

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