

H. B. No. 281  
As Introduced

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, delete "section" and insert "sections 102.04 1  
and" 2

In line 6 of the title, after "act" insert "and to permit a public 3  
official to receive compensation for services rendered before a board of 4  
elections" 5

In line 7, delete "section" and insert "sections 102.04 and" 6

After line 8, insert: 7

"Sec. 102.04. (A) Except as provided in division (D) of 8  
this section, no person elected or appointed to an office of or 9  
employed by the general assembly or any department, division, 10  
institution, instrumentality, board, commission, or bureau of 11  
the state, excluding the courts, shall receive or agree to 12  
receive directly or indirectly compensation other than from the 13  
agency with which ~~he~~the official or employee serves for any 14  
service rendered or to be rendered by ~~him~~the official or 15  
employee personally in any case, proceeding, application, or 16  
other matter that is before the general assembly or any 17



department, division, institution, instrumentality, board, 18  
commission, or bureau of the state, excluding the courts and 19  
boards of elections. 20

(B) Except as provided in division (D) of this section, no 21  
person elected or appointed to an office of or employed by the 22  
general assembly or any department, division, institution, 23  
instrumentality, board, commission, or bureau of the state, 24  
excluding the courts, shall sell or agree to sell, except 25  
through competitive bidding, any goods or services to the 26  
general assembly or any department, division, institution, 27  
instrumentality, board, commission, or bureau of the state, 28  
excluding the courts and boards of elections. 29

(C) Except as provided in division (D) of this section, no 30  
person who is elected or appointed to an office of or employed 31  
by a county, township, municipal corporation, or any other 32  
governmental entity, excluding the courts, shall receive or 33  
agree to receive directly or indirectly compensation other than 34  
from the agency with which ~~he~~ the official or employee serves for 35  
any service rendered or to be rendered by ~~him~~ the official or 36  
employee personally in any case, proceeding, application, or 37  
other matter which is before any agency, department, board, 38  
bureau, commission, or other instrumentality, excluding the 39  
courts and boards of elections, of the entity of which ~~he~~ the 40  
individual is an officer or employee. 41

(D) A public official who is appointed to a nonelective 42  
office or a public employee shall be exempted from division (A), 43  
(B), or (C) of this section if both of the following apply: 44

(1) The agency to which the official or employee wants to 45  
sell the goods or services, or before which the matter that 46  
involves the rendering of ~~his~~ the official's or employee's 47

services is pending, is an agency other than the one with which 48  
~~he~~the official or employee serves; 49

(2) Prior to rendering the personal services or selling or 50  
agreeing to sell the goods or services, ~~he~~the official or 51  
employee files a statement with the appropriate ethics 52  
commission, with the public agency with which ~~he~~the official or 53  
employee serves, and with the public agency before which the 54  
matter is pending or that is purchasing or has agreed to 55  
purchase goods or services. 56

The required statement shall contain the official's or 57  
employee's name and home address, the name and mailing address 58  
of the public agencies with which ~~he~~the official or employee 59  
serves and before which the matter is pending or that is 60  
purchasing or has agreed to purchase goods or services, and a 61  
brief description of the pending matter and of the personal 62  
services to be rendered or a brief description of the goods or 63  
services to be purchased. The statement shall also contain the 64  
public official's or employee's declaration that ~~he~~the public 65  
official or employee disqualifies ~~himself~~self for a period of 66  
two years from any participation as such public official or 67  
employee in any matter involving any public official or employee 68  
of the agency before which the present matter is pending or to 69  
which goods or services are to be sold. The two-year period 70  
shall run from the date of the most recently filed statement 71  
regarding the agency before which the matter was pending or to 72  
which the goods or services were to be sold. No person shall be 73  
required to file statements under this division with the same 74  
public agency regarding a particular matter more than once in a 75  
calendar year. 76

(E) No public official or employee who files a statement 77

or is required to file a statement under division (D) of this 78  
section shall knowingly fail to disqualify ~~himself~~self from any 79  
participation as a public official or employee of the agency 80  
with which ~~he~~the official or employee serves in any matter 81  
involving any official or employee of an agency before which a 82  
matter for which ~~he~~the official or employee rendered personal 83  
services was pending or of a public agency that purchased or 84  
agreed to purchase goods or services. 85

(F) This section shall not be construed to prohibit the 86  
performance of ministerial functions including, but not limited 87  
to, the filing, or amendment of tax returns, applications for 88  
permits and licenses, incorporation papers, and other 89  
documents." 90

In line 9, reinsert "(A) (1)"; delete "(A)" 91

In line 17, delete "(1)" and insert "(a)" 92

In line 21, delete "(2)" and insert "(b)" 93

Reinsert lines 23 through 40 94

In line 109, delete "section" and insert "sections 102.04 and" 95

In line 110, delete "is" and insert "are" 96

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 97

**Public official compensation; board of elections** 98

**R.C. 102.04** 99

Permits a public official to receive compensation for	100
services rendered before a board of elections (current law	101
prohibits public officials from receiving compensation for	102
services rendered in front of other government agencies, with	103
the exception of courts).	104