigned to the committee under division (D) (1) of this section.

(3) The date of the election and whether it was or will be 184 a general, primary, or special election; 185

(4) A statement of contributions received, which shall 186 include the following information: 187

(a) The month, day, and year of the contribution;

(b) (i) The full name and address of each person, political 189 party, campaign committee, legislative campaign fund, political 190 action committee, or political contributing entity from whom 191 contributions are received and the registration number assigned 192 to the political action committee under division (D)(1) of this 193 section. The requirement of filing the full address does not 194 apply to any statement filed by a state or local committee of a 195 political party, to a finance committee of such committee, or to 196 a committee recognized by a state or local committee as its 197

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fund-raising auxiliary. Notwithstanding division (F) of this 198
section, the requirement of filing the full address shall be 199
considered as being met if the address filed is the same address 200
the contributor provided under division (E)(1) of this section. 201

(ii) If a political action committee, political 202 contributing entity, legislative campaign fund, or political 203 party that is required to file campaign finance statements by 204 electronic means of transmission under section 3517.106 of the 205 Revised Code or a campaign committee of a statewide candidate or 206 candidate for the office of member of the general assembly 207 receives a contribution from an individual that exceeds one 208 hundred dollars, the name of the individual's current employer, 209 if any, or, if the individual is self-employed, the individual's 210 occupation and the name of the individual's business, if any; 211

(iii) If a campaign committee of a statewide candidate or 212 candidate for the office of member of the general assembly 213 receives a contribution transmitted pursuant to section 3599.031 214 of the Revised Code from amounts deducted from the wages and 215 salaries of two or more employees that exceeds in the aggregate 216 one hundred dollars during any one filing period under division 217 (A) (1), (2), (3), or (4) of this section, the full name of the 218 employees' employer and the full name of the labor organization 219 of which the employees are members, if any. 220

(c) A description of the contribution received, if other 221
than money; 222

(d) The value in dollars and cents of the contribution;

(e) A separately itemized account of all contributions and
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 expenditures regardless of the amount, except a receipt of a
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 contribution from a person in the sum of twenty-five dollars or
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less at one social or fund-raising activity and a receipt of a 227 contribution transmitted pursuant to section 3599.031 of the 228 Revised Code from amounts deducted from the wages and salaries 229 of employees if the contribution from the amount deducted from 230 the wages and salary of any one employee is twenty-five dollars 231 or less aggregated in a calendar year. An account of the total 232 contributions from each social or fund-raising activity shall 233 include a description of and the value of each in-kind 234 contribution received at that activity from any person who made 235 one or more such contributions whose aggregate value exceeded 236 two hundred fifty dollars and shall be listed separately, 237 together with the expenses incurred and paid in connection with 238 that activity. A campaign committee, political action committee, 239 legislative campaign fund, political party, or political 240 contributing entity shall keep records of contributions from 241 each person in the amount of twenty-five dollars or less at one 242 social or fund-raising activity and contributions from amounts 243 deducted under section 3599.031 of the Revised Code from the 244 wages and salary of each employee in the amount of twenty-five 245 dollars or less aggregated in a calendar year. No continuing 246 association that is recognized by a state or local committee of 247 a political party as an auxiliary of the party and that makes a 248 contribution from funds derived solely from regular dues paid by 249 members of the auxiliary shall be required to list the name or 250 address of any members who paid those dues. 251

Contributions that are other income shall be itemized252separately from all other contributions. The information253required under division (B) (4) of this section shall be provided254for all other income itemized. As used in this paragraph, "other255income" means a loan, investment income, or interest income.256

(f) In the case of a campaign committee of a state elected 257

officer, if a person doing business with the state elected 258 officer in the officer's official capacity makes a contribution 259 to the campaign committee of that officer, the information 260 required under division (B)(4) of this section in regard to that 261 contribution, which shall be filed together with and considered 2.62 a part of the committee's statement of contributions as required 263 under division (A) of this section but shall be filed on a 264 separate form provided by the secretary of state. As used in 265 this division: 266

(i) "State elected officer" has the same meaning as in section 3517.092 of the Revised Code.

(ii) "Person doing business" means a person or an officer of an entity who enters into one or more contracts with a state elected officer or anyone authorized to enter into contracts on behalf of that officer to receive payments for goods or services, if the payments total, in the aggregate, more than five thousand dollars during a calendar year.

(5) A statement of expenditures which shall include the following information:

(a) The month, day, and year of the expenditure;

(b) The full name and address of each person, political 278 party, campaign committee, legislative campaign fund, political 279 action committee, or political contributing entity to whom the 280 expenditure was made and the registration number assigned to the 281 political action committee under division (D)(1) of this 282 section; 283

(c) The object or purpose for which the expenditure was 284made; 285

(d) The amount of each expenditure.

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(C) (1) The statement of contributions and expenditures 287 shall be signed by the person completing the form. If a 288 statement of contributions and expenditures is filed by 289 electronic means of transmission pursuant to this section or 290 section 3517.106 of the Revised Code, the electronic signature 291 of the person who executes the statement and transmits the 292 293 statement by electronic means of transmission, as provided in division (H) of section 3517.106 of the Revised Code, shall 294 be attached to or associated with the statement and shall be 295 binding on all persons and for all purposes under the campaign 296 finance reporting law as if the signature had been handwritten 297 in ink on a printed form. 298

(2) The person filing the statement, under penalty of
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election falsification, shall include with it a list of each
anonymous contribution, the circumstances under which it was
received, and the reason it cannot be attributed to a specific
donor.

(3) Each statement of a campaign committee of a candidate
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who holds public office shall contain a designation of each
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contributor who is an employee in any unit or department under
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the candidate's direct supervision and control. In a space
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provided in the statement, the person filing the statement shall
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affirm that each such contribution was voluntarily made.

(4) A campaign committee that did not receive
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contributions or make expenditures in connection with the
nomination or election of its candidate shall file a statement
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to that effect, on a form prescribed under this section and made
under penalty of election falsification, on the date required in
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division (A) (2) of this section.

(5) The campaign committee of any person who attempts to

become a candidate and who, for any reason, does not become 317 certified in accordance with Title XXXV of the Revised Code for 318 placement on the official ballot of a primary, general, or 319 special election to be held in this state, and who, at any time 320 prior to or after an election, receives contributions or makes 321 expenditures, or has given consent for another to receive 322 323 contributions or make expenditures, for the purpose of bringing about the person's nomination or election to public office, 324 shall file the statement or statements prescribed by this 325 section and a termination statement, if applicable. Division (C) 326 (5) of this section does not apply to any person with respect to 327 an election to the offices of member of a county or state 328 central committee, presidential elector, or delegate to a 329 national convention or conference of a political party. 330

(6) (a) The statements required to be filed under this
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section shall specify the balance in the hands of the campaign
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committee, political action committee, legislative campaign
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fund, political party, or political contributing entity and the
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disposition intended to be made of that balance.

(b) The secretary of state shall prescribe the form for 336 all statements required to be filed under this section and shall 337 furnish the forms to the boards of elections in the several 338 counties. The boards of elections shall supply printed copies of 339 those forms without charge. The secretary of state shall 340 prescribe the appropriate methodology, protocol, and data file 341 structure for statements required or permitted to be filed by 342 electronic means of transmission to the secretary of state or a 343 board of elections under division (A) of this section, divisions 344 division (E), (F), and (G) of section 3517.106, division (D) of 345 section 3517.1011, division (B) of section 3517.1012, division 346 (C) of section 3517.1013, and divisions (D) and (I) of section 347

3517.1014 of the Revised Code. Subject to division (A) of this 348 section, divisions division (E), (F), and (G) of section 349 3517.106, division (D) of section 3517.1011, division (B) of 350 section 3517.1012, division (C) of section 3517.1013, and 351 divisions (D) and (I) of section 3517.1014 of the Revised Code, 352 the statements required to be stored on computer by the 353 secretary of state under division (B) of section 3517.106 of the 354 Revised Code shall be filed in whatever format the secretary of 355 state considers necessary to enable the secretary of state to 356 store the information contained in the statements on computer. 357 Any such format shall be of a type and nature that is readily 358 available to whoever is required to file the statements in that 359 format. 360

(c) The secretary of state shall assess the need for 361 training regarding the filing of campaign finance statements by 362 electronic means of transmission and regarding associated 363 technologies for candidates, campaign committees, political 364 action committees, legislative campaign funds, political 365 366 parties, or political contributing entities, for individuals, partnerships, or other entities, for persons making 367 disbursements to pay the direct costs of producing or airing 368 electioneering communications, or for treasurers of transition 369 funds, required or permitted to file statements by electronic 370 means of transmission under this section or section 3517.105, 371 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the 372 Revised Code. If, in the opinion of the secretary of state, 373 training in these areas is necessary, the secretary of state 374 shall arrange for the provision of voluntary training programs 375 for candidates, campaign committees, political action 376 committees, legislative campaign funds, political parties, or 377 political contributing entities, for individuals, partnerships, 378

and other entities, for persons making disbursements to pay the379direct costs of producing or airing electioneering380communications, or for treasurers of transition funds, as381appropriate.382

(7) Each monthly statement and each two-business-day
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statement required by division (A) of this section shall contain
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the information required by divisions (B) (1) to (4), (C) (2),
and, if appropriate, (C) (3) of this section. Each statement
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shall be signed as required by division (C) (1) of this section.

(D) (1) Prior to receiving a contribution or making an 388 expenditure, every campaign committee, political action 389 390 committee, legislative campaign fund, political party, or political contributing entity shall appoint a treasurer and 391 shall file, on a form prescribed by the secretary of state, a 392 designation of that appointment, including the full name and 393 address of the treasurer and of the campaign committee, 394 political action committee, legislative campaign fund, political 395 party, or political contributing entity. That designation shall 396 be filed with the official with whom the campaign committee, 397 political action committee, legislative campaign fund, political 398 party, or political contributing entity is required to file 399 statements under section 3517.11 of the Revised Code. The name 400 of a campaign committee shall include at least the last name of 401 the campaign committee's candidate. If two or more candidates 402 are the beneficiaries of a single campaign committee under 403 division (B) of section 3517.081 of the Revised Code, the name 404 of the campaign committee shall include at least the last name 405 of each candidate who is a beneficiary of that campaign 406 committee. The secretary of state shall assign a registration 407 number to each political action committee that files a 408 designation of the appointment of a treasurer under this 409

division if the political action committee is required by410division (A)(1) of section 3517.11 of the Revised Code to file411the statements prescribed by this section with the secretary of412state.413

(2) The treasurer appointed under division (D) (1) of this
section shall keep a strict account of all contributions, from
whom received and the purpose for which they were disbursed.
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(3) (a) Except as otherwise provided in section 3517.108 of
the Revised Code, a campaign committee shall deposit all
monetary contributions received by the committee into an account
separate from a personal or business account of the candidate or
campaign committee.

(b) A political action committee shall deposit all422monetary contributions received by the committee into an account423separate from all other funds.424

(c) A state or county political party may establish a 425 state candidate fund that is separate from an account that 426 contains the public moneys received from the Ohio political 427 party fund under section 3517.17 of the Revised Code and from 428 429 all other funds. A state or county political party may deposit into its state candidate fund any amounts of monetary 430 contributions that are made to or accepted by the political 431 party subject to the applicable limitations, if any, prescribed 432 in section 3517.102 of the Revised Code. A state or county 433 political party shall deposit all other monetary contributions 434 received by the party into one or more accounts that are 435 separate from its state candidate fund and from its account that 436 contains the public moneys received from the Ohio political 437 party fund under section 3517.17 of the Revised Code. 438

(d) Each state political party shall have only one 439 legislative campaign fund for each house of the general 440 assembly. Each such fund shall be separate from any other funds 441 or accounts of that state party. A legislative campaign fund is 442 authorized to receive contributions and make expenditures for 443 the primary purpose of furthering the election of candidates who 444 are members of that political party to the house of the general 445 assembly with which that legislative campaign fund is 446 associated. Each legislative campaign fund shall be administered 447 and controlled in a manner designated by the caucus. As used in 448 this division, "caucus" has the same meaning as in section 449 3517.01 of the Revised Code and includes, as an ex officio 450 member, the chairperson of the state political party with which 451 the caucus is associated or that chairperson's designee. 452

(4) Every expenditure in excess of twenty-five dollars
shall be vouched for by a receipted bill, stating the purpose of
the expenditure, that shall be filed with the statement of
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expenditures. A canceled check with a notation of the purpose of
the expenditure is a receipted bill for purposes of division (D)
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(4) of this section.

(5) The secretary of state or the board of elections, as 459 the case may be, shall issue a receipt for each statement filed 460 under this section and shall preserve a copy of the receipt for 461 a period of at least six years. All statements filed under this 462 section shall be open to public inspection in the office where 463 they are filed and shall be carefully preserved for a period of 464 at least six years after the year in which they are filed. 465

(6) The secretary of state, by rule adopted pursuant to
section 3517.23 of the Revised Code, shall prescribe both of the
following:

(a) The manner of immediately acknowledging, with date and
time received, and preserving the receipt of statements that are
transmitted by electronic means of transmission to the secretary
of state or a board of elections pursuant to this section or
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014
of the Revised Code;

(b) The manner of preserving the contribution and 475 expenditure, contribution and disbursement, deposit and 476 disbursement, gift and disbursement, or donation and 477 disbursement information in the statements described in division 478 (D) (6) (a) of this section. The secretary of state shall preserve 479 the contribution and expenditure, contribution and disbursement, 480 deposit and disbursement, gift and disbursement, or donation and 481 disbursement information in those statements for at least ten 482 years after the year in which they are filed by electronic means 483 of transmission. 484

(7) (a) The secretary of state, pursuant to division (I)
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(G) of section 3517.106 of the Revised Code, shall make
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available online to the public through the internet the
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contribution and expenditure, contribution and disbursement,
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deposit and disbursement, gift and disbursement, or donation and
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disbursement information in all of the following documents:

(i) All statements, all addenda, amendments, or other491corrections to statements, and all amended statements filed with492the secretary of state by electronic or other means of493transmission under this section, division (B) (2) (b) or (C) (2) (b)494of section 3517.105, or section 3517.106, 3517.1011, 3517.1012,4953517.1013, 3517.1014, or 3517.11 of the Revised Code;496

(ii) All statements filed with a board of elections by497electronic means of transmission, and all addenda, amendments,498

corrections, and amended versions of those statements, filed	499
with the board under this section, division (B)(2)(b) or (C)(2)	500
(b) of section 3517.105, or section 3517.106, 3517.1012, or	501
3517.11 of the Revised Code. The	502
(b) The secretary of state may remove the information from	503
the internet after a reasonable period of time.	504
(E)(1) Any person, political party, campaign committee,	505
legislative campaign fund, political action committee, or	506
political contributing entity that makes a contribution in	507
connection with the nomination or election of any candidate or	508
in connection with any ballot issue or question at any election	509
held or to be held in this state shall provide its full name and	510
address to the recipient of the contribution at the time the	511
contribution is made. The political action committee also shall	512
provide the registration number assigned to the committee under	513
division (D)(1) of this section to the recipient of the	514
contribution at the time the contribution is made.	515
(2) Any individual who makes a contribution that exceeds	516
one hundred dollars to a political action committee, political	517
contributing entity, legislative campaign fund, or political	518
party or to a campaign committee of a statewide candidate or	519
candidate for the office of member of the general assembly shall	520
provide the name of the individual's current employer, if any,	521
or, if the individual is self-employed, the individual's	522
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occupation and the name of the individual's business, if any, to523the recipient of the contribution at the time the contribution524is made. Sections 3599.39 and 3599.40 of the Revised Code do not525apply to division (E) (2) of this section.526

(3) If a campaign committee shows that it has exercised527its best efforts to obtain, maintain, and submit the information528

highway name and number.

required under divisions (B)(4)(b)(ii) and (iii) of this 529 section, that committee is considered to have met the 530 requirements of those divisions. A campaign committee shall not 531 be considered to have exercised its best efforts unless, in 532 connection with written solicitations, it regularly includes a 533 written request for the information required under division (B) 534 (4) (b) (ii) of this section from the contributor or the 535 information required under division (B)(4)(b)(iii) of this 536 section from whoever transmits the contribution. 537 (4) Any check that a political action committee uses to 538 make a contribution or an expenditure shall contain the full 539 name and address of the committee and the registration number 540 assigned to the committee under division (D)(1) of this section. 541 (F) As used in this section: 542 (1) (a) Except as otherwise provided in division (F) (1) of 543 this section, "address" means all of the following if they 544 exist: apartment number, street, road, or highway name and 545 number, rural delivery route number, city or village, state, and 546 zip code as used in a person's post-office address, but not 547 post-office box. 548 (b) Except as otherwise provided in division (F)(1) of 549 this section, if an address is required in this section, a post-550 office box and office, room, or suite number may be included in 551 addition to, but not in lieu of, an apartment, street, road, or 552

(c) If an address is required in this section, a campaign 554
committee, political action committee, legislative campaign 555
fund, political party, or political contributing entity may use 556
the business or residence address of its treasurer or deputy 557

treasurer. The post-office box number of the campaign committee, 558 political action committee, legislative campaign fund, political 559 party, or political contributing entity may be used in addition 560 to that address. 561

(d) For the sole purpose of a campaign committee's 562
reporting of contributions on a statement of contributions 563
received under division (B) (4) of this section, "address" has 564
one of the following meanings at the option of the campaign 565
committee: 566

(i) The same meaning as in division (F)(1)(a) of this 567 section; 568

(ii) All of the following, if they exist: the contributor's post-office box number and city or village, state, and zip code as used in the contributor's post-office address.

(e) As used with regard to the reporting under this 572 section of any expenditure, "address" means all of the following 573 if they exist: apartment number, street, road, or highway name 574 and number, rural delivery route number, city or village, state, 575 and zip code as used in a person's post-office address, or post-576 office box. If an address concerning any expenditure is required 577 in this section, a campaign committee, political action 578 committee, legislative campaign fund, political party, or 579 political contributing entity may use the business or residence 580 address of its treasurer or deputy treasurer or its post-office 581 box number. 582

(2) "Statewide candidate" means the joint candidates for
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the offices of governor and lieutenant governor or a candidate
for the office of secretary of state, auditor of state,
treasurer of state, attorney general, member of the state board
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of education, chief justice of the supreme court, or justice of 587 the supreme court. 588 (3) "Candidate for county office" means a candidate for 589 the office of county auditor, county treasurer, clerk of the 590 court of common pleas, judge of the court of common pleas, 591 sheriff, county recorder, county engineer, county commissioner, 592 prosecuting attorney, or coroner. 593 (G) An independent expenditure shall be reported whenever 594 and in the same manner that an expenditure is required to be 595 reported under this section and shall be reported pursuant to 596 division (B)(2)(a) or (C)(2)(a) of section 3517.105 of the 597 Revised Code. 598 (H) (1) Except as otherwise provided in division (H) (2) of 599 this section, if, during the combined pre-election and 600 postelection reporting periods for an election, a campaign 601 committee has received contributions of five hundred dollars or 602 less and has made expenditures in the total amount of five 603 hundred dollars or less, it may file a statement to that effect, 604 under penalty of election falsification, in lieu of the 605 statement required by division (A)(2) of this section. The 606 statement shall indicate the total amount of contributions 607

combined reporting periods. 609 (2) In the case of a successful candidate at a primary 610 election, if either the total contributions received by or the 611 total expenditures made by the candidate's campaign committee 612 during the preprimary, postprimary, pregeneral, and postgeneral 613 election periods combined equal more than five hundred dollars, 614 the campaign committee may file the statement under division (H) 615 (1) of this section only for the primary election. The first 616

received and the total amount of expenditures made during those

statement that the campaign committee files in regard to the617general election shall reflect all contributions received and618all expenditures made during the preprimary and postprimary619election periods.620

(3) Divisions (H)(1) and (2) of this section do not apply 621 if a campaign committee receives contributions or makes 622 expenditures prior to the first day of January of the year of 623 the election at which the candidate seeks nomination or election 624 to office or if the campaign committee does not file a 625 626 termination statement with its postprimary election statement in the case of an unsuccessful primary election candidate or with 627 628 its postgeneral election statement in the case of other candidates. 629

(I) In the case of a contribution made by a partner of a
partnership or an owner or a member of another unincorporated
business from any funds of the partnership or other
unincorporated business, all of the following apply:

(1) The recipient of the contribution shall report the
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contribution by listing both the partnership or other
unincorporated business and the name of the partner, owner, or
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member making the contribution.
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(2) In reporting the contribution, the recipient of the
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contribution shall be entitled to conclusively rely upon the
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information provided by the partnership or other unincorporated
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business, provided that the information includes one of the
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following:

(a) The name of each partner, owner, or member as of the
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date of the contribution or contributions, and a statement that
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the total contributions are to be allocated equally among all of
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the partners, owners, or members; or

(b) The name of each partner, owner, or member as of the
(b) The name of each partner, owner, or member as of the
(c) date of the contribution or contributions who is participating
(c) date of the contribution or contributions, and a statement that the
(c) date of contributions are to be allocated to those
(c) date of contributions are to be allocated to those
(b) the contribution or contribution the information provided by the
(c) date of contribution.

(3) For purposes of section 3517.102 of the Revised Code,
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the contribution shall be considered to have been made by the
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partner, owner, or member reported under division (I)(1) of this
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section.

(4) No contribution from a partner of a partnership or an
(4) No contribution from a partner of a partnership or an
(58) owner or a member of another unincorporated business shall be
(4) No contribution any funds of the partnership or other
(59) accepted from any funds of the partnership or other
(60) unincorporated business unless the recipient reports the
(4) No contribution under division (I) (1) of this section together with
(62) the information provided under division (I) (2) of this section.

(5) No partnership or other unincorporated business shall
 make a contribution or contributions solely in the name of the
 partnership or other unincorporated business.
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(6) As used in division (I) of this section, "partnership
or other unincorporated business" includes, but is not limited
to, a cooperative, a sole proprietorship, a general partnership,
a limited partnership, a limited partnership association, a
limited liability partnership, and a limited liability company.

(J) A candidate shall have only one campaign committee at
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 any given time for all of the offices for which the person is a
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 candidate or holds office.
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S. B. No. 107 As Introduced

(K) (1) In addition to filing a designation of appointment 675 of a treasurer under division (D)(1) of this section, the 676 campaign committee of any candidate for an elected municipal 677 office that pays an annual amount of compensation of five 678 thousand dollars or less, the campaign committee of any 679 candidate for member of a board of education except member of 680 the state board of education, or the campaign committee of any 681 candidate for township trustee or township fiscal officer may 682 sign, under penalty of election falsification, a certificate 683 attesting that the committee will not accept contributions 684 during an election period that exceed in the aggregate two 685 thousand dollars from all contributors and one hundred dollars 686 from any one individual, and that the campaign committee will 687 not make expenditures during an election period that exceed in 688 the aggregate two thousand dollars. 689

The certificate shall be on a form prescribed by the secretary of state and shall be filed not later than ten days after the candidate files a declaration of candidacy and petition, a nominating petition, or a declaration of intent to be a write-in candidate.

(2) Except as otherwise provided in division (K) (3) of
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this section, a campaign committee that files a certificate
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under division (K) (1) of this section is not required to file
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the statements required by division (A) of this section.

(3) If, after filing a certificate under division (K) (1)
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of this section, a campaign committee exceeds any of the
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limitations described in that division during an election
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period, the certificate is void and thereafter the campaign
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committee shall file the statements required by division (A) of
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this section. If the campaign committee has not previously filed
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a statement, then on the first statement the campaign committee 705 is required to file under division (A) of this section after the 706 committee's certificate is void, the committee shall report all 707 contributions received and expenditures made from the time the 708 candidate filed the candidate's declaration of candidacy and 709 petition, nominating petition, or declaration of intent to be a 710 write-in candidate. 711

(4) As used in division (K) of this section, "election 712 period" means the period of time beginning on the day a person 713 files a declaration of candidacy and petition, nominating 714 petition, or declaration of intent to be a write-in candidate 715 through the day of the election at which the person seeks 716 717 nomination to office if the person is not elected to office, or, if the candidate was nominated in a primary election, the day of 718 the election at which the candidate seeks office. 719

(L) A political contributing entity that receives 720 contributions from the dues, membership fees, or other 721 assessments of its members or from its officers, shareholders, 722 and employees may report the aggregate amount of contributions 723 received from those contributors and the number of individuals 724 making those contributions, for each filing period under 725 divisions (A)(1), (2), (3), and (4) of this section, rather than 726 reporting information as required under division (B)(4) of this 727 section, including, when applicable, the name of the current 728 employer, if any, of a contributor whose contribution exceeds 729 one hundred dollars or, if such a contributor is self-employed, 730 the contributor's occupation and the name of the contributor's 731 business, if any. Division (B)(4) of this section applies to a 732 political contributing entity with regard to contributions it 733 receives from all other contributors. 734 Sec. 3517.105. (A)(1) As used in this section, "public 735 political advertising" means advertising to the general public 736 through a broadcasting station, newspaper, magazine, poster, 737 yard sign, or outdoor advertising facility, by direct mail, or 738 by any other means of advertising to the general public. 739

(2) For purposes of this section and section 3517.20 of
the Revised Code, a person is a member of a political action
committee if the person makes one or more contributions to that
political action committee, and a person is a member of a
political contributing entity if the person makes one or more
contributions to, or pays dues, membership fees, or other
assessments to, that political contributing entity.

(B) (1) Whenever a candidate, a campaign committee, a 747 political action committee or political contributing entity with 748 ten or more members, or a legislative campaign fund makes an 749 independent expenditure, or whenever a political action 750 committee or political contributing entity with fewer than ten 751 members makes an independent expenditure in excess of one 752 hundred dollars for a local candidate, in excess of two hundred 753 fifty dollars for a candidate for the office of member of the 754 general assembly, or in excess of five hundred dollars for a 755 statewide candidate, for the purpose of financing communications 756 advocating the election or defeat of an identified candidate or 757 solicits without the candidate's express consent a contribution 758 for or against an identified candidate through public political 759 advertising, a statement shall appear or be presented in a clear 760 and conspicuous manner in the advertising that does both of the 761 following: 762

(a) Clearly indicates that the communication or public763political advertising is not authorized by the candidate or the764

candidate's campaign committee;

(b) Clearly identifies the candidate, campaign committee,
political action committee, political contributing entity, or
legislative campaign fund that has paid for the communication or
public political advertising in accordance with section 3517.20
of the Revised Code.

(2) (a) Whenever any campaign committee, legislative 771 772 campaign fund, political action committee, political contributing entity, or political party makes an independent 773 expenditure in support of or opposition to any candidate, the 774 committee, entity, fund, or party shall report the independent 775 expenditure and identify the candidate on a statement prescribed 776 by the secretary of state and filed by the committee, entity, 777 fund, or party as part of its statement of contributions and 778 expenditures pursuant to division (A) of section 3517.10 and 779 division (A) of section 3517.11 of the Revised Code. 780

(b) Whenever any individual, partnership, or other entity, 781 except a corporation, labor organization, campaign committee, 782 legislative campaign fund, political action committee, political 783 contributing entity, or political party, makes one or more 784 independent expenditures in support of or opposition to any 785 candidate, the individual, partnership, or other entity shall 786 file with the secretary of state in the case of a statewide 787 candidate, or with the board of elections in the county in which 788 the candidate files the candidate's petitions for nomination or 789 election for district or local office, not later than the dates 790 specified in divisions (A)(1), (2), (3), and (4) of section 791 3517.10 of the Revised Code, and, except as otherwise provided 792 in that section, a statement itemizing all independent 793 expenditures made during the period since the close of business 794

on the last day reflected in the last previously filed such 795 statement, if any. The statement shall be made on a form 796 prescribed by the secretary of state or shall be filed by 797 electronic means of transmission pursuant to division $\frac{(G)}{(E)}$ (E) of 798 section 3517.106 of the Revised Code as authorized or required 799 by that division. The statement shall indicate the date and the 800 amount of each independent expenditure and the candidate on 801 whose behalf it was made and shall be made under penalty of 802 election falsification. 803

(C) (1) Whenever a corporation, labor organization, 804 campaign committee, political action committee with ten or more 805 members, or legislative campaign fund makes an independent 806 expenditure, or whenever a political action committee with fewer 807 than ten members makes an independent expenditure in excess of 808 one hundred dollars for a local ballot issue or question, or in 809 excess of five hundred dollars for a statewide ballot issue or 810 question, for the purpose of financing communications advocating 811 support of or opposition to an identified ballot issue or 812 question or solicits without the express consent of the ballot 813 issue committee a contribution for or against an identified 814 ballot issue or question through public political advertising, a 815 statement shall appear or be presented in a clear and 816 conspicuous manner in the advertising that does both of the 817 following: 818

(a) Clearly indicates that the communication or public
 political advertising is not authorized by the identified ballot
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 issue committee;

(b) Clearly identifies the corporation, labor
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 organization, campaign committee, legislative campaign fund, or
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 political action committee that has paid for the communication
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or public political advertising in accordance with section 825 3517.20 of the Revised Code. 826

(2) (a) Whenever any corporation, labor organization, 827 campaign committee, legislative campaign fund, political party, 828 or political action committee makes an independent expenditure 829 in support of or opposition to any ballot issue or question, the 830 corporation or labor organization shall report the independent 831 expenditure in accordance with division (C) of section 3599.03 832 of the Revised Code, and the campaign committee, legislative 833 campaign fund, political party, or political action committee 834 shall report the independent expenditure and identify the ballot 835 issue or question on a statement prescribed by the secretary of 836 state and filed by the committee, fund, or party as part of its 837 statement of contributions and expenditures pursuant to division 838 (A) of section 3517.10 and division (A) of section 3517.11 of 839 the Revised Code. 840

(b) Whenever any individual, partnership, or other entity, 841 except a corporation, labor organization, campaign committee, 842 legislative campaign fund, political action committee, or 843 political party, makes one or more independent expenditures in 844 excess of one hundred dollars in support of or opposition to any 845 ballot issue or question, the individual, partnership, or other 846 entity shall file with the secretary of state in the case of a 847 statewide ballot issue or question, or with the board of 848 elections in the county that certifies the issue or question for 849 placement on the ballot in the case of a district or local issue 850 or question, not later than the dates specified in divisions (A) 851 (1), (2), (3), and (4) of section 3517.10 of the Revised Code, 852 and, except as otherwise provided in that section, a statement 853 itemizing all independent expenditures made during the period 854 since the close of business on the last day reflected in the 855

last previously filed such statement, if any. The statement 856 shall be made on a form prescribed by the secretary of state or 857 shall be filed by electronic means of transmission pursuant to 858 division $\frac{(G)}{(E)}$ (E) of section 3517.106 of the Revised Code as 859 authorized or required by that division. The statement shall 860 indicate the date and the amount of each independent expenditure 861 862 and the ballot issue or question in support of or opposition to which it was made and shall be made under penalty of election 863 falsification. 864

(3) No person, campaign committee, legislative campaign 865 fund, political action committee, corporation, labor 866 organization, or other organization or association shall use or 867 868 cause to be used a false or fictitious name in making an independent expenditure in support of or opposition to any 869 candidate or any ballot issue or question. A name is false or 870 fictitious if the person, campaign committee, legislative 871 campaign fund, political action committee, corporation, labor 872 organization, or other organization or association does not 873 874 actually exist or operate, if the corporation, labor organization, or other organization or association has failed to 875 file a fictitious name or other registration with the secretary 876 of state, if it is required to do so, or if the person, campaign 877 committee, legislative campaign fund, or political action 878 committee has failed to file a designation of the appointment of 879 a treasurer, if it is required to do so by division (D)(1) of 880 section 3517.10 of the Revised Code. 881

(D) Any expenditure by a political party for the purpose
 of financing communications advocating the election or defeat of
 a candidate for judicial office shall be deemed to be an
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 independent expenditure subject to the provisions of this
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 section.

Sec. 3517.106. (A) As used in this section:	887
(1) "Statewide office" means any of the offices of	888
governor, lieutenant governor, secretary of state, auditor of	889
state, treasurer of state, attorney general, chief justice of	890
the supreme court, and justice of the supreme court.	891
(2) "Addendum to a statement" includes an amendment or	892
other correction to that statement.	893
(B) (1) The secretary of state shall store <u>all of the</u>	894
<u>following information</u> on computer the :	895
(1) The information contained in statements of	896
contributions and expenditures and monthly statements required	897
to be filed under section 3517.10 of the Revised Code and in	898
statements of independent expenditures required to be filed	899
under section 3517.105 of the Revised Code by any of the	900
following:	901
(a) The campaign committees of candidates for statewide-	902
office;	903
(b) The political action committees and political	904
contributing entities described in division (A)(1) of section-	905
3517.11 of the Revised Code;	906
(c) Legislative campaign funds;	907
(d) State political parties;	908
(e) Individuals, partnerships, corporations, labor-	909
organizations, or other entities that make independent	910
expenditures in support of or opposition to a statewide	911
candidate or a statewide ballot issue or question;	912
(f) The campaign committees of candidates for the office	913

of member of the general assembly;	914
(g) County political parties, with respect to their state	915
candidate funds. with the secretary of state and the information	916
transmitted to the secretary of state by boards of elections	917
under division (E)(2) of this section;	918
(2) The secretary of state shall store on computer the	919
information contained in disclosure of electioneering	920
communications statements required to be filed under section	921
3517.1011 of the Revised Code .	922
(3) The secretary of state shall store on computer the	923
information contained in deposit and disbursement statements	924
required to be filed with the office of the secretary of state	925
under section 3517.1012 of the Revised Code .	926
(4) The secretary of state shall store on computer the	927
gift and disbursement information contained in statements	928
required to be filed with the office of the secretary of state	929
under section 3517.1013 of the Revised Code .	930
(5) The secretary of state shall store on computer the	931
information contained in donation and disbursement statements	932
required to be filed with the office of the secretary of state	933
under section 3517.1014 of the Revised Code.	934
(C)(1) The secretary of state shall make available to the	935
campaign committees, political action committees, political	936
contributing entities, legislative campaign funds, political	937
parties, individuals, partnerships, corporations, labor	938
organizations, treasurers of transition funds, and other	939

organizations, treasurers of transition funds, and other939entitiesdescribed in division (B) of this section that are940permitted or required to file statements by electronic means of941transmission, and to members of the news media and other942

interested persons, for a reasonable fee, computer programs that 943 are compatible with the secretary of state's method of storing 944 the information contained in the statements. 945

(2) The secretary of state shall make the information
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required to be stored under division (B) of this section
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available on computer at the secretary of state's office so
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that, to the maximum extent feasible, individuals may obtain at
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the secretary of state's office any part or all of that
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information for any given year, subject to the limitation
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expressed in division (D) of this section.

(D) The secretary of state shall keep the information
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 stored on computer under division (B) of this section for at
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 least six years.

(E) (1) Subject to division $\frac{(L)}{(J)}$ of this section and 956 subject to the secretary of state having implemented, tested, 957 and verified the successful operation of any system the 958 secretary of state prescribes pursuant to division $\frac{(H)}{(F)}(1)$ of 959 this section and divisions (C)(6)(b) and (D)(6) of section 960 3517.10 of the Revised Code for the filing of campaign finance 961 statements by electronic means of transmission, the each of the 962 following entities shall be permitted or required to file 963 statements by electronic means of transmission, as applicable: 964

(a) The campaign committee of each candidate for statewide 965 office may file the statements prescribed by section 3517.10 of 966 the Revised Code by electronic means of transmission or, if the 967 total amount of the contributions received or the total amount 968 of the expenditures made by the campaign committee for the 969 applicable reporting period as specified in division (A) of 970 section 3517.10 of the Revised Code exceeds ten thousand 971 dollars, shall file those statements by electronic means of 972

transmission.

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(b) A campaign committee of a candidate for the office of	974
member of the general assembly or a campaign committee of a	975
candidate for the office of judge of a court of appeals may file	976
the statements prescribed by section 3517.10 of the Revised Code	977
in accordance with division (A)(2) of section 3517.11 of the	978
Revised Code or by electronic means of transmission to the	979
office of the secretary of state or, if the total amount of the	980
contributions received by the campaign committee for the	981
applicable reporting period as specified in division (A) of	982
section 3517.10 of the Revised Code exceeds ten thousand	983
dollars, shall file those statements by electronic means of	984
transmission to the office of the secretary of state.	985
(c) A campaign committee of a candidate for an office	986
other than a statewide office, the office of member of the	987
general assembly, or the office of judge of a court of appeals	988
may file the statements prescribed by section 3517.10 of the	989
Revised Code by electronic means of transmission to the	990
secretary of state or the board of elections, as applicable.	991
(d) A political action committee and a political	992
contributing entity described in division (A)(1) of section	993
3517.11 of the Revised Code, a legislative campaign fund, and a	994
state political party may file the statements prescribed by	995
section 3517.10 of the Revised Code by electronic means of	996
transmission to the office of the secretary of state or, if the	997
total amount of the contributions received or the total amount	998
of the expenditures made by the political action committee,	999

state political party for the applicable reporting period as1001specified in division (A) of section 3517.10 of the Revised Code1002

political contributing entity, legislative campaign fund, or

exceeds ten thousand dollars, shall file those statements by	1003
electronic means of transmission.	1004
(e) A county political party shall file the statements	1005
prescribed by section 3517.10 of the Revised Code with respect	1006
to its state candidate fund by electronic means of transmission	1007
to the office of the secretary of state.	1008
(f) A county political party may file all other statements	1009
prescribed by section 3517.10 of the Revised Code by electronic	1010
means of transmission to the board of elections.	1011
(q) A political action committee or political contributing	1012
entity described in division (A)(3) of section 3517.11 of the	1012
Revised Code may file the statements prescribed by section	1014
3517.10 of the Revised Code by electronic means of transmission	1015
to the board of elections.	1016
(b) Any individual partnership or other entity that	1017
(h) Any individual, partnership, or other entity that	1017
makes independent expenditures in support of or opposition to a	1018
makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as	1018 1019
makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105	1018 1019 1020
makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may file the statement specified in that	1018 1019 1020 1021
makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission to the office of	1018 1019 1020 1021 1022
<pre>makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission to the office of the secretary of state or, if the total amount of independent</pre>	1018 1019 1020 1021 1022 1023
<pre>makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission to the office of the secretary of state or, if the total amount of independent expenditures made during the reporting period under that</pre>	1018 1019 1020 1021 1022 1023 1024
makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission to the office of the secretary of state or, if the total amount of independent expenditures made during the reporting period under that division exceeds ten thousand dollars, shall file the statement	1018 1019 1020 1021 1022 1023 1024 1025
<pre>makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission to the office of the secretary of state or, if the total amount of independent expenditures made during the reporting period under that</pre>	1018 1019 1020 1021 1022 1023 1024
makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission to the office of the secretary of state or, if the total amount of independent expenditures made during the reporting period under that division exceeds ten thousand dollars, shall file the statement	1018 1019 1020 1021 1022 1023 1024 1025
<pre>makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission to the office of the secretary of state or, if the total amount of independent expenditures made during the reporting period under that division exceeds ten thousand dollars, shall file the statement specified in that division by electronic means of transmission.</pre>	1018 1019 1020 1021 1022 1023 1024 1025 1026
<pre>makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B) (2) (b) or (C) (2) (b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission to the office of the secretary of state or, if the total amount of independent expenditures made during the reporting period under that division exceeds ten thousand dollars, shall file the statement specified in that division by electronic means of transmission. (i) Any individual, partnership, or other entity that</pre>	1018 1019 1020 1021 1022 1023 1024 1025 1026 1027
<pre>makes independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question as provided in division (B) (2) (b) or (C) (2) (b) of section 3517.105 of the Revised Code may file the statement specified in that division by electronic means of transmission to the office of the secretary of state or, if the total amount of independent expenditures made during the reporting period under that division exceeds ten thousand dollars, shall file the statement specified in that division by electronic means of transmission. (i) Any individual, partnership, or other entity that makes independent expenditures in support of or opposition to a</pre>	1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028

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statement specified in that division by electronic means of	1032
transmission to the board of elections.	
(2) A board of elections that receives a statement by	1034
electronic means of transmission shall transmit that statement	1035
to the secretary of state within five business days after	1036
receiving the statement. If the board receives an addendum or an	1037
amended statement from an entity that filed a statement with the	1038
board by electronic means of transmission, the board shall	1039
transmit the addendum or amended statement to the secretary of	1040
state not later than the close of business on the day the board	1041
received the addendum or amended statement.	1042
<u>(3)(a)</u> Except as otherwise provided in this division (E)	1043
(3) (b) of this section, within five business days after a	1044
statement filed by a campaign committee of a candidate for	1045
statewide office under division (E)(1) of this section is	1046
received by the secretary of state by electronic or other means	1047
of transmission, the secretary of state shall make available	1048
online to the public through the internet, as provided in	1049
division $\frac{(I)}{(G)}$ of this section, the contribution and	1050
expenditure information in that statement. The	1051
(b) The secretary of state shall not make available online	1052
to the public through the internet any contribution or	1053
expenditure information contained in a statement for any	1054
candidate until the secretary of state is able to make available	1055
online to the public through the internet the contribution and	1056
expenditure information for all candidates for a particular	1057
office, or until the applicable filing deadline for that	1058
statement has passed, whichever is sooner. As soon as the	1059
secretary of state has available all of the contribution and	

expenditure information for all candidates for a particular

office, or as soon as the applicable filing deadline for a1062statement has passed, whichever is sooner, the secretary of1063state shall simultaneously make available online to the public1064through the internet the information for all candidates for that1065office.1066

(4) (a) If a statement filed by electronic means of 1067 transmission is found to be incomplete or inaccurate after the 1068 examination of the statement for completeness and accuracy 1069 pursuant to division (B)(3)(a) of section 3517.11 of the Revised 1070 Code, the campaign committee entity that filed the statement 1071 shall file by electronic means of transmission any addendum to 1072 the statement that provides the information necessary to 1073 complete or correct the statement or, if required by the-1074 secretary of state under that division, an amended statement. 1075

(b) Within five business days after the secretary of state 1076 receives from a campaign committee of a candidate for statewide 1077 office an addendum to the statement or an amended statement by 1078 electronic or other means of transmission-under this division or 1079 division (B)(3)(a) of section 3517.11 of the Revised Code, the 1080 1081 secretary of state shall make the contribution and expenditure information in the addendum or amended statement available 1082 1083 online to the public through the internet as provided in division (I) (G) of this section. 1084

(2) Subject to the secretary of state having implemented,1085tested, and verified the successful operation of any system the1086secretary of state prescribes pursuant to division (H) (1) of1087this section and divisions (C) (6) (b) and (D) (6) of section10883517.10 of the Revised Code for the filing of campaign finance1089statements by electronic means of transmission, a political1090action committee and a political contributing entity described1091

in division (B)(1)(b) of this section, a legislative campaign 1092 fund, and a state political party may file the statements -1093 prescribed by section 3517.10 of the Revised Code by electronic 1094 means of transmission or, if the total amount of the-1095 contributions received or the total amount of the expenditures-1096 made by the political action committee, political contributing 1097 entity, legislative campaign fund, or state political party for 1098 the applicable reporting period as specified in division (A) of 1099 section 3517.10 of the Revised Code exceeds ten thousand 1100 dollars, shall file those statements by electronic means of 1101 transmission. 1102 1103

Within five business days after a statement filed by apolitical action committee or a political contributing entity 1104 described in division (B)(1)(b) of this section, a legislative 1105 campaign fund, or a state political party is received by the 1106 secretary of state by electronic or other means of transmission, 1107 the secretary of state shall make available online to the public 1108 through the internet, as provided in division (I) of this 1109 section, the contribution and expenditure information in that 1110 statement. 1111

If a statement filed by electronic means of transmission-1112 is found to be incomplete or inaccurate after the examination of 1113 the statement for completeness and accuracy pursuant to division 1114 (B) (3) (a) of section 3517.11 of the Revised Code, the political 1115 action committee, political contributing entity, legislative 1116 campaign fund, or state political party shall file by electronic 1117 means of transmission any addendum to the statement that 1118 provides the information necessary to complete or correct the 1119 statement or, if required by the secretary of state under that 1120 1121 division, an amended statement.

Within five business days after the secretary of state-1122 receives from a political action committee or a political 1123 contributing entity described in division (B) (1) (b) of this 1124 section, a legislative campaign fund, or a state political party 1125 an addendum to the statement or an amended statement by 1126 electronic or other means of transmission under this division or 1127 division (B) (3) (a) of section 3517.11 of the Revised Code, the 1128 secretary of state shall make the contribution and expenditure 1129 information in the addendum or amended statement available 1130 online to the public through the internet as provided in 1131 division (I) of this section. 1132 (3) Subject to the secretary of state having implemented, 1133 tested, and verified the successful operation of any system the-1134 secretary of state prescribes pursuant to division (H)(1) of 1135 this section and divisions (C) (6) (b) and (D) (6) of section 1136 3517.10 of the Revised Code for the filing of campaign finance 1137 statements by electronic means of transmission, a county-1138 political party shall file the statements prescribed by section-1139 3517.10 of the Revised Code with respect to its state candidate 1140 fund by electronic means of transmission to the office of the 1141 1142 secretary of state. Within five business days after a statement filed by a-1143 county political party with respect to its state candidate fund 1144 is received by the secretary of state by electronic means of 1145 transmission, the secretary of state shall make available online-1146 to the public through the internet, as provided in division (I) 1147 of this section, the contribution and expenditure information in-1148 that statement. 1149

If a statement is found to be incomplete or inaccurate1150after the examination of the statement for completeness and1151

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accuracy pursuant to division (B)(3)(a) of section 3517.11 of	1152
the Revised Code, a county political party shall file by	1153
electronic means of transmission any addendum to the statement	1154
that provides the information necessary to complete or correct	1155
the statement or, if required by the secretary of state under-	1156
that division, an amended statement.	1157
Within five business days after the secretary of state-	1158
receives from a county political party an addendum to the	1159
statement or an amended statement by electronic means of	1160
transmission under this division or division (B) (3) (a) of	1161
section 3517.11 of the Revised Code, the secretary of state-	1162
shall make the contribution and expenditure information in the	1163
addendum or amended statement available online to the public	1164
through the internet as provided in division (I) of this	1165
section.	1166
(F)(1) Subject to division (L) of this section and subject	1167
to the secretary of state having implemented, tested, and	1168
verified the successful operation of any system the secretary of	1169
state prescribes pursuant to division (H)(1) of this section and	1170
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised	1171
Code for the filing of campaign finance statements by electronic-	1172
means of transmission, a campaign committee of a candidate for-	1173
the office of member of the general assembly or a campaign-	1174
committee of a candidate for the office of judge of a court of	1175
appeals may file the statements prescribed by section 3517.10 of	1176
the Revised Code in accordance with division (A)(2) of section	1177
3517.11 of the Revised Code or by electronic means of	1178
transmission to the office of the secretary of state or, if the	1179
total amount of the contributions received by the campaign-	1180
total amount of the contributions received by the campaign- committee for the applicable reporting period as specified in-	1180 1181

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thousand dollars, shall file those statements by electronic-	1183
means of transmission to the office of the secretary of state.	1184
Except as otherwise provided in this division, within five	1185
business days after a statement filed by a campaign committee of	1186
a candidate for the office of member of the general assembly or-	1187
a campaign committee of a candidate for the office of judge of a	1188
court of appeals is received by the secretary of state by	1189
electronic or other means of transmission, the secretary of	1190
state shall make available online to the public through the	1191
internet, as provided in division (I) of this section, the	1192
contribution and expenditure information in that statement. The	1193
secretary of state shall not make available online to the public-	1194
through the internet any contribution or expenditure information-	1195
contained in a statement for any candidate until the secretary-	1196
of state is able to make available online to the public through-	1197
the internet the contribution and expenditure information for-	1198
all candidates for a particular office, or until the applicable-	1199
filing deadline for that statement has passed, whichever is	1200
sooner. As soon as the secretary of state has available all of-	1201
the contribution and expenditure information for all candidates-	1202
for a particular office, or as soon as the applicable filing-	1203
deadline for a statement has passed, whichever is sooner, the	1204
secretary of state shall simultaneously make available online to	1205
the public through the internet the information for all	1206
candidates for that office.	1207
If a statement filed by electronic means of transmission -	1208
is found to be incomplete or inaccurate after the examination of	1209

the statement for completeness and accuracy pursuant to division1210(B) (3) (a) of section 3517.11 of the Revised Code, the campaign1211committee shall file by electronic means of transmission to the1212office of the secretary of state any addendum to the statement1213

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that provides the information necessary to complete or correct1214the statement or, if required by the secretary of state under1215that division, an amended statement.1216

Within five business days after the secretary of state-1217 receives from a campaign committee of a candidate for the office-1218 of member of the general assembly or a campaign committee of a 1219 candidate for the office of judge of a court of appeals an-1220 addendum to the statement or an amended statement by electronic 1221 or other means of transmission under this division or division 1222 (B) (3) (a) of section 3517.11 of the Revised Code, the secretary 1223 of state shall make the contribution and expenditure information 1224 in the addendum or amended statement available online to the 1225 public through the internet as provided in division (I) of this 1226 section. 1227

 $\frac{(2)}{(5)}$ If a campaign committee for the office of member 1228 of the general assembly or a campaign committee of a candidate 1229 for the office of judge of a court of appeals files a statement, 1230 addendum, or amended statement is not filed by electronic means 1231 of transmission to the office of the secretary of state but is 1232 filed by printed version only under division (A)(2) of section 1233 3517.11 of the Revised Code with the appropriate board of 1234 elections, the campaign committee of a candidate for the office 1235 of member of the general assembly or a campaign committee of a 1236 candidate for the office of judge of a court of appeals shall 1237 file two copies of the printed version of the statement, 1238 addendum, or amended statement with the board of elections. The 1239 board of elections shall send one of those copies by certified 1240 mail or an electronic copy to the secretary of state before the 1241 close of business on the day the board of elections receives the 1242 statement, addendum, or amended statement. 1243

(G) Subject to the secretary of state having implemented,	1244
tested, and verified the successful operation of any system the	1245
secretary of state prescribes pursuant to division (H)(1) of	1246
this section and divisions (C)(6)(b) and (D)(6) of section	1247
3517.10 of the Revised Code for the filing of campaign finance-	1248
statements by electronic means of transmission, any individual,	1249
partnership, or other entity that makes independent expenditures	1250
in support of or opposition to a statewide candidate or a	1251
statewide ballot issue or question as provided in division (B)	1252
(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code may	1253
file the statement specified in that division by electronic	1254
means of transmission or, if the total amount of independent	1255
expenditures made during the reporting period under that	1256
division exceeds ten thousand dollars, shall file the statement	1257
specified in that division by electronic means of transmission.	1258

Within five business days after a statement filed by an1259individual, partnership, or other entity is received by the1260secretary of state by electronic or other means of transmission,1261the secretary of state shall make available online to the public1262through the internet, as provided in division (I) of this1263section, the expenditure information in that statement.1264

If a statement filed by electronic means of transmission-	1265
is found to be incomplete or inaccurate after the examination of	1266
the statement for completeness and accuracy pursuant to division-	1267
(B)(3)(a) of section 3517.11 of the Revised Code, the-	1268
individual, partnership, or other entity shall file by	1269
electronic means of transmission any addendum to the statement-	1270
that provides the information necessary to complete or correct-	1271
the statement or, if required by the secretary of state under-	1272
that division, an amended statement.	1273

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Within five business days after the secretary of state-1274 receives from an individual, partnership, or other entity-1275 described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 1276 of the Revised Code an addendum to the statement or an amended 1277 statement by electronic or other means of transmission under 1278 this division or division (B)(3)(a) of section 3517.11 of the 1279 1280 Revised Code, the secretary of state shall make the expenditure information in the addendum or amended statement available 1281 online to the public through the internet as provided in 1282 division (I) of this section. 1283 (H) (F) (1) The secretary of state, by rule adopted pursuant 1284 1285

to section 3517.23 of the Revised Code, shall prescribe one or more techniques by which a person who executes and transmits to 1286 the secretary of state or a board of elections by electronic 1287 means a statement of contributions and expenditures, a statement 1288 of independent expenditures, a disclosure of electioneering 1289 communications statement, a deposit and disbursement statement, 1290 a gift and disbursement statement, or a donation and 1291 disbursement statement, an addendum to any of those statements, 1292 an amended statement of contributions and expenditures, an 1293 1294 amended statement of independent expenditures, an amended disclosure of electioneering communications statement, an 1295 amended deposit and disbursement statement, an amended gift and 1296 disbursement statement, or an amended donation and disbursement 1297 statement, under this section or section 3517.10, 3517.105, 1298 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised 1299 Code shall electronically sign the statement, addendum, or 1300 amended statement. Any technique prescribed by the secretary of 1301 state pursuant to this division shall create an electronic 1302 signature that satisfies all of the following: 1303

(a) It is unique to the signer.

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(b) It objectively identifies the signer.

(c) It involves the use of a signature device or other
means or method that is under the sole control of the signer and
that cannot be readily duplicated or compromised.
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(d) It is created and linked to the electronic record to
which it relates in a manner that, if the record or signature is
intentionally or unintentionally changed after signing, the
electronic signature is invalidated.

(2) An electronic signature prescribed by the secretary of 1313 state under division $\frac{(H)(F)}{(F)}(1)$ of this section shall be attached 1314 to or associated with the statement of contributions and 1315 expenditures, the statement of independent expenditures, the 1316 disclosure of electioneering communications statement, the 1317 deposit and disbursement statement, the gift and disbursement 1318 statement, or the donation and disbursement statement, the 1319 addendum to any of those statements, the amended statement of 1320 contributions and expenditures, the amended statement of 1321 independent expenditures, the amended disclosure of 1322 electioneering communications statement, the amended deposit and 1323 disbursement statement, the amended gift and disbursement 1324 statement, or the amended donation and disbursement statement 1325 that is executed and transmitted by electronic means by the 1326 person to whom the electronic signature is attributed. The 1327 electronic signature that is attached to or associated with the 1328 statement, addendum, or amended statement under this division 1329 shall be binding on all persons and for all purposes under the 1330 campaign finance reporting law as if the signature had been 1331 handwritten in ink on a printed form. 1332

(I) (G)The secretary of state shall make all of the1333following information available online to the public by any1334

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means that are searchable, viewable, and accessible through the	1335
internet:	1336
(1) The contribution and expenditure, the contribution and	1337
disbursement, the deposit and disbursement, the gift and	1338
disbursement, or the donation and disbursement information in	1339
all statements, all addenda to the statements, and all amended	1340
statements that are filed with the secretary of state by	1341
electronic or other means of transmission under this section or	1342
section 3517.10, 3517.105, 3517.1011, 3517.1012, 3517.1013,	1343
3517.1014, or 3517.11 of the Revised Code-available online to-	1344
the public by any means that are searchable, viewable, and	1345
accessible through the internet;	1346
(2) The contribution and expenditure or the deposit and	1347
disbursement information in all statements that are filed with a	1348
board of elections by electronic means of transmission, and in	1349
all addenda to those statements and all amended versions of	1350
those statements, under this section or section 3517.10,	1351
3517.105, 3517.1012, or 3517.11 of the Revised Code.	1352
(J)<u>(H)</u>(1) As used in this division, "library" means a	1353
library that is open to the public and that is one of the	1354
following:	1355
(a) A library that is maintained and regulated under	1356
section 715.13 of the Revised Code;	1357
(b) A library that is created, maintained, and regulated	1358
under Chapter 3375. of the Revised Code.	1359
(2) The secretary of state shall notify all libraries of	1360
the location on the internet at which the contribution and	1361
expenditure, contribution and disbursement, deposit and	1362
disbursement, gift and disbursement, or donation and	1363

disbursement information in campaign finance statements required1364to be made available online to the public through the internet1365pursuant to division (I) (G) of this section may be accessed.1366

If that location is part of the world wide web and if the 1367 secretary of state has notified a library of that world wide web 1368 location as required by this division, the library shall include 1369 a link to that world wide web location on each internet- 1370 connected computer it maintains that is accessible to the 1371 public. 1372

(3) If the system the secretary of state prescribes for 1373 the filing of campaign finance statements by electronic means of 1374 transmission pursuant to division (H) (F) (1) of this section and 1375 divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 1376 Code includes filing those statements through the internet via 1377 the world wide web, the secretary of state shall notify all 1378 libraries of the world wide web location at which those 1379 statements may be filed. 1380

If those statements may be filed through the internet via 1381 the world wide web and if the secretary of state has notified a 1382 library of that world wide web location as required by this 1383 division, the library shall include a link to that world wide 1384 web location on each internet-connected computer it maintains 1385 that is accessible to the public. 1386

(K) (I) It is an affirmative defense to a complaint or1387charge brought against any campaign committee, political action1388committee, political contributing entity, legislative campaign1389fund, or political party, any individual, partnership, or other1390entity, any person making disbursements to pay the direct costs1391of producing or airing electioneering communications, or any1392treasurer of a transition fund, for the failure to file by1393

electronic means of transmission a campaign finance statement as 1394 required by this section or section 3517.10, 3517.105, 1395 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised 1396 Code that all of the following apply to the campaign committee, 1397 political action committee, political contributing entity, 1398 legislative campaign fund, or political party, the individual, 1399 partnership, or other entity, the person making disbursements to 1400 pay the direct costs of producing or airing electioneering 1401 communications, or the treasurer of a transition fund that 1402 failed to so file: 1403

(1) The campaign committee, political action committee, 1404 political contributing entity, legislative campaign fund, or 1405 political party, the individual, partnership, or other entity, 1406 the person making disbursements to pay the direct costs of 1407 producing or airing electioneering communications, or the 1408 treasurer of a transition fund attempted to file by electronic 1409 means of transmission the required statement prior to the 1410 deadline set forth in the applicable section. 1411

(2) The campaign committee, political action committee, 1412 political contributing entity, legislative campaign fund, or 1413 political party, the individual, partnership, or other entity, 1414 the person making disbursements to pay the direct costs of 1415 producing or airing electioneering communications, or the 1416 treasurer of a transition fund was unable to file by electronic 1417 means of transmission due to an expected or unexpected shutdown 1418 of the whole or part of the electronic campaign finance 1419 statement-filing system, such as for maintenance or because of 1420 hardware, software, or network connection failure. 1421

(3) The campaign committee, political action committee,political contributing entity, legislative campaign fund, or1423

political party, the individual, partnership, or other entity,1424the person making disbursements to pay the direct costs of1425producing or airing electioneering communications, or the1426treasurer of a transition fund filed by electronic means of1427transmission the required statement within a reasonable period1428of time after being unable to so file it under the circumstance1429described in division (K) (I) (2) of this section.1430

1431 (L) (J) (1) The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code to permit a 1432 campaign committee of a candidate for statewide office that 1433 makes expenditures of less than twenty-five thousand dollars 1434 during the filing period or a campaign committee for the office 1435 of member of the general assembly or the office of judge of a 1436 court of appeals that would otherwise be required to file 1437 campaign finance statements by electronic means of transmission 1438 under division (E) or (F) of this section to file those 1439 statements by paper with the office of the secretary of state. 1440 Those rules shall provide for all of the following: 1441

(a) An eligible campaign committee that wishes to file a
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campaign finance statement by paper instead of by electronic
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means of transmission shall file the statement on paper with the
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office of the secretary of state not sooner than twenty-four
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hours after the end of the filing period set forth in section
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3517.10 of the Revised Code that is covered by the applicable
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statement.

(b) The statement shall be accompanied by a fee, the
amount of which the secretary of state shall determine by rule.
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The amount of the fee established under this division shall not
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exceed the data entry and data verification costs the secretary
of state will incur to convert the information on the statement
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to an electronic format as required under division (H) (G) of 1454 this section. 1455 (c) The secretary of state shall arrange for the 1456 information in campaign finance statements filed pursuant to 1457 division $\frac{(L)}{(J)}$ of this section to be made available online to 1458 the public through the internet in the same manner, and at the 1459 same times, as information is made available under divisions 1460 $(E)_{r}$ (F), and $(F)_{r}$ (G) of this section for candidates whose 1461 campaign committees file those statements by electronic means of 1462 transmission. 1463 (d) The candidate of an eligible campaign committee that 1464 intends to file a campaign finance statement pursuant to 1465 division (L) (J) of this section shall file a notice indicating 1466 that the candidate's campaign committee intends to so file and 1467

stating that filing the statement by electronic means of1468transmission would constitute a hardship for the candidate or1469for the eligible campaign committee.1470

(e) An eligible campaign committee that files a campaign
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finance statement on paper pursuant to division (L) (J) of this
section shall review the contribution and information made
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available online by the secretary of state with respect to that
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paper filing and shall notify the secretary of state of any
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errors with respect to that filing that appear in the data made
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available on that web site.

(f) If an eligible campaign committee whose candidate has1478filed a notice in accordance with rules adopted under division1479(L)(J)(1)(d) of this section subsequently fails to file that1480statement on paper by the applicable deadline established in1481rules adopted under division (L)(J)(1)(a) of this section,1482penalties for the late filing of the campaign finance statement1483

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shall apply to that campaign committee for each day after that1484paper filing deadline, as if the campaign committee had filed1485the statement after the applicable deadline set forth in1486division (A) of section 3517.10 of the Revised Code.1487

(2) The process for permitting campaign committees that 1488 would otherwise be required to file campaign finance statements 1489 by electronic means of transmission to file those statements on 1490 paper with the office of the secretary of state that is required 1491 to be developed under division $\frac{(L)}{(J)}(1)$ of this section shall 1492 1493 be in effect and available for use by eligible campaign committees for all campaign finance statements that are required 1494 to be filed on or after June 30, 2005. Notwithstanding any 1495 provision of the Revised Code to the contrary, if the process 1496 the secretary of state is required to develop under division (L) 1497 (1) of this section is not in effect and available for use on 1498 and after June 30, 2005, all penalties for the failure of 1499 campaign committees to file campaign finance statements by 1500 electronic means of transmission shall be suspended until such 1501 time as that process is in effect and available for use. 1502

(3) Notwithstanding any provision of the Revised Code to
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the contrary, any eligible campaign committee that files
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campaign finance statements on paper with the office of the
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secretary of state pursuant to division (L)(J)(1) of this
section shall be deemed to have filed those campaign finance
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statements by electronic means of transmission to the office of
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the secretary of state.

Sec. 3517.1011. (A) As used in this section: 1510

(1) "Address" has the same meaning as in section 3517.101511of the Revised Code.1512

(2) "Broadcast, cable, or satellite communication" means a 1513
communication that is publicly distributed by a television 1514
station, radio station, cable television system, or satellite 1515
system. 1516
(3) "Candidate" has the same meaning as in section 3501.01 1517
of the Revised Code7. 1518
(4) "Contribution" means any loan, gift, deposit, 1519

forgiveness of indebtedness, donation, advance, payment, or 1520 transfer of funds or of anything of value, including a transfer 1521 of funds from an inter vivos or testamentary trust or decedent's 1522 estate, and the payment by any person other than the person to 1523 whom the services are rendered for the personal services of 1524 another person, that is made, received, or used to pay the 1525 direct costs of producing or airing electioneering 1526 communications. 1527

(5) (a) "Coordinated electioneering communication" means 1528 any electioneering communication that is made pursuant to any 1529 arrangement, coordination, or direction by a candidate or a 1530 candidate's campaign committee, by an officer, agent, employee, 1531 or consultant of a candidate or a candidate's campaign 1532 committee, or by a former officer, former agent, former 1533 employee, or former consultant of a candidate or a candidate's 1534 campaign committee prior to the airing, broadcasting, or 1535 cablecasting of the communication. An electioneering 1536 communication is presumed to be a "coordinated electioneering 1537 communication" when it is either of the following: 1538

(i) Based on information about a candidate's plans,
projects, or needs provided to the person making the
disbursement by the candidate or the candidate's campaign
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committee, by an officer, agent, employee, or consultant of the
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candidate or the candidate's campaign committee, or by a former 1543 officer, former agent, former employee, or former consultant of 1544 the candidate or the candidate's campaign committee, with a view 1545 toward having the communication made; 1546

(ii) Made by or through any person who is, or has been, 1547 authorized to raise or expend funds on behalf of a candidate or 1548 the candidate's campaign committee, who is, or has been, an 1549 officer, agent, employee, or consultant of the candidate or of 1550 the candidate's campaign committee, or who is, or has been, 1551 1552 receiving any form of compensation or reimbursement from the candidate or the candidate's campaign committee or from an 1553 officer, agent, employee, or consultant of the candidate or of 1554 the candidate's campaign committee. 1555

(b) An electioneering communication shall not be presumed
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to be a "coordinated electioneering communication" under
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division (A) (5) (a) (ii) of this section if the communication is
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made through any person who provides a service that does not
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affect the content of the communication, such as communications
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placed through the efforts of a media buyer, unless that person
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also affects the content of the communication.

(6) "Disclosure date" means both of the following:

(a) The first date during any calendar year by which a
person makes disbursements for the direct costs of producing or
airing electioneering communications aggregating in excess of
ten thousand dollars;

(b) The same day of the week of each remaining week in the
same calendar year as the day of the week of the initial
disclosure date established under division (A) (6) (a) of this
section, if, during that remaining week, the person makes
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disbursements for the direct costs of producing or airing 1572 electioneering communications aggregating in excess of one 1573 dollar. 1574

(7) (a) "Electioneering communication" means any broadcast, 1575 cable, or satellite communication that refers to a clearly 1576 identified candidate and that is made during either of the 1577 following periods of time: 1578

(i) If the person becomes a candidate before the day of 1579 the primary election at which candidates will be nominated for 1580 election to that office, between the date that the person 1581 becomes a candidate and the thirtieth day prior to that primary 1582 election, and between the date of the primary election and the 1583 thirtieth day prior to the general election at which a candidate 1584 will be elected to that office; 1585

(ii) If the person becomes a candidate after the day of 1586 the primary election at which candidates were nominated for 1587 election to that office, between the date of the primary 1588 election and the thirtieth day prior to the general election at 1589 which a candidate will be elected to that office. 1590

(b) "Electioneering communication" does not include any of 1591 the following:

(i) A communication that is publicly disseminated through 1593 a means of communication other than a broadcast, cable, or 1594 satellite television or radio station. For example, 1595 "electioneering communication" does not include communications 1596 appearing in print media, including a newspaper or magazine, 1597 handbill, brochure, bumper sticker, yard sign, poster, 1598 billboard, and other written materials, including mailings; 1599 1600 communications over the internet, including electronic mail; or

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1592

telephone communications.

1601

terephone communications.	1001
(ii) A communication that appears in a news story,	1602
commentary, public service announcement, bona fide news	1603
programming, or editorial distributed through the facilities of	1604
any broadcast, cable, or satellite television or radio station,	1605
unless those facilities are owned or controlled by any political	1606
party, political committee, or candidate;	1607
(iii) A communication that constitutes an expenditure or	1608
an independent expenditure under section 3517.01 of the Revised	1609
Code;	1610
(iv) A communication that constitutes a candidate debate	1611
or forum or that solely promotes a candidate debate or forum and	1612
is made by or on behalf of the person sponsoring the debate or	1613
forum.	1614
(8) "Filing date" has the same meaning as in section	1615
3517.109 of the Revised Code.	1616
(9) "Immigration and Nationality Act" means the	1617
Immigration and Nationality Act, 110 Stat. 309 (1996), 8 U.S.C.	1618
1101 et seq., as amended.	1619
(10) "Person" has the same meaning as in section 1.59 of	1620
the Revised Code and includes any political organization	1621
considered exempt from income taxation under section 527 of the	1622
Internal Revenue Code.	1623
(11) "Political committee" means any of the following:	1624
(a) Any committee, club, association, or other group of	1625
persons that receives contributions aggregating in excess of one	1626
thousand dollars during a calendar year or that makes	1627
expenditures aggregating in excess of one thousand dollars	1628

during a calendar year; 1629 (b) Any separate segregated fund; 1630 (c) Any state, county, or local committee of a political 1631 party that does any of the following: 1632 (i) Receives contributions aggregating in excess of five 1633 thousand dollars during a calendar year; 1634 (ii) Makes payments that do not constitute contributions 1635 or expenditures aggregating in excess of five thousand dollars 1636 during a calendar year; 1637 (iii) Makes contributions or expenditures aggregating in 1638 excess of one thousand dollars during a calendar year. 1639 (12) "Publicly distributed" means aired, broadcast, 1640 cablecast, or otherwise disseminated for a fee. 1641 (13) "Refers to a clearly identified candidate" means that 1642 the candidate's name, nickname, photograph, or drawing appears, 1643 or the identity of the candidate is otherwise apparent through 1644 an unambiguous reference to the person such as "the chief 1645 justice," "the governor," "member of the Ohio senate," "member 1646 of the Ohio house of representatives," "county auditor," 1647 "mayor," or "township trustee" or through an unambiguous 1648 reference to the person's status as a candidate. 1649 (B) For the purposes of this section, a person shall be 1650 considered to have made a disbursement if the person has entered 1651 into a contract to make the disbursement. 1652

(C) Any person intending to make a disbursement or
disbursements for the direct costs of producing or airing
electioneering communications, prior to making the first
disbursement for the direct costs of producing or airing an
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electioneering communication, shall file a notice with the 1657 office of the secretary of state that the person is intending to 1658 make such disbursements. 1659

(D) (1) Every person that makes a disbursement or
disbursements for the direct costs of producing and airing
electioneering communications aggregating in excess of ten
thousand dollars during any calendar year shall file, within
twenty-four hours of each disclosure date, a disclosure of
electioneering communications statement containing the following
information:

(a) The full name and address of the person making the
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disbursement, of any person sharing or exercising direction or
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control over the activities of the person making the
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disbursement, and of the custodian of the books and accounts of
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the person making the disbursement;

(b) The principal place of business of the person making1672the disbursement, if not an individual;1673

(c) The amount of each disbursement of more than one
dollar during the period covered by the statement and the
identity of the person to whom the disbursement was made;
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(d) The nominations or elections to which the
electioneering communications pertain and the names, if known,
of the candidates identified or to be identified;
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(e) If the disbursements were paid out of a segregated
bank account that consists of funds contributed solely by
individuals who are United States citizens or nationals or
lawfully admitted for permanent residence as defined in section
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101(a) (20) of the Immigration and Nationality Act directly to
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the account for electioneering communications, the information

specified in division (D)(2) of this section for all 1686 contributors who contributed an aggregate amount of two hundred 1687 dollars or more to the segregated bank account and whose 1688 contributions were used for making the disbursement or 1689 disbursements required to be reported under division (D) of this 1690 section during the period covered by the statement. Nothing in 1691 1692 this division prohibits or shall be construed to prohibit the use of funds in such a segregated bank account for a purpose 1693 other than electioneering communications. 1694 (f) If the disbursements were paid out of funds not 1695 described in division (D)(1)(e) of this section, the information 1696 specified in division (D)(2) of this section for all 1697

contributors who contributed an aggregate amount of two hundred1698dollars or more to the person making the disbursement and whose1699contributions were used for making the disbursement or1700disbursements required to be reported under division (D) of this1701section during the period covered by the statement.1702

(2) For each contributor for which information is required
to be reported under division (D)(1)(e) or (f) of this section,
all of the following shall be reported:

(a) The month, day, and year that the contributor made the
 1706
 contribution or contributions aggregating two hundred dollars or
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 more;
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(b) (i) The full name and address of the contributor, and,
if the contributor is a political action committee, the
registration number assigned to the political action committee
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under division (D) (1) of section 3517.10 of the Revised Code;
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(ii) If the contributor is an individual, the name of theindividual's current employer, if any, or, if the individual is1714

self-employed, the individual's occupation and the name of the	1715
individual's business, if any;	1716
(iii) If the contribution is transmitted pursuant to	1717
section 3599.031 of the Revised Code from amounts deducted from	1718
the wages and salaries of two or more employees that exceed in	1719
the aggregate one hundred dollars during the period specified in	1720
division (D)(1)(e) or (f) of this section, as applicable, the	1721
full name of the employees' employer and the full name of the	1722
labor organization of which the employees are members, if any.	1723
(c) A description of the contribution, if other than	1724
money;	1725
(d) The value in dollars and cents of the contribution.	1726
(3) Subject to the secretary of state having implemented,	1727
tested, and verified the successful operation of any system the	1728
secretary of state prescribes pursuant to divisions (C)(6)(b)	1729
and (D)(6) of section 3517.10 and division $\frac{(H)(F)}{(F)}$ (1) of section	1730
3517.106 of the Revised Code for the filing of campaign finance	1731
statements by electronic means of transmission, a person shall	1732
file the disclosure of electioneering communications statement	1733
prescribed under divisions (D)(1) and (2) of this section by	1734
electronic means of transmission to the office of the secretary	1735
of state.	1736
Within five business days after the secretary of state	1737
receives a disclosure of electioneering communications statement	1738
under this division, the secretary of state shall make available	1739
online to the public through the internet, as provided in	1740
division (I) (G) of section 3517.106 of the Revised Code, the	1741
contribution and disbursement information in that statement.	1742
	1 - 4 -

If a filed disclosure of electioneering communications 1743

statement is found to be incomplete or inaccurate after its 1744 examination for completeness and accuracy pursuant to division 1745 (B)(3)(a) of section 3517.11 of the Revised Code, the person 1746 shall file by electronic means of transmission to the office of 1747 the secretary of state any addendum, amendment, or other 1748 correction to the statement that provides the information 1749 necessary to complete or correct the statement or, if required 1750 by the secretary of state under that division, an amended 1751 statement. 1752

Within five business days after the secretary of state 1753 receives an addendum, amendment, or other correction to a 1754 disclosure of electioneering communications statement or an 1755 amended statement by electronic means of transmission under this 1756 division or division (B) (3) (a) of section 3517.11 of the Revised 1757 Code, the secretary of state shall make the contribution and 1758 disbursement information in the addendum, amendment, or other 1759 correction to the statement or amended statement available 1760 online to the public through the internet as provided in 1761 division (I) (G) of section 3517.106 of the Revised Code. 1762

(E) (1) Any person who makes a contribution for the purpose 1763
of funding the direct costs of producing or airing an 1764
electioneering communication under this section shall provide 1765
the person's full name and address to the recipient of the 1766
contribution at the time the contribution is made. 1767

(2) Any individual who makes a contribution or 1768 contributions aggregating two hundred dollars or more for the 1769 purpose of funding the direct costs of producing or airing an 1770 electioneering communication under this section shall provide 1771 the name of the individual's current employer, if any, or, if 1772 the individual is self-employed, the individual's occupation and 1773

the name of the individual's business, if any, to the recipient1774of the contribution at the time the contribution is made.1775(F) In each electioneering communication, a statement1776shall appear or be presented in a clear and conspicuous manner1777

(1) Clearly indicates that the electioneering

that does both of the following:

communication is not authorized by the candidate or the 1780 candidate's campaign committee; 1781

(2) Clearly identifies the person making the disbursement
for the electioneering communication in accordance with section
3517.20 of the Revised Code.
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(G) Any coordinated electioneering communication is an in1785
kind contribution, subject to the applicable contribution limits
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prescribed in section 3517.102 of the Revised Code, to the
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candidate by the person making disbursements to pay the direct
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costs of producing or airing the communication.

(H) No person shall make, during the thirty days preceding
a primary election or during the thirty days preceding a general
election, any broadcast, cable, or satellite communication that
refers to a clearly identified candidate using any contributions
received from a corporation or labor organization.

Sec. 3517.11. (A) (1) Campaign committees of candidates for 1795 statewide office or the state board of education, political 1796 action committees or political contributing entities that make 1797 contributions to campaign committees of candidates that are 1798 required to file the statements prescribed by section 3517.10 of 1799 the Revised Code with the secretary of state, political action 1800 committees or political contributing entities that make 1801 contributions to campaign committees of candidates for member of 1802

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the general assembly, political action committees or political 1803 contributing entities that make contributions to state and 1804 national political parties and to legislative campaign funds, 1805 political action committees or political contributing entities 1806 that receive contributions or make expenditures in connection 1807 with a statewide ballot issue, political action committees or 1808 political contributing entities that make contributions to other 1809 political action committees or political contributing entities, 1810 political parties, and campaign committees, except as set forth 1811 in division (A) (3) of this section, legislative campaign funds, 1812 and state and national political parties shall file the 1813 statements prescribed by section 3517.10 of the Revised Code 1814 with the secretary of state. 1815

(2) (a) Except as otherwise provided in division (F) (E) of
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section 3517.106 of the Revised Code, campaign committees of
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candidates for all other offices shall file the statements
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prescribed by section 3517.10 of the Revised Code with the board
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of elections where their candidates are required to file their
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petitions or other papers for nomination or election.

1822 (b) A campaign committee of a candidate for office of member of the general assembly or a campaign committee of a 1823 candidate for the office of judge of a court of appeals shall 1824 file two copies of the printed version of any statement, 1825 addendum, or amended statement if the committee does not file 1826 pursuant to division (F)(1) (E) or (L) (J) of section 3517.106 1827 of the Revised Code but files by printed version only with the 1828 appropriate board of elections. The board of elections shall 1829 send one of those copies by certified mail or an electronic copy 1830 to the secretary of state before the close of business on the 1831 day the board of elections receives the statement, addendum, or 1832 amended statement. 1833

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(3) Political action committees or political contributing 1834 entities that only contribute to a county political party, 1835 contribute to campaign committees of candidates whose nomination 1836 or election is to be submitted only to electors within a county, 1837 subdivision, or district, excluding candidates for member of the 1838 general assembly, and receive contributions or make expenditures 1839 in connection with ballot questions or issues to be submitted 1840 only to electors within a county, subdivision, or district shall 1841 file the statements prescribed by section 3517.10 of the Revised 1842 Code with the board of elections in that county or in the county 1843 contained in whole or part within the subdivision or district 1844 having a population greater than that of any other county 1845 contained in whole or part within that subdivision or district, 1846 as the case may be. 1847

(4) Except as otherwise provided in division (E) (3) (1) (e)
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of section 3517.106 of the Revised Code with respect to state
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candidate funds, county political parties shall file the
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statements prescribed by section 3517.10 of the Revised Code
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with the board of elections of their respective counties.

1853 (B) (1) The official with whom petitions and other papers for nomination or election to public office are filed shall 1854 furnish each candidate at the time of that filing a copy of 1855 sections 3517.01, 3517.08 to 3517.11, 3517.13 to 3517.993, 1856 3599.03, and 3599.031 of the Revised Code and any other 1857 materials that the secretary of state may require. Each 1858 candidate receiving the materials shall acknowledge their 1859 receipt in writing. 1860

(2) On or before the tenth day before the dates on which
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statements are required to be filed by section 3517.10 of the
Revised Code, the secretary of state shall notify every
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candidate subject to the provisions of this section and sections 1864 3517.10 and 3517.106 of the Revised Code of the requirements and 1865 applicable penalties of those sections. The secretary of state 1866 shall notify all candidates required to file those statements 1867 with the secretary of state's office either by certified mail, 1868 or, if the secretary of state has record of an internet 1869 identifier of record associated with the candidate, by ordinary 1870 mail and by that internet identifier of record. The board of 1871 elections of every county shall notify by first class mail any 1872 candidate who has personally appeared at the office of the board 1873 on or before the tenth day before the statements are required to 1874 be filed and signed a form, to be provided by the secretary of 1875 state, attesting that the candidate has been notified of the 1876 candidate's obligations under the campaign finance law. The 1877 board shall forward the completed form to the secretary of 1878 state. The board shall notify all other candidates required to 1879 file those statements with it either by certified mail, or, if 1880 the secretary of state has record of an internet identifier of 1881 record associated with the candidate, by ordinary mail and by 1882 that internet identifier of record. 1883

(3) (a) Any statement required to be filed under sections 1884 3517.081 to 3517.17 of the Revised Code that is found to be 1885 incomplete or inaccurate by the officer to whom it is submitted 1886 shall be accepted on a conditional basis, and the person who 1887 filed it shall be notified by certified mail as to the 1888 incomplete or inaccurate nature of the statement. The secretary 1889 of state may examine statements filed for candidates for the 1890 office of member of the general assembly and candidates for the 1891 office of judge of a court of appeals for completeness and 1892 accuracy. The secretary of state shall examine for completeness 1893 and accuracy statements that campaign committees of candidates 1894

for the office of member of the general assembly and campaign 1895 committees of candidates for the office of judge of a court of 1896 appeals file pursuant to division $\frac{F}{(E)}$ or $\frac{}{(L)}$ of section 1897 3517.106 of the Revised Code. If an officer at the board of 1898 elections where a statement filed for a candidate for the office 1899 of member of the general assembly or for a candidate for the 1900 1901 office of judge of a court of appeals was submitted finds the statement to be incomplete or inaccurate, the officer shall 1902 immediately notify the secretary of state of its incomplete or 1903 inaccurate nature. If either an officer at the board of 1904 elections or the secretary of state finds a statement filed for 1905 a candidate for the office of member of the general assembly or 1906 for a candidate for the office of judge of a court of appeals to 1907 be incomplete or inaccurate, only the secretary of state shall 1908 send the notification as to the incomplete or inaccurate nature 1909 of the statement. 1910

Within twenty-one days after receipt of the notice, in the 1911 case of a pre-election statement, a postelection statement, a 1912 monthly statement, an annual statement, or a semiannual 1913 statement prescribed by section 3517.10, an annual statement 1914 prescribed by section 3517.101, or a statement prescribed by 1915 division (B)(2)(b) or (C)(2)(b) of section 3517.105 or section 1916 3517.107 of the Revised Code, the recipient shall file an 1917 addendum, amendment, or other correction to the statement 1918 providing the information necessary to complete or correct the 1919 statement. The secretary of state may require that, in lieu of 1920 filing an addendum, amendment, or other correction to a 1921 statement that is filed by electronic means of transmission to 1922 the office of the secretary of state <u>or a board of elections</u> 1923 pursuant to section 3517.106 of the Revised Code, the recipient 1924 of the notice described in this division file by electronic 1925

means of transmission an amended statement that incorporates the 1926 information necessary to complete or correct the statement. 1927 The secretary of state shall determine by rule when an 1928 addendum, amendment, or other correction to any of the following 1929 or when an amended statement of any of the following shall be 1930 filed: 1931 (i) A two-business-day statement prescribed by section 1932 3517.10 of the Revised Code; 1933 (ii) A disclosure of electioneering communications 1934 statement prescribed by division (D) of section 3517.1011 of the 1935 Revised Code; 1936 (iii) A deposit and disbursement statement prescribed 1937 under division (B) of section 3517.1012 of the Revised Code; 1938 (iv) A gift and disbursement statement prescribed under 1939 section 3517.1013 of the Revised Code; 1940 (v) A donation and disbursement statement prescribed under 1941 section 3517.1014 of the Revised Code. 1942 An addendum, amendment, or other correction to a statement 1943 that is filed by electronic means of transmission pursuant to 1944 section 3517.106 of the Revised Code shall be filed in the same 1945 manner as the statement. 1946 The provisions of sections 3517.10, 3517.106, 3517.1011, 1947 3517.1012, 3517.1013, and 3517.1014 of the Revised Code 1948 pertaining to the filing of statements of contributions and 1949 expenditures, statements of independent expenditures, disclosure 1950 of electioneering communications statements, deposit and 1951 disbursement statements, gift and disbursement statements, and 1952 donation and disbursement statements by electronic means of 1953 transmission apply to the filing of addenda, amendments, or 1954 other corrections to those statements by electronic means of 1955 transmission and the filing of amended statements by electronic 1956 means of transmission. 1957

(b) Within five business days after the secretary of state 1958 receives, by electronic or other means of transmission, an 1959 addendum, amendment, or other correction to a statement or an 1960 amended statement under division (B)(3)(a) of this section, the 1961 secretary of state, pursuant to divisions (E), (F), and (G), and 1962 (I) of section 3517.106 or division (D) of section 3517.1011 of 1963 the Revised Code, shall make the contribution and expenditure, 1964 contribution and disbursement, deposit and disbursement, gift 1965 and disbursement, or donation and disbursement information in 1966 that addendum, amendment, correction, or amended statement 1967 available online to the public through the internet. 1968

(4) (a) The secretary of state or the board of elections
shall examine all statements for compliance with sections
3517.08 to 3517.17 of the Revised Code.
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(b) The secretary of state may contract with an individual
or entity not associated with the secretary of state and
experienced in interpreting the campaign finance law of this
state to conduct examinations of statements filed by any
statewide candidate, as defined in section 3517.103 of the
Revised Code.

(c) The examination shall be conducted by a person or
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entity qualified to conduct it. The results of the examination
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shall be available to the public, and, when the examination is
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conducted by an individual or entity not associated with the
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secretary of state, the results of the examination shall be
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reported to the secretary of state.

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(C) (1) In the event of a failure to file or a late filing 1984 of a statement required to be filed under sections 3517.081 to 1985 3517.17 of the Revised Code, or if a filed statement or any 1986 addendum, amendment, or other correction to a statement or any 1987 amended statement, if an addendum, amendment, or other 1988 correction or an amended statement is required to be filed, is 1989 incomplete or inaccurate or appears to disclose a failure to 1990 comply with or a violation of law, the official whose duty it is 1991 to examine the statement shall promptly file a complaint with 1992 the Ohio elections commission under section 3517.153 of the 1993 Revised Code if the law is one over which the commission has 1994 jurisdiction to hear complaints, or the official shall promptly 1995 report the failure or violation to the board of elections and 1996 the board shall promptly report it to the prosecuting attorney 1997 in accordance with division (J) of section 3501.11 of the 1998 Revised Code. If the official files a complaint with the 1999 commission, the commission shall proceed in accordance with 2000 sections 3517.154 to 3517.157 of the Revised Code. 2001

(2) For purposes of division (C)(1) of this section, a 2002 statement or an addendum, amendment, or other correction to a 2003 statement or an amended statement required to be filed under 2004 sections 3517.081 to 3517.17 of the Revised Code is incomplete 2005 or inaccurate under this section if the statement, addendum, 2006 amendment, other correction, or amended statement fails to 2007 disclose substantially all contributions, gifts, or donations 2008 that are received or deposits that are made that are required to 2009 be reported under sections 3517.10, 3517.107, 3517.108, 2010 3517.1011, 3517.1012, 3517.1013, and 3517.1014 of the Revised 2011 Code or if the statement, addendum, amendment, other correction, 2012 or amended statement fails to disclose at least ninety per cent 2013 of the total contributions, gifts, or donations received or 2014

deposits made or of the total expenditures or disbursements made 2015 during the reporting period. 2016 (D) No certificate of nomination or election shall be 2017 issued to a person, and no person elected to an office shall 2018 enter upon the performance of the duties of that office, until 2019 that person or that person's campaign committee, as appropriate, 2020 has fully complied with this section and sections 3517.08, 2021 3517.081, 3517.10, and 3517.13 of the Revised Code. 2022 2023 Section 2. That existing sections 3517.10, 3517.105, 3517.106, 3517.1011, and 3517.11 of the Revised Code are hereby 2024 repealed. 2025 Section 3. This act shall take effect on the first day of 2026 January that occurs at least one hundred eighty days after the 2027 2028 act is filed with the Secretary of State.