

As Introduced

**131st General Assembly
Regular Session
2015-2016**

S. B. No. 373

Senator Seitz

A BILL

To amend sections 101.15, 101.34, 101.70, 101.72, 1
101.73, 101.74, 101.75, 101.78, 101.90, 101.92, 2
101.93, 101.94, 101.95, 101.98, 102.01, 102.02, 3
102.021, 102.03, 102.031, 102.06, 102.07, 4
102.99, 109.54, 121.60, 121.62, 121.63, 121.64, 5
121.65, 121.68, and 4503.033 of the Revised 6
Code; and to amend the version of section 102.01 7
of the Revised Code that is scheduled to take 8
effect January 1, 2018, to continue the 9
provision of this act on and after the effective 10
date, to revise the Ethics law. 11

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

Section 1. That sections 101.15, 101.34, 101.70, 101.72, 12
101.73, 101.74, 101.75, 101.78, 101.90, 101.92, 101.93, 101.94, 13
101.95, 101.98, 102.01, 102.02, 102.021, 102.03, 102.031, 14
102.06, 102.07, 102.99, 109.54, 121.60, 121.62, 121.63, 121.64, 15
121.65, 121.68, and 4503.033 of the Revised Code be amended to 16
read as follows: 17

Sec. 101.15. (A) As used in this section: 18

(1) "Caucus" means all of the members of either house of 19

the general assembly who are members of the same political 20
party. 21

(2) "Committee" means any committee of either house of the 22
general assembly, a joint committee of both houses of the 23
general assembly, including a committee of conference, or a 24
subcommittee of any committee listed in division (A)(2) of this 25
section. 26

(3) "Meeting" means any prearranged discussion of the 27
public business of a committee by a majority of its members. 28

(B) Except as otherwise provided in division (F) of this 29
section, all meetings of any committee are declared to be public 30
meetings open to the public at all times. The secretary assigned 31
to the chairperson of the committee shall prepare, file, and 32
maintain the minutes of every regular or special meeting of a 33
committee. The committee, at its next regular or special 34
meeting, shall approve the minutes prepared, filed, and 35
maintained by the secretary, or, if the minutes prepared, filed, 36
and maintained by the secretary require correction before their 37
approval, the committee shall correct and approve the minutes at 38
the next following regular or special meeting. The committee 39
shall make the minutes available for public inspection not later 40
than seven days after the meeting the minutes reflect or not 41
later than the committee's next regular or special meeting, 42
whichever occurs first. 43

(C) Each committee shall establish a reasonable method 44
whereby any person may determine the time and place of all 45
regularly scheduled meetings and the time, place, and purpose of 46
all special meetings. No committee shall hold a regular or 47
special meeting unless it gives at least twenty-four hours' 48
advance notice to the news media that have requested 49

notification. 50

The method established by each committee shall provide 51
that, upon request and payment of a reasonable fee, any person 52
may obtain reasonable advance notification of all meetings at 53
which any specific type of public business will be discussed. 54
Provisions for advance notification may include, but are not 55
limited to, mailing the agenda of meetings to all subscribers on 56
a mailing list or mailing notices in self-addressed stamped 57
envelopes provided by the person who desires advance 58
notification. 59

(D) Any action of a committee relating to a bill or 60
resolution, or any other formal action of a committee, is 61
invalid unless taken in an open meeting of the committee. Any 62
action of a committee relating to a bill or resolution, or any 63
other formal action of a committee, taken in an open meeting is 64
invalid if it results from deliberations in a meeting not open 65
to the public. 66

(E) (1) Any person may bring an action to enforce this 67
section. An action under this division shall be brought within 68
two years after the date of the alleged violation or threatened 69
violation. Upon proof of a violation or threatened violation of 70
this section in an action brought by any person, the court of 71
common pleas shall issue an injunction to compel the members of 72
the committee to comply with its provisions. 73

(2) (a) If the court of common pleas issues an injunction 74
under division (E) (1) of this section, the court shall order the 75
committee that it enjoins to pay a civil forfeiture of five 76
hundred dollars to the party that sought the injunction and 77
shall award to that party all court costs and, subject to 78
reduction as described in this division, reasonable attorney's 79

fees. The court, in its discretion, may reduce an award of 80
attorney's fees to the party that sought the injunction or not 81
award attorney's fees to that party if the court determines both 82
of the following: 83

(i) That, based on the ordinary application of statutory 84
law and case law as it existed at the time of the violation or 85
threatened violation that was the basis of the injunction, a 86
well-informed committee reasonably would believe that the 87
committee was not violating or threatening to violate this 88
section; 89

(ii) That a well-informed committee reasonably would 90
believe that the conduct or threatened conduct that was the 91
basis of the injunction would serve the public policy that 92
underlies the authority that is asserted as permitting that 93
conduct or threatened conduct. 94

(b) If the court of common pleas does not issue an 95
injunction under division (E)(1) of this section and the court 96
determines at that time that the bringing of the action was 97
frivolous conduct as defined in division (A) of section 2323.51 98
of the Revised Code, the court shall award to the committee all 99
court costs and reasonable attorney's fees, as determined by the 100
court. 101

(3) Irreparable harm and prejudice to the party that 102
sought the injunction shall be conclusively and irrebuttably 103
presumed upon proof of a violation or threatened violation of 104
this section. 105

(4) A member of a committee who knowingly violates an 106
injunction issued under division (E)(1) of this section may be 107
removed from office by an action brought in the court of common 108

pleas for that purpose by the prosecuting attorney of Franklin 109
county or by the attorney general. 110

(5) The remedies described in divisions (E)(1) to (4) of 111
this section shall be the exclusive remedies for a violation of 112
this section. 113

(F) This section does not apply to or affect either of the 114
following: 115

(1) All meetings of the joint legislative ethics committee 116
created under section 101.34 of the Revised Code other than a 117
meeting that is held for any of the following purposes: 118

(a) To consider the adoption, amendment, or rescission of 119
any rule that the joint legislative ethics committee is 120
authorized to adopt pursuant to division (B)(11) of section 121
101.34, division (E) of section 101.78, division (B) of section 122
102.02, or division ~~(E)~~(D) of section 121.68 of the Revised 123
Code; 124

(b) To discuss and consider changes to any administrative 125
operation of the joint legislative ethics committee other than 126
any matter described in division (G) of section 121.22 of the 127
Revised Code; 128

(c) To discuss pending or proposed legislation. 129

(2) Meetings of a caucus. 130

(G) For purposes of division (F)(1)(a) of this section, an 131
advisory opinion, written opinion, or decision relative to a 132
complaint is not a rule. 133

Sec. 101.34. (A) There is hereby created a joint 134
legislative ethics committee to serve the general assembly. The 135
committee shall be composed of twelve members, six each from the 136

two major political parties, and each member shall serve on the 137
committee during the member's term as a member of that general 138
assembly. Six members of the committee shall be members of the 139
house of representatives appointed by the speaker of the house 140
of representatives, not more than three from the same political 141
party, and six members of the committee shall be members of the 142
senate appointed by the president of the senate, not more than 143
three from the same political party. A vacancy in the committee 144
shall be filled for the unexpired term in the same manner as an 145
original appointment. The members of the committee shall be 146
appointed within fifteen days after the first day of the first 147
regular session of each general assembly and the committee shall 148
meet and proceed to recommend an ethics code not later than 149
thirty days after the first day of the first regular session of 150
each general assembly. 151

In the first regular session of each general assembly, the 152
speaker of the house of representatives shall appoint the 153
chairperson of the committee from among the house members of the 154
committee, and the president of the senate shall appoint the 155
vice-chairperson of the committee from among the senate members 156
of the committee. In the second regular session of each general 157
assembly, the president of the senate shall appoint the 158
chairperson of the committee from among the senate members of 159
the committee, and the speaker of the house of representatives 160
shall appoint the vice-chairperson of the committee from among 161
the house members of the committee. The chairperson, vice- 162
chairperson, and members of the committee shall serve until 163
their respective successors are appointed or until they are no 164
longer members of the general assembly. 165

The committee shall meet at the call of the chairperson or 166
upon the written request of seven members of the committee. 167

(B) The joint legislative ethics committee:	168
(1) Shall recommend a code of ethics that is consistent with law to govern all members and employees of each house of the general assembly and all candidates for the office of member of each house;	169 170 171 172
(2) May receive and hear any complaint that alleges a breach of any privilege of either house, or misconduct of any member, employee, or candidate, or any violation of the appropriate code of ethics;	173 174 175 176
(3) May obtain information with respect to any complaint filed pursuant to this section and to that end may enforce the attendance and testimony of witnesses, and the production of books and papers;	177 178 179 180
(4) May recommend whatever sanction is appropriate with respect to a particular member, employee, or candidate as will best maintain in the minds of the public a good opinion of the conduct and character of members and employees of the general assembly;	181 182 183 184 185
(5) May recommend legislation to the general assembly relating to the conduct and ethics of members and employees of and candidates for the general assembly;	186 187 188
(6) Shall employ an executive director for the committee and may employ other staff as the committee determines necessary to assist it in exercising its powers and duties. The executive director and staff of the committee shall be known as the office of legislative inspector general. At least one member of the staff of the committee shall be an attorney at law licensed to practice law in this state. The appointment and removal of the executive director shall require the approval of at least eight	189 190 191 192 193 194 195 196

members of the committee.	197
(7) May employ a special counsel to assist the committee	198
in exercising its powers and duties. The appointment and removal	199
of a special counsel shall require the approval of at least	200
eight members of the committee.	201
(8) Shall act as an advisory body to the general assembly	202
and to individual members, candidates, and employees on	203
questions relating to ethics, possible conflicts of interest,	204
and financial disclosure;	205
(9) Shall provide for the proper forms on which a	206
statement required <u>or permitted</u> pursuant to section 102.02 or	207
102.021 of the Revised Code shall be filed and instructions as	208
to the filing of the statement;	209
(10) Exercise the powers and duties prescribed under	210
sections 101.70 to 101.79, sections 101.90 to 101.98, Chapter	211
102., and sections 121.60 to 121.69 of the Revised Code;	212
(11) Adopt, in accordance with section 111.15 of the	213
Revised Code, any rules that are necessary to implement and	214
clarify Chapter 102. and sections 2921.42 and 2921.43 of the	215
Revised Code.	216
(C) There is hereby created in the state treasury the	217
joint legislative ethics committee fund. All money collected	218
from registration fees and late filing fees prescribed under	219
sections 101.72, 101.92, and 121.62 of the Revised Code shall be	220
deposited into the state treasury to the credit of the fund.	221
Money credited to the fund and any interest and earnings from	222
the fund shall be used solely for the operation of the joint	223
legislative ethics committee and the office of legislative	224
inspector general and for the purchase of data storage and	225

computerization facilities for the statements filed with the 226
committee under sections 101.73, 101.74, 101.93, 101.94, 121.63, 227
and 121.64 of the Revised Code. 228

(D) The chairperson of the joint legislative ethics 229
committee shall issue a written report, not later than the 230
thirty-first day of January of each year, to the speaker and 231
minority leader of the house of representatives and to the 232
president and minority leader of the senate that lists the 233
number of committee meetings and investigations the committee 234
conducted during the immediately preceding calendar year and the 235
number of advisory opinions it issued during the immediately 236
preceding calendar year. 237

(E) Any investigative report that contains facts and 238
findings regarding a complaint filed with the joint legislative 239
ethics committee and that is prepared by the staff of the 240
committee or a special counsel to the committee shall become a 241
public record upon its acceptance by a vote of the majority of 242
the members of the committee, except for any names of specific 243
individuals and entities contained in the report. If the 244
committee recommends disciplinary action or reports its findings 245
to the appropriate prosecuting authority for proceedings in 246
prosecution of the violations alleged in the complaint, the 247
investigatory report regarding the complaint shall become a 248
public record in its entirety. 249

(F) (1) Any file obtained by or in the possession of the 250
former house ethics committee or former senate ethics committee 251
shall become the property of the joint legislative ethics 252
committee. Any such file is confidential if either of the 253
following applies: 254

(a) It is confidential under section 102.06 of the Revised 255

Code or the legislative code of ethics.	256
(b) If the file was obtained from the former house ethics committee or from the former senate ethics committee, it was confidential under any statute or any provision of a code of ethics that governed the file.	257 258 259 260
(2) As used in this division, "file" includes, but is not limited to, evidence, documentation, or any other tangible thing.	261 262 263
(G) There is hereby created in the state treasury the joint legislative ethics committee investigative fund. Investment earnings of the fund shall be credited to the fund. Money in the fund shall be used solely for the operations of the committee in conducting investigations.	264 265 266 267 268
Sec. 101.70. As used in sections 101.70 to 101.79 and 101.99 of the Revised Code:	269 270
(A) "Person" means any individual, partnership, trust, estate, business trust, association, or corporation; any labor organization or manufacturer association; any department, commission, board, publicly supported college or university, division, institution, bureau, or other instrumentality of the state; or any county, township, municipal corporation, school district, or other political subdivision of the state. "Person" includes the Ohio casino control commission, a member of the commission, the executive director of the commission, an employee of the commission, and an agent of the commission.	271 272 273 274 275 276 277 278 279 280
(B) "Legislation" means bills, resolutions, amendments, nominations, and any other matter pending before the general assembly, any matter pending before the controlling board, or the executive approval or veto of any bill acted upon by the	281 282 283 284

general assembly.	285
(C) "Compensation" means a salary, gift, payment, benefit,	286
subscription, loan, advance, reimbursement, or deposit of money	287
or anything of value; or a contract, promise, or agreement,	288
whether or not legally enforceable, to make compensation.	289
(D) "Expenditure" means any of the following that is made	290
to, at the request of, for the benefit of, or on behalf of any	291
member of the general assembly, any member of the controlling	292
board, the governor, the director of a department created under	293
section 121.02 of the Revised Code, or any member of the staff	294
of any public officer or employee listed in this division	295
<u>official:</u>	296
(1) A payment, distribution, loan, advance, deposit,	297
reimbursement, or gift of money, real estate, or anything of	298
value, including, but not limited to, food and beverages,	299
entertainment, lodging, or transportation;	300
(2) A contract, promise, or agreement to make an	301
expenditure, whether or not legally enforceable;	302
(3) The purchase, sale, or gift of services or any other	303
thing of value.	304
"Expenditure" does not include a contribution, gift, or grant to	305
a foundation or other charitable organization that is exempt	306
from federal income taxation under subsection 501(c)(3) of the	307
Internal Revenue Code. "Expenditure" does not include the	308
purchase, sale, or gift of services or any other thing of value	309
that is available to the general public on the same terms as it	310
is available to the persons listed in this division, or an offer	311
or sale of securities to any person listed in this division that	312
is governed by regulation D, 17 C.F.R. 230.501 to 230.508,	313

adopted under the authority of the "Securities Act of 1933," 48 314
Stat. 74, 15 U.S.C.A. and following, or that is governed by a 315
comparable provision under state law. 316

(E) "Actively advocate" means to promote, advocate, or 317
oppose the passage, modification, defeat, or executive approval 318
or veto of any legislation by direct communication with any 319
~~member of the general assembly, any member of the controlling~~ 320
~~board, the governor, the director of any department listed in~~ 321
~~section 121.02 of the Revised Code, or any member of the staff~~ 322
~~of any public officer or employee listed in this division~~ 323
official. "Actively advocate" does not include the action of any 324
person not engaged by an employer who has a direct interest in 325
legislation if the person, acting under Section 3 of Article I, 326
Ohio Constitution, assembles together with other persons to 327
consult for their common good, instructs a ~~public officer or~~ 328
~~employee who is listed in this division~~ official, or petitions 329
that public ~~officer or employee~~ official for the redress of 330
grievances. 331

(F) "Legislative agent" means any individual, except a 332
member of the general assembly, a member of the staff of the 333
general assembly, the governor, lieutenant governor, attorney 334
general, secretary of state, treasurer of state, or auditor of 335
state, ~~who is engaged during at least a portion of the~~ 336
~~individual's time to actively advocate as one of the~~ 337
~~individual's main purposes~~ whose direct communication with any 338
public official for the purpose of actively advocating 339
constitutes at least five per cent of the total performance time 340
for which the individual is compensated by a specific employer. 341
~~An individual engaged by the Ohio casino control commission, a~~ 342
~~member of the commission, the executive director of the~~ 343
~~commission, or an employee or agent of the commission to~~ 344

~~actively advocate is a "legislative agent" even if the~~ 345
~~individual does not during at least a portion of the~~ 346
~~individual's time actively advocate as one of the individual's~~ 347
~~main purposes.~~ 348

(G) "Employer" means any person who, directly or 349
indirectly, engages a legislative agent. 350

(H) "Engage" means to make any arrangement, and 351
"engagement" means any arrangement, whereby an individual is 352
employed or retained for compensation to act for or on behalf of 353
an employer to actively advocate. 354

(I) "Financial transaction" means a transaction or 355
activity that is conducted or undertaken for profit and arises 356
from the joint ownership or the ownership or part ownership in 357
common of any real or personal property or any commercial or 358
business enterprise of whatever form or nature between the 359
following: 360

(1) A legislative agent, an employer of a legislative 361
agent, or a member of the immediate family of the legislative 362
agent or a legislative agent's employer; and 363

~~(2) Any member of the general assembly, any member of the~~ 364
~~controlling board, the governor, the director of a department~~ 365
~~created under section 121.02 of the Revised Code, or any member~~ 366
~~of the staff of a public officer or employee listed in division~~ 367
~~(I)(2) of this section official.~~ 368

"Financial transaction" does not include any transaction 369
or activity described in division (I) of this section if it is 370
available to the general public on the same terms, or if it is 371
an offer or sale of securities to any person listed in division 372
(I)(2) of this section that is governed by regulation D, 17 373

C.F.R. 230.501 to 230.508, adopted under the authority of the 374
"Securities Act of 1933," 48 Stat. 74, 15 U.S.C.A. and 375
following, or that is governed by a comparable provision under 376
state law. 377

(J) "Public official" means a member of the general 378
assembly, a member of the controlling board, the governor, the 379
director of a department created under section 121.02 of the 380
Revised Code, or any member of the staff of a public official 381
listed in this division. 382

(K) "Staff" means any state employee whose official duties 383
are to formulate policy and who exercises administrative or 384
supervisory authority or who authorizes the expenditure of state 385
funds. 386

Sec. 101.72. (A) Each legislative agent and employer, 387
within ten days following an engagement of a legislative agent, 388
shall file with the joint legislative ethics committee an 389
initial registration statement showing all of the following: 390

(1) The name, business address, and occupation of the 391
legislative agent; 392

(2) The name and business address of the employer and the 393
real party in interest on whose behalf the legislative agent is 394
actively advocating, if it is different from the employer. For 395
the purposes of division (A) of this section, where a trade 396
association or other charitable or fraternal organization that 397
is exempt from federal income taxation under subsection 501(c) 398
of the federal Internal Revenue Code is the employer, the 399
statement need not list the names and addresses of each member 400
of the association or organization, so long as the association 401
or organization itself is listed. 402

(3) A brief description of the type of legislation to 403
which the engagement relates. 404

(B) In addition to the initial registration statement 405
required by division (A) of this section, each legislative agent 406
and employer shall file with the joint committee, not later than 407
the last day of January, May, and September of each year, an 408
updated registration statement that confirms the continuing 409
existence of each engagement described in an initial 410
registration statement and that lists the specific bills or 411
resolutions on which the agent actively advocated under that 412
engagement during the period covered by the updated statement, 413
and with it any statement of expenditures required to be filed 414
by section 101.73 of the Revised Code and any details of 415
financial transactions required to be filed by section 101.74 of 416
the Revised Code. 417

(C) If a legislative agent is engaged by more than one 418
employer, the agent shall file a separate initial and updated 419
registration statement for each engagement. If an employer 420
engages more than one legislative agent, the employer need file 421
only one updated registration statement under division (B) of 422
this section, which shall contain the information required by 423
division (B) of this section regarding all of the legislative 424
agents engaged by the employer. 425

(D) (1) A change in any information required by division 426
(A) (1), (2), or (B) of this section shall be reflected in the 427
next updated registration statement filed under division (B) of 428
this section. 429

(2) Within thirty days after the termination of an 430
engagement, the legislative agent who was employed under the 431
engagement shall send written notification of the termination to 432

the joint committee. 433

(E) A registration fee of ~~twenty-five~~ thirty-five dollars 434
shall be charged for filing an initial registration statement. 435
The state agency of an officer or employee who actively 436
advocates in a fiduciary capacity as a representative of that 437
state agency shall pay the registration fee required under this 438
division. All money collected from registration fees under this 439
division and late filing fees under division (G) of this section 440
shall be deposited into the state treasury to the credit of the 441
joint legislative ethics committee fund created under section 442
101.34 of the Revised Code. 443

An officer or employee of a state agency who actively 444
advocates in a fiduciary capacity as a representative of that 445
state agency need not file expenditure statements under section 446
101.73 of the Revised Code. As used in this division, "state 447
agency" does not include a state institution of higher education 448
as defined in section 3345.011 of the Revised Code. 449

(F) Upon registration pursuant to division (A) of this 450
section, the legislative agent shall be issued a card by the 451
joint committee showing that the legislative agent is 452
registered. The registration card and the legislative agent's 453
registration shall be valid from the date of their issuance 454
until the next thirty-first day of December of an even-numbered 455
year. 456

(G) The executive director of the joint committee shall be 457
responsible for reviewing each registration statement filed with 458
the joint committee under this section and for determining 459
whether the statement contains all of the information required 460
by this section. If the joint committee determines that the 461
registration statement does not contain all of the required 462

information or that a legislative agent or employer has failed 463
to file a registration statement, the joint committee shall send 464
written notification by certified mail to the person who filed 465
the registration statement regarding the deficiency in the 466
statement or to the person who failed to file the registration 467
statement regarding the failure. Any person so notified by the 468
joint committee shall, not later than fifteen days after 469
receiving the notice, file a registration statement or an 470
amended registration statement that does contain all of the 471
information required by this section. If any person who receives 472
a notice under this division fails to file a registration 473
statement or such an amended registration statement within this 474
fifteen-day period, the joint committee shall assess a late 475
filing fee equal to twelve dollars and fifty cents per day, up 476
to a maximum of one hundred dollars, upon that person. The joint 477
committee may waive the late filing fee for good cause shown. 478

(H) On or before the fifteenth day of March of each year, 479
the joint committee shall, in the manner and form that it 480
determines, publish a report containing statistical information 481
on the registration statements filed with it under this section 482
during the preceding year. 483

Sec. 101.73. (A) Each legislative agent and each employer 484
shall file in the office of the joint legislative ethics 485
committee, with the updated registration statement required by 486
division (B) of section 101.72 of the Revised Code, a statement 487
of expenditures as specified in divisions (B) and (C) of this 488
section. A legislative agent shall file a separate statement of 489
expenditures under this section for each employer engaging the 490
legislative agent. 491

~~(B) (1) In addition to the information required by~~ 492

~~divisions (B) (2) and (3) of this section, a statement filed by a~~ 493
~~legislative agent shall show the total amount of expenditures~~ 494
~~made by the legislative agent during the reporting period~~ 495
~~covered by the statement.~~ 496

~~(2) If, during a reporting period covered by a statement,~~ 497
~~an employer or any legislative agent the employer engaged made,~~ 498
~~either separately or in combination with each other, either~~ 499
~~directly or indirectly, expenditures to, that, when added to the~~ 500
amount of previous expenditures made by that employer or 501
legislative agent during the same calendar year, exceed a total 502
of one hundred dollars at the request of, for the benefit of, or 503
on behalf of any ~~particular member of the general assembly, any~~ 504
~~particular member of the controlling board, the governor, the~~ 505
~~director of a department created under section 121.02 of the~~ 506
~~Revised Code, or any particular member of the staff of any of~~ 507
~~the public officers or employees listed in division (B) (2) of~~ 508
~~this section official,~~ then the employer or legislative agent 509
shall ~~also~~ state all of the following regarding those 510
expenditures: 511

~~(a) (1) The name of the public officer or employee~~ 512
official to whom, at whose request, for whose benefit, or on 513
whose behalf the expenditures were made; 514

~~(b) (2) The total amount of the expenditures made;~~ 515

~~(c) (3) A brief description of the expenditures made;~~ 516

~~(d) (4) The approximate date the expenditures were made;~~ 517

~~(e) (5) The specific items of legislation, if any, for~~ 518
which the expenditures were made and the identity of the client 519
on whose behalf each expenditure was made. 520

~~As used in division (B) (2) of this section, "expenditures"~~ 521

~~does not include expenditures made by a legislative agent as-~~ 522
~~payment for meals and other food and beverages.~~ 523

~~(3) If, during a reporting period covered by a statement,~~ 524
~~a legislative agent made expenditures as payment for meals and-~~ 525
~~other food and beverages, other than for meals and other food-~~ 526
~~and beverages provided to a member of the general assembly at a-~~ 527
~~meeting at which the member participated in a panel, seminar, or-~~ 528
~~speaking engagement or provided to a member of the general-~~ 529
~~assembly at a meeting or convention of a national organization-~~ 530
~~to which any state agency, including, but not limited to, any-~~ 531
~~legislative agency or state institution of higher education as-~~ 532
~~defined in section 3345.011 of the Revised Code, pays membership-~~ 533
~~dues, that, when added to the amount of previous payments made-~~ 534
~~for meals and other food and beverages by that legislative agent-~~ 535
~~during that same calendar year, exceeded a total of fifty-~~ 536
~~dollars to, at the request of, for the benefit of, or on behalf-~~ 537
~~of any particular member of the general assembly, any particular-~~ 538
~~member of the controlling board, the governor, the director of a-~~ 539
~~department created under section 121.02 of the Revised Code, or-~~ 540
~~any particular member of the staff of any of the public officers-~~ 541
~~or employees listed in division (B) (3) of this section, then the-~~ 542
~~legislative agent shall also state all of the following-~~ 543
~~regarding those expenditures:~~ 544

~~(a) The name of the public officer or employee to whom, at-~~ 545
~~whose request, for whose benefit, or on whose behalf the-~~ 546
~~expenditures were made;~~ 547

~~(b) The total amount of the expenditures made;~~ 548

~~(c) A brief description of the expenditures made;~~ 549

~~(d) The approximate date the expenditures were made;~~ 550

~~(e) The specific items of legislation, if any, for which
the expenditures were made and the identity of the client on
whose behalf each expenditure was made.~~ 551
552
553

(C) In addition to the information required by ~~divisions~~ 554
division (B) (2) and (3) of this section, a statement ~~filed by an~~ 555
~~employer~~ shall show the total amount of expenditures made by the 556
employer or legislative agent filing the statement during the 557
period covered by the statement. ~~As used in this section,~~ 558
~~"expenditures" does not include the expenses of maintaining~~ 559
~~office facilities or the compensation paid to legislative agents~~ 560
~~engaged by an employer.~~ A statement filed by a legislative agent 561
shall show all legislation regarding which the legislative agent 562
has advocated on behalf of the employer during the period 563
covered by the statement. A statement filed by an employer shall 564
show all legislation regarding which the employer has advocated 565
during the period covered by the statement. 566

No employer ~~is~~ shall be required to show any expenditure 567
or legislation on a statement filed under this division if the 568
expenditure or legislation is reported on a statement filed 569
under division (B) of this section by a legislative agent 570
engaged by the employer. No legislative agent shall be required 571
to show any expenditure on a statement filed under this division 572
if the expenditure is reported on a statement filed under 573
division (B) of this section by the legislative agent's 574
employer. 575

(D) Any statement required to be filed under this section 576
shall be filed at the times specified in section 101.72 of the 577
Revised Code. Each statement shall cover expenditures made 578
during the four-calendar-month period that ended on the last day 579
of the month immediately preceding the month in which the 580

statement is required to be filed. 581

(E) No portion of the amount of an expenditure for meals 582
and other food and beverages provided at a dinner, party, or 583
other function sponsored by an employer or legislative agent 584
need be attributed to, or counted toward the amount for, a 585
reporting period specified in division (B) ~~(2) or (3)~~ of this 586
section if the sponsor has invited to the function all the 587
members of either of the following: 588

(1) The general assembly; 589

(2) Either house of the general assembly. 590

However, the amount spent for such function and its date 591
and purpose shall be reported separately on the statement 592
required to be filed under this section and the amount spent for 593
the function shall be added with other expenditures for the 594
purpose of determining the total amount of expenditures reported 595
in the statement under division ~~(B) (1) or (C)~~ of this section. 596

(F) No portion of the amount of an expenditure made as 597
payment for meals and other food and beverages provided at a 598
meeting at which the public official participated in a panel, 599
seminar, or speaking engagement or provided to a public official 600
at a meeting or convention of a national organization to which 601
any state agency, including any legislative agency or state 602
institution of higher education as defined in section 3345.011 603
of the Revised Code pays membership dues need be attributed to, 604
or counted toward the amount for, a reporting period specified 605
in division (B) of this section. 606

However, the total amount spent for such meals and other 607
food and beverages shall be reported separately on the statement 608
required to be filed under this section and the amount spent for 609

the function shall be added with other expenditures for the 610
purpose of determining the total amount of expenditures reported 611
in the statement under division (C) of this section. 612

(G) If it is impractical or impossible for a legislative 613
agent or employer to determine exact dollar amounts or values of 614
expenditures, reporting of good faith estimates, based upon 615
reasonable accounting procedures, constitutes compliance with 616
this section. 617

~~(E)~~ (H) All legislative agents and employers shall retain 618
receipts or maintain records for all expenditures that are 619
required to be reported pursuant to this section. These receipts 620
or records shall be maintained for a period ending on the 621
thirty-first day of December of the second calendar year after 622
the year in which the expenditure was made. 623

~~(F)~~ ~~(1)~~ (I) An employer or legislative agent who is 624
required to file an expenditure statement under division (B) or 625
(C) of this section shall deliver ~~a copy~~ notice of the 626
~~statement, or of the portion showing the expenditure,~~ to the 627
public ~~officer or employee~~ official who is listed in the 628
statement as having received the expenditure or on whose behalf 629
it was made, at least ten days before the date on which the 630
statement is filed. 631

~~(2)~~ If, during a reporting period covered by an 632
~~expenditure statement filed under division (B) (2) of this~~ 633
~~section, an employer or any legislative agent the employer~~ 634
~~engaged made, either separately or in combination with each~~ 635
~~other, either directly or indirectly, expenditures for~~ 636
~~transportation, lodging, or food and beverages purchased for~~ 637
~~consumption on the premises in which the food and beverages were~~ 638
~~sold to, at the request of, for the benefit of, or on behalf of~~ 639

~~any of the public officers or employees described in division
(B) (2) of this section, the employer or legislative agent shall
deliver to the public officer or employee a statement that
contains all of the nondisputed information prescribed in
division (B) (2) (a) through (c) of this section with respect to
the expenditures described in division (F) (2) of this section.
The statement of expenditures made under division (F) (2) of this
section shall be delivered to the public officer or employee to
whom, at whose request, for whose benefit, or on whose behalf
those expenditures were made on the same day in which a copy of
the expenditure statement or of a portion showing the
expenditure is delivered to the public officer or employee under
division (F) (1) of this section. An employer is not required to
show any expenditure on a statement delivered under division (F)
(2) of this section if the expenditure is shown on a statement
delivered under division (F) (2) of this section by a legislative
agent engaged by the employer.~~

(J) As used in this section, "expenditure" does not
include the expenses of maintaining office facilities or the
compensation paid to a legislative agent engaged by an employer.

Sec. 101.74. (A) Any legislative agent who has had any
financial transaction with or for the benefit of any ~~member of
the general assembly, any member of the controlling board, the
governor, the director of a department created under section
121.02 of the Revised Code, or any member of the staff of any
public officer or employee listed in this division~~ official
shall describe the details of the transaction, including the
name of the ~~public officer or employee~~ official, the purpose and
nature of the transaction, and the date it was made or entered
into, in a statement filed with the joint legislative ethics
committee with the updated registration statement required by

division (B) of section 101.72 of the Revised Code. The 671
statement shall be filed at the times specified in section 672
101.72 of the Revised Code. Each statement shall describe each 673
financial transaction that occurred during the four-calendar- 674
month period that ended on the last day of the month immediately 675
preceding the month in which the statement is required to be 676
filed. 677

(B) Except as provided in division (D) of this section, 678
any employer who has had any financial transaction with or for 679
the benefit of any ~~member of the general assembly, any member of~~ 680
~~the controlling board, the governor, the director of a~~ 681
~~department created under section 121.02 of the Revised Code, or~~ 682
~~any member of the staff of any public officer or employee listed~~ 683
~~in this division~~ official shall describe the details of the 684
transaction, including the name of the public ~~officer or~~ 685
~~employee~~ official, the purpose and nature of the transaction, 686
and the date it was made or entered into, in a statement filed 687
with the joint committee with the updated registration statement 688
required by division (B) of section 101.72 of the Revised Code. 689
The statement shall be filed at the times specified in section 690
101.72 of the Revised Code. Each statement shall describe each 691
financial transaction that occurred during the four-calendar- 692
month period that ended on the last day of the month immediately 693
preceding the month in which the statement is required to be 694
filed. 695

(C) An employer or legislative agent who is required to 696
file a statement describing a financial transaction under this 697
section shall deliver a ~~copy notice of the statement transaction~~ 698
to the public ~~officer or employee~~ official with whom or for 699
whose benefit the transaction was made at least ten days before 700
the date on which the statement is filed. 701

(D) No employer shall be required to file any statement 702
under this section or to deliver ~~a copy notice of the statement~~ 703
~~a transaction~~ to a public ~~officer or employee official~~ with whom 704
or for whose benefit the transaction was made if the financial 705
transaction to which the statement pertains is reported by a 706
legislative agent engaged by the employer. 707

Sec. 101.75. If a dispute arises between any member of the 708
general assembly, any member of the controlling board, or a 709
member of the staff of the general assembly or controlling board 710
and an employer or legislative agent with respect to an 711
expenditure or financial transaction alleged in any statement to 712
be filed under section 101.73 or 101.74 of the Revised Code, the 713
member, employer, or legislative agent may file a complaint with 714
the joint legislative ethics committee. The committee shall 715
proceed to investigate the complaint as provided for other 716
complaints in section 101.34 of the Revised Code. 717

The complaint shall be filed at least three days prior to 718
the time the statement is required to be filed with the joint 719
legislative ethics committee. The time for filing a ~~disputed~~ 720
~~expenditure or financial transaction in any statement of~~ 721
expenditures or the details of a financial transaction that 722
contains a disputed expenditure or financial transaction shall 723
be extended pending the final decision of the joint committee. 724
~~This extension does not extend the time for filing the~~ 725
~~nondisputed portions of an expenditure statement or of the~~ 726
~~details of a financial transaction.~~ The joint committee shall 727
notify the parties of its final decision by certified mail. If 728
the committee decides that the disputed expenditure or financial 729
transaction should be reported, the employer or legislative 730
agent shall include the matter in ~~an amended the statement and~~ 731
The employer or legislative agent shall file the amended 732

statement not later than ten days after the employer or agent 733
receives notice of the decision of the committee by certified 734
mail. 735

An employer or legislative agent who files a false 736
statement of expenditures or details of a financial transaction 737
is liable in a civil action to any public officer or employee 738
who sustains damage as a result of the filing or publication of 739
the statement. 740

Sec. 101.78. (A) The joint legislative ethics committee 741
shall keep on file the statements required by sections 101.72, 742
101.73, and 101.74 of the Revised Code. Those statements are 743
public records and open to public inspection, and the joint 744
committee shall ~~computerize~~ publish them ~~so that the information~~ 745
~~contained in and make them is readily accessible~~ available to 746
the general public on its official web site. The joint committee 747
shall provide copies of the statements to the general public 748
upon request and may charge a reasonable fee not to exceed the 749
cost of copying and delivering each statement. 750

(B) The joint committee shall prescribe and make available 751
an appropriate form for filing the information required by 752
sections 101.72, 101.73, and 101.74 of the Revised Code. The 753
form shall contain the following notice in boldface type: "ANY 754
PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF 755
FALSIFICATION UNDER SECTION 2921.13 OF THE REVISED CODE, WHICH 756
IS A MISDEMEANOR OF THE FIRST DEGREE." 757

(C) The joint committee shall publish a handbook that 758
explains in clear and concise language sections 101.70 to 101.79 759
and 101.99 of the Revised Code and make it available free of 760
charge to members of the general assembly, legislative agents, 761
employers, and any other interested persons. 762

(D) Not later than the last day of February and October of 763
each year, the joint committee shall compile from registration 764
statements filed with it a complete and updated list of 765
registered legislative agents and their employers ~~and distribute~~ 766
~~the list to each member of the general assembly, each member of~~ 767
~~the controlling board who is not a member of the general~~ 768
~~assembly, and the governor.~~ The joint committee shall provide 769
copies of the list to the general public upon request and may 770
charge a reasonable fee not to exceed the cost of copying and 771
delivering the list. 772

(E) The joint committee may adopt rules as necessary to 773
implement sections 101.70 to 101.79 of the Revised Code, and any 774
such rules it adopts shall be adopted in accordance with section 775
111.15 of the Revised Code. 776

Sec. 101.90. As used in sections 101.90 to 101.99 of the 777
Revised Code: 778

(A) "Person" and "compensation" have the same meanings as 779
in section 101.70 of the Revised Code. 780

(B) "Expenditure" means any of the following that is made 781
to, at the request of, for the benefit of, or on behalf of a 782
state retirement system, a member of the board of a state 783
retirement system, a state retirement system investment 784
official, or an employee of a state retirement system whose 785
position involves substantial and material exercise of 786
discretion in the investment of retirement system funds: 787

(1) A payment, distribution, loan, advance, deposit, 788
reimbursement, or gift of money, real estate, or anything of 789
value, including, but not limited to food and beverages and 790
entertainment; 791

(2) A contract, promise, or agreement to make an expenditure, whether or not legally enforceable;	792 793
(3) The purchase, sale, or gift of services or any other thing of value. "Expenditure" does not include a contribution, gift, or grant to a foundation or other charitable organization that is exempt from federal income taxation under subsection 501(c)(3) of the Internal Revenue Code. "Expenditure" does not include the purchase, sale, or gift of services or any other thing of value that is available to the general public on the same terms as it is available to the persons listed in this division, or an offer or sale of securities to any person listed in this division that is governed by regulation D, 17 C.F.R. 2301.501-230.501 to 2301.508 <u>230.508</u> , adopted under the authority of the "Securities Act of 1933," 48 Stat. 74, 15 U.S.C.A. and following, or that is governed by a comparable provision under state law.	794 795 796 797 798 799 800 801 802 803 804 805 806 807
(C) "Employer" means any person who, directly or indirectly, engages a retirement system lobbyist.	808 809
(D) "Engage" means to make any arrangement, and "engagement" means arrangement, whereby an individual is employed or retained for compensation to act for or on behalf of an employer to influence retirement system decisions or to conduct any retirement system lobbying activity.	810 811 812 813 814
(E) "Financial transaction" means a transaction or activity that is conducted or undertaken for profit and arises from the joint ownership or the ownership or part ownership in common of any real or personal property or any commercial or business enterprise of whatever form or nature between the following:	815 816 817 818 819 820

(1) A retirement system lobbyist, the retirement system lobbyist's employer, or a member of the immediate family of the retirement system lobbyist or the retirement system lobbyist's employer; and

(2) A state retirement system, a member of a board of a state retirement system, a state retirement system investment official, or an employee of a state retirement system whose position involves substantial and material exercise of discretion in the investment of retirement system funds.

"Financial transaction" does not include any transaction or activity described in division (E) of this section if it is available to the general public on the same terms, or if it is an offer or sale of securities to any person listed in division (E) (2) of this section that is governed by regulation D, 17 C.F.R. ~~2301.501-230.501~~ to ~~2301.508~~ 230.508, adopted under the authority of the "Securities Act of 1933," 48 Stat. 74, 15 U.S.C.A. and following, or that is governed by a comparable provision under state law.

(F) "Retirement system" means the public employees retirement system, Ohio police and fire pension fund, state teachers retirement system, school employees retirement system, and state highway patrol retirement system.

(G) "Retirement system decision" means a decision of a retirement system regarding the investment of retirement system funds. "Retirement system decision" includes the decision by a board of a retirement system to award a contract to an agent or an investment manager.

(H) "Retirement system lobbyist" means any person ~~engaged to influence whose direct communication with retirement system~~

officials or employees for the purpose of influencing retirement 850
system decisions or ~~to conduct~~ conducting retirement system 851
lobbying activity ~~as one of the person's main purposes on a~~ 852
~~regular and substantial basis~~ constitutes at least twenty-five 853
per cent of the total performance time for which the person is 854
compensated by a specific employer. "Retirement system lobbyist" 855
does not include an elected or appointed officer or employee of 856
a federal or state agency, or political subdivision who attempts 857
to influence or affect executive agency decisions in a fiduciary 858
capacity as a representative of the officer's or employee's 859
agency or political subdivision. 860

(I) "Retirement system lobbying activity" means contacts 861
made to promote, oppose, reward, or otherwise influence the 862
outcome of a retirement system decision by direct communication 863
with a member of a board of a state retirement system, a state 864
retirement system investment official, or an employee of a state 865
retirement system whose position involves substantial and 866
material exercise of discretion in the investment of retirement 867
system funds. "Lobbying activity" does not include any of the 868
following: 869

(1) The action of any person having a direct interest in 870
retirement system decisions who, under Section 3 of Article I, 871
Ohio Constitution, assembles together with other persons to 872
consult for their common good, instructs a person listed in the 873
first paragraph of division (I) of this section, or petitions 874
such a person for the redress of grievances; 875

(2) Contacts made for the sole purpose of gathering 876
information contained in a public record; 877

(3) Appearances before a retirement system to give 878
testimony. 879

(J) "Retirement system official" means an officer or 880
employee of a retirement system whose principal duties are to 881
formulate policy or to participate directly or indirectly in the 882
preparation, review, or award of financial arrangements with a 883
retirement system. 884

(K) "Aggrieved party" means a party entitled to resort to 885
a remedy. 886

(L) "Staff" means an employee of a retirement system whose 887
position involves substantial and material exercise of 888
discretion in the investment of retirement system funds and who 889
is required under section 102.02 of the Revised Code to file a 890
disclosure statement with the Ohio ethics commission. 891

Sec. 101.92. (A) Each retirement system lobbyist and each 892
employer shall file with the joint legislative ethics committee, 893
within ten days following the engagement of a retirement system 894
lobbyist, an initial registration statement showing all of the 895
following: 896

(1) The name, business address, and occupation of the 897
retirement system lobbyist; 898

(2) The name and business address of the employer or of 899
the real party in interest on whose behalf the retirement system 900
lobbyist is acting, if it is different from the employer. For 901
the purposes of division (A) of this section, where a trade 902
association or other charitable or fraternal organization that 903
is exempt from federal income taxation under subsection 501(c) 904
of the federal Internal Revenue Code is the employer, the 905
statement need not list the names and addresses of every member 906
of the association or organization, so long as the association 907
or organization itself is listed. 908

(3) A brief description of the retirement system decision	909
to which the engagement relates;	910
(4) The name of the retirement system or systems to which	911
the engagement relates.	912
(B) In addition to the initial registration statement	913
required by division (A) of this section, each retirement system	914
lobbyist and employer shall file with the joint committee, not	915
later than the last day of January, May, and September of each	916
year, an updated registration statement that confirms the	917
continuing existence of each engagement described in an initial	918
registration statement and that lists the specific retirement	919
system decisions that the lobbyist sought to influence under the	920
engagement during the period covered by the updated statement,	921
and with it any statement of expenditures required to be filed	922
by section 101.93 of the Revised Code and any details of	923
financial transactions required to be filed by section 101.94 of	924
the Revised Code.	925
(C) If a retirement system lobbyist is engaged by more	926
than one employer, the lobbyist shall file a separate initial	927
and updated registration statement for each engagement. If an	928
employer engages more than one retirement system lobbyist, the	929
employer need file only one updated registration statement under	930
division (B) of this section, which shall contain the	931
information required by division (B) of this section regarding	932
all of the retirement system lobbyists engaged by the employer.	933
(D) (1) A change in any information required by division	934
(A) (1), (2), or (B) of this section shall be reflected in the	935
next updated registration statement filed under division (B) of	936
this section.	937

(2) Within thirty days following the termination of an 938
engagement, the retirement system lobbyist who was employed 939
under the engagement shall send written notification of the 940
termination to the joint committee. 941

(E) A registration fee of ~~twenty-five~~ thirty-five dollars 942
shall be charged for filing an initial registration statement. 943
All money collected from registration fees under this division 944
and late filing fees under division (G) of this section shall be 945
deposited into the state treasury to the credit of the joint 946
legislative ethics committee fund created under section 101.34 947
of the Revised Code. 948

(F) Upon registration pursuant to this section, a 949
retirement system lobbyist shall be issued a card by the joint 950
committee showing that the lobbyist is registered. The 951
registration card and the retirement system lobbyist's 952
registration shall be valid from the date of their issuance 953
until the next thirty-first day of ~~January-December~~ of ~~the an~~ 954
even-numbered year ~~following the year in which the initial~~ 955
~~registration was filed.~~ 956

(G) The executive director of the joint committee shall be 957
responsible for reviewing each registration statement filed with 958
the joint committee under this section and for determining 959
whether the statement contains all of the required information. 960
If the joint committee determines that the registration 961
statement does not contain all of the required information or 962
that a retirement system lobbyist or employer has failed to file 963
a registration statement, the joint committee shall send written 964
notification by certified mail to the person who filed the 965
registration statement regarding the deficiency in the statement 966
or to the person who failed to file the registration statement 967

regarding the failure. Any person so notified by the joint 968
committee shall, not later than fifteen days after receiving the 969
notice, file a registration statement or an amended registration 970
statement that contains all of the required information. If any 971
person who receives a notice under this division fails to file a 972
registration statement or such an amended registration statement 973
within this fifteen-day period, the joint committee shall assess 974
a late filing fee equal to twelve dollars and fifty cents per 975
day, up to a maximum fee of one hundred dollars, upon that 976
person. The joint committee may waive the late filing fee for 977
good cause shown. 978

(H) On or before the fifteenth day of March of each year, 979
the joint committee shall, in the manner and form that it 980
determines, publish a report containing statistical information 981
on the registration statements filed with it under this section 982
during the preceding year. 983

(I) If an employer who engages a retirement system 984
lobbyist is the recipient of a contract, grant, lease, or other 985
financial arrangement pursuant to which funds of the state or of 986
a retirement system are distributed or allocated, the retirement 987
system may consider the failure of the employer or the 988
retirement system lobbyist to comply with this section as a 989
breach of a material condition of the contract, grant, lease, or 990
other financial arrangement. 991

(J) Retirement system officials may require certification 992
from any person seeking the award of a contract, grant, lease, 993
or financial arrangement that the person and the person's 994
employer are in compliance with this section. 995

Sec. 101.93. (A) Each retirement system lobbyist and each 996
employer shall file with the joint legislative ethics committee, 997

with the updated registration statement required by division (B) 998
of section 101.92 of the Revised Code, a statement of 999
expenditures as specified in divisions (B) and (C) of this 1000
section. A retirement system lobbyist shall file a separate 1001
statement of expenditures under this section for each employer 1002
that engages the retirement system lobbyist. 1003

~~(B) (1) In addition to the information required by 1004
divisions (B) (2) and (3) of this section, a statement filed by a 1005
retirement system lobbyist shall show the total amount of 1006
expenditures made during the reporting period covered by the 1007
statement by the retirement system lobbyist. 1008~~

~~(2) If, during a reporting period covered by a statement, 1009
an employer or any retirement system lobbyist the employer 1010
engaged made, ~~either separately or in combination with each 1011
other,~~ expenditures to, that, when added to the amount of 1012
previous expenditures made by that employer or retirement system 1013
lobbyist during the same calendar year, exceed a total of one 1014
hundred dollars at the request of, for the benefit of, or on 1015
behalf of a member of a board of a state retirement system, a 1016
state retirement system investment official, or an employee of a 1017
state retirement system whose position involves substantial and 1018
material exercise of discretion in the investment of retirement 1019
system funds the employer or retirement system lobbyist also 1020
shall state the name of the member, official, or employee to 1021
whom, at whose request, for whose benefit, or on whose behalf 1022
the expenditures were made, the total amount of the expenditures 1023
made, a brief description of the expenditures made, the 1024
approximate date the expenditures were made, the retirement 1025
system decision, if any, sought to be influenced, and the 1026
identity of the client on whose behalf the expenditure was made. 1027~~

~~As used in division (B) (2) of this section, "expenditures" does not include expenditures made by a retirement system lobbyist as payment for meals and other food and beverages.~~ 1028
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~~(3) If, during a reporting period covered by a statement, a retirement system lobbyist made expenditures as payment for meals and other food and beverages, that, when added to the amount of previous payments made for meals and other food and beverages by that retirement system lobbyist during that same calendar year, exceeded a total of fifty dollars to, at the request of, for the benefit of, or on behalf of a member of a board of a state retirement system, a state retirement system investment official, or an employee of a state retirement system whose position involves substantial and material exercise of discretion in the investment of retirement system funds, the retirement system lobbyist shall also state regarding those expenditures the name of the member, official, or employee to whom, at whose request, for whose benefit, or on whose behalf the expenditures were made, the total amount of the expenditures made, a brief description of the expenditures made, the approximate date the expenditures were made, the retirement system decision, if any, sought to be influenced, and the identity of the client on whose behalf the expenditure was made.~~ 1031
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~~(C) In addition to the information required by divisions division (B) (2) and (3) of this section, a statement filed by an employer shall show the total amount of expenditures made by the employer or retirement system lobbyist filing the statement during the period covered by the statement. ~~As used in this section, "expenditures" does not include the expenses of maintaining office facilities, or the compensation paid to retirement system lobbyists engaged to influence retirement system decisions or conduct retirement system lobbying activity.~~ 1050
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A statement filed by a retirement system lobbyist shall show all retirement system decisions the retirement system lobbyist has been engaged to influence on behalf of the employer during the period covered by the statement. A statement filed by an employer shall show all retirement system decisions the employer has engaged the retirement system lobbyist to influence during the period covered by the statement.

No employer shall be required to show any expenditure or retirement system decision on a statement filed under this division if the expenditure or retirement system decision is reported on a statement filed under division (B) ~~(1), (2), or (3)~~ of this section by a retirement system lobbyist engaged by the employer. No retirement system lobbyist shall be required to show any expenditure on a statement filed under division (B) of this section by the retirement system lobbyist's employer.

(D) Any statement required to be filed under this section shall be filed at the times specified in section 101.92 of the Revised Code. Each statement shall cover expenditures made during the four-calendar-month period that ended on the last day of the month immediately preceding the month in which the statement is required to be filed.

(E) If it is impractical or impossible for a retirement system lobbyist or employer to determine exact dollar amounts or values of expenditures, reporting of good faith estimates, based on reasonable accounting procedures, constitutes compliance with this division.

(F) Retirement system lobbyists and employers shall retain receipts or maintain records for all expenditures that are required to be reported pursuant to this section. These receipts or records shall be maintained for a period ending on the

thirty-first day of December of the second calendar year after 1089
the year in which the expenditure was made. 1090

(G)(1) At least ten days before the date on which the 1091
statement is filed, each employer or retirement system lobbyist 1092
who is required to file an expenditure statement under division 1093
(B)(2) or (3) of this section shall deliver a copy notice of the 1094
~~statement, or the portion showing the expenditure,~~ to the 1095
member, official, or employee who is listed in the statement as 1096
having received the expenditure or on whose behalf it was made. 1097

~~(2) If, during a reporting period covered by an 1098
expenditure statement filed under division (B)(2) of this 1099
section, an employer or any retirement system lobbyist the 1100
employer engaged made, either separately or in combination with 1101
each other, either directly or indirectly, expenditures for food 1102
and beverages purchased for consumption on the premises in which 1103
the food and beverages were sold to, at the request of, for the 1104
benefit of, or on behalf of any of the members, officials, or 1105
employees described in division (B)(2) of this section, the 1106
employer or retirement system lobbyist shall deliver to the 1107
member, official, or employee a statement that contains all of 1108
the nondisputed information prescribed in division (B)(2) of 1109
this section with respect to the expenditures described in 1110
division (G)(2) of this section. The statement of expenditures 1111
made under division (G)(2) of this section shall be delivered to 1112
the member, official, or employee to whom, at whose request, for 1113
whose benefit, or on whose behalf those expenditures were made 1114
on the same day in which a copy of the expenditure statement or 1115
of a portion showing the expenditure is delivered to the member, 1116
official, or employee under division (G)(1) of this section. An 1117
employer is not required to show any expenditure on a statement 1118
delivered under division (G)(2) of this section if the 1119~~

~~expenditure is shown on a statement delivered under division (G)~~ 1120
~~(2) of this section by a retirement system lobbyist engaged by~~ 1121
~~the employer.~~ 1122

(H) As used in this section, "expenditure" does not 1123
include the expenses of maintaining office facilities or the 1124
compensation paid to retirement system lobbyists engaged to 1125
influence retirement system decisions or to conduct retirement 1126
system lobbying activity. 1127

Sec. 101.94. (A) Each retirement system lobbyist who has 1128
had any financial transaction with or for the benefit of a 1129
member of a board of a state retirement system, a state 1130
retirement system investment official, or an employee of a state 1131
retirement system whose position involves substantial and 1132
material exercise of discretion in the investment of retirement 1133
system funds shall describe the details of the transaction, 1134
including the name of the member, official, or employee, the 1135
purpose and nature of the transaction, and the date it was made 1136
or entered into, in a statement filed with the joint legislative 1137
ethics committee with the updated registration statement 1138
required by division (B) of section 101.92 of the Revised Code. 1139
The statements shall be filed at the times specified in section 1140
101.92 of the Revised Code. Each statement shall describe each 1141
financial transaction that occurred during the four-calendar- 1142
month period that ended on the last day of the month immediately 1143
preceding the month in which the statement is required to be 1144
filed. 1145

(B) Except as provided in division (D) of this section, 1146
each employer who has had any financial transaction with or for 1147
the benefit of a member of a board of a state retirement system, 1148
a state retirement system investment official, or an employee of 1149

a state retirement system whose position involves substantial 1150
and material exercise of discretion in the investment of 1151
retirement system funds shall describe the details of the 1152
transaction, including the name of the member, official, or 1153
employee, the purpose and nature of the transaction, and the 1154
date it was made or entered into, in a statement filed with the 1155
joint committee with the updated registration statement required 1156
by division (B) of section 101.92 of the Revised Code. The 1157
statement shall be filed at the times specified in section 1158
101.92 of the Revised Code. Each statement shall describe each 1159
financial transaction that occurred during the four-calendar- 1160
month period that ended on the last day of the month immediately 1161
preceding the month in which the statement is required to be 1162
filed. 1163

(C) At least ten days before the date on which the 1164
statement is filed, each employer or retirement system lobbyist 1165
who is required to file a statement describing a financial 1166
transaction under this section shall deliver ~~a copy notice of~~ 1167
the ~~statement~~ transaction to the member, official, or employee 1168
with whom or for whose benefit the transaction was made. 1169

(D) No employer shall be required to file any statement 1170
under this section or to deliver ~~a copy notice of the statement~~ 1171
transaction to a member, official, or employee with whom or for 1172
whose benefit the transaction was made if the financial 1173
transaction to which the statement pertains is reported by a 1174
retirement system lobbyist engaged by the employer. 1175

Sec. 101.95. If a dispute arises between a member of a 1176
board of a state retirement system, a state retirement system 1177
investment official, or an employee of a state retirement system 1178
whose position involves substantial and material exercise of 1179

discretion in the investment of retirement system funds and an 1180
employer or retirement system lobbyist with respect to an 1181
expenditure or financial transaction alleged in a statement to 1182
be filed under section 101.93 or 101.94 of the Revised Code, the 1183
member, official, or employee, employer, or retirement system 1184
lobbyist may file a complaint with the Ohio ethics commission. 1185
The commission shall proceed to investigate the complaint as 1186
though it were filed under section 102.06 of the Revised Code. 1187

The complaint shall be filed at least three days prior to 1188
the time the statement is required to be filed with the joint 1189
legislative ethics committee. The time for filing a ~~disputed-~~ 1190
~~expenditure or financial transaction in any~~ statement of 1191
expenditures or the details of a financial transaction that 1192
contains a disputed expenditure or financial transaction shall 1193
be extended pending the final decision of the commission. ~~This-~~ 1194
~~extension does not extend the time for filing the nondisputed-~~ 1195
~~portions of either type of statement.~~ The commission shall 1196
notify the parties of its final decision by certified mail. If 1197
the commission decides that the disputed expenditure or 1198
financial transaction should be reported, the employer or 1199
retirement system lobbyist shall include the matter in ~~an-~~ 1200
amended the statement and. The employer or retirement system 1201
lobbyist shall file the ~~amended~~ statement not later than ten 1202
days after receiving notice of the decision of the commission by 1203
certified mail. 1204

An employer or retirement system lobbyist who files a 1205
false statement of expenditures or details of a financial 1206
transaction is liable in a civil action to any member, official, 1207
or employee who sustains damage as a result of the filing or 1208
publication of the statement. 1209

Sec. 101.98. (A) The joint legislative ethics committee 1210
shall keep on file the statements required by sections 101.92, 1211
101.93, and 101.94 of the Revised Code. These statements are 1212
public records and open to public inspection, and the joint 1213
committee shall ~~computerize~~ publish them ~~so that the information~~ 1214
~~contained in and make~~ them ~~is readily accessible~~ available to 1215
the general public on its official web site. The joint committee 1216
shall provide copies of the statements to the general public on 1217
request and may charge a reasonable fee not to exceed the cost 1218
of copying and delivering the statement. 1219

(B) Not later than the last day of February and October of 1220
each year, the joint committee shall compile from the 1221
registration statements filed with it a complete and updated 1222
list of registered retirement system lobbyists and their 1223
employers, ~~and distribute the list to each member of the general~~ 1224
~~assembly, elected executive official, and the director of each~~ 1225
~~retirement system, who shall distribute the list to the~~ 1226
~~appropriate personnel under the director's jurisdiction.~~ The 1227
joint committee shall provide copies of the list to the general 1228
public on request and may charge a reasonable fee not to exceed 1229
the cost of copying and delivering the list. 1230

(C) The joint committee shall prescribe and make available 1231
an appropriate form for the filings required by sections 101.92, 1232
101.93, and 101.94 of the Revised Code. The form shall contain 1233
the following notice in boldface type: "ANY PERSON WHO KNOWINGLY 1234
FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 1235
2921.13 OF THE REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST 1236
DEGREE." 1237

(D) The joint committee may adopt rules as necessary to 1238
implement sections 101.90 to 101.98 of the Revised Code. The 1239

rules shall be adopted in accordance with section 111.15 of the Revised Code.

(E) The joint committee shall publish a handbook that explains in clear and concise language the provisions of sections 101.90 to 101.98 of the Revised Code and make it available free of charge to retirement system lobbyists, employers, and any other interested persons.

Sec. 102.01. As used in this chapter:

(A) "Compensation" means money, thing of value, or financial benefit. "Compensation" does not include reimbursement for actual and necessary expenses incurred in the performance of official duties.

(B) "Public official or employee" means any person who is elected or appointed to an office or is an employee of any public agency. "Public official or employee" does not include a person elected or appointed to the office of precinct, ward, or district committee member under section 3517.03 of the Revised Code, any presidential elector, or any delegate to a national convention. "Public official or employee" does not include a person who is a teacher, instructor, professor, or other kind of educator whose position does not involve the performance of, or authority to perform, administrative or supervisory functions.

(C) "Public agency" means the general assembly, all courts, any department, division, institution, board, commission, authority, bureau or other instrumentality of the state, a county, city, village, or township, the five state retirement systems, or any other governmental entity. "Public agency" does not include a department, division, institution, board, commission, authority, or other instrumentality of the

state or a county, municipal corporation, township, or other 1269
governmental entity that functions exclusively for cultural, 1270
educational, historical, humanitarian, advisory, or research 1271
purposes; that does not expend more than ten thousand dollars 1272
per calendar year, excluding salaries and wages of employees; 1273
and whose members are uncompensated. "Public agency" does not 1274
include the nonprofit corporation formed under section 187.01 of 1275
the Revised Code. 1276

(D) "Immediate family" means a spouse residing in the 1277
person's household and any dependent child. 1278

(E) "Income" includes gross income as defined and used in 1279
the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1280
1, as amended, interest and dividends on obligations or 1281
securities of any state or of any political subdivision or 1282
authority of any state or political subdivision, and interest or 1283
dividends on obligations of any authority, commission, or 1284
instrumentality of the United States. 1285

(F) Except as otherwise provided in division (A) of 1286
section 102.08 of the Revised Code, "appropriate ethics 1287
commission" means: 1288

(1) For matters relating to members of the general 1289
assembly, employees of the general assembly, employees of the 1290
legislative service commission, candidates for the office of 1291
member of the general assembly, and public members appointed to 1292
the Ohio constitutional modernization commission under section 1293
103.63 of the Revised Code, the joint legislative ethics 1294
committee; 1295

(2) For matters relating to judicial officers and 1296
employees, and candidates for judicial office, the board of 1297

commissioners on grievances and discipline of the supreme court;	1298
(3) For matters relating to all other persons, the Ohio ethics commission.	1299 1300
(G) "Anything of value" has the same meaning as provided in section 1.03 of the Revised Code and includes, but is not limited to, a contribution as defined in section 3517.01 of the Revised Code.	1301 1302 1303 1304
(H) "Honorarium" means any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or similar gathering. "Honorarium" does not include ceremonial gifts or awards that have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; or earned income from any person, other than a legislative agent, for personal services that are customarily provided in connection with the practice of a bona fide business, if that business initially began before the public official or employee conducting that business was elected or appointed to the public official's or employee's office or position of employment.	1305 1306 1307 1308 1309 1310 1311 1312 1313 1314 1315 1316 1317
(I) "Employer" means any person who, directly or indirectly, engages an executive agency lobbyist or legislative agent.	1318 1319 1320
(J) "Executive agency decision," "executive agency lobbyist," and "executive agency lobbying activity" have the same meanings as in section 121.60 of the Revised Code.	1321 1322 1323
(K) "Legislation," "legislative agent," "financial transaction," and "actively advocate" have the same meanings as in section 101.70 of the Revised Code.	1324 1325 1326

~~(L) "Expenditure" has the same meaning as in section 101.70 of the Revised Code when used in relation to activities of a legislative agent, and the same meaning as in section 121.60 of the Revised Code when used in relation to activities of an executive agency lobbyist.~~

Sec. 102.02. (A) (1) Except as otherwise provided in division ~~(H)~~ (I) of this section, all of the following shall file with the appropriate ethics commission the disclosure statement described in this division on a form prescribed by the appropriate commission: every person who is elected to or is a candidate for a state, county, or city office and every person who is appointed to fill a vacancy for an unexpired term in such an elective office; all members of the state board of education; the director, assistant directors, deputy directors, division chiefs, or persons of equivalent rank of any administrative department of the state; the president or other chief administrative officer of every state institution of higher education as defined in section 3345.011 of the Revised Code; the executive director and the members of the capitol square review and advisory board appointed or employed pursuant to section 105.41 of the Revised Code; all members of the Ohio casino control commission, the executive director of the commission, all professional employees of the commission, and all technical employees of the commission who perform an internal audit function; the individuals set forth in division (B) (2) of section 187.03 of the Revised Code; the chief executive officer and the members of the board of each state retirement system; each employee of a state retirement board who is a state retirement system investment officer licensed pursuant to section 1707.163 of the Revised Code; the members of the Ohio retirement study council appointed pursuant to division

(C) of section 171.01 of the Revised Code; employees of the Ohio 1358
retirement study council, other than employees who perform 1359
purely administrative or clerical functions; the administrator 1360
of workers' compensation and each member of the bureau of 1361
workers' compensation board of directors; the bureau of workers' 1362
compensation director of investments; the chief investment 1363
officer of the bureau of workers' compensation; all members of 1364
the board of commissioners on grievances and discipline of the 1365
supreme court and the ethics commission created under section 1366
102.05 of the Revised Code; every business manager, treasurer, 1367
or superintendent of a city, local, exempted village, joint 1368
vocational, or cooperative education school district or an 1369
educational service center; every person who is elected to or is 1370
a candidate for the office of member of a board of education of 1371
a city, local, exempted village, joint vocational, or 1372
cooperative education school district or of a governing board of 1373
an educational service center that has a total student count of 1374
twelve thousand or more as most recently determined by the 1375
department of education pursuant to section 3317.03 of the 1376
Revised Code; every person who is appointed to the board of 1377
education of a municipal school district pursuant to division 1378
(B) or (F) of section 3311.71 of the Revised Code; all members 1379
of the board of directors of a sanitary district that is 1380
established under Chapter 6115. of the Revised Code and 1381
organized wholly for the purpose of providing a water supply for 1382
domestic, municipal, and public use, and that includes two 1383
municipal corporations in two counties; every public official or 1384
employee who is paid a salary or wage in accordance with 1385
schedule C of section 124.15 or schedule E-2 of section 124.152 1386
of the Revised Code; members of the board of trustees and the 1387
executive director of the southern Ohio agricultural and 1388
community development foundation; all members appointed to the 1389

Ohio livestock care standards board under section 904.02 of the Revised Code; all entrepreneurs in residence assigned by the LeanOhio office in the department of administrative services under section 125.65 of the Revised Code and every other public official or employee who is designated by the appropriate ethics commission pursuant to division (B) of this section.

(2) The disclosure statement shall include all of the following:

(a) (i) The name of the person filing the statement, the person's spouse, and each member dependent child of the person's immediate family person who is eighteen years of age or older and all who resides in the person's household;

(ii) All names under which the person, spouse, or members of the person's immediate family dependent child who is eighteen years of age or older and who resides in the person's household do business;

(b) (i) Subject to divisions (A) (2) (b) (ii) ~~and, (iii), and (iv)~~ of this section and except as otherwise provided in section 102.022 of the Revised Code, identification of every source of income, other than income from a legislative agent identified in division (A) (2) (b) (ii) of this section or income derived by and received in the name of the spouse of the person filing the statement that is not clearly designated for the use and benefit of the person filing the statement, received during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. If the person filing the statement is a member of the general assembly, the statement shall identify the amount of every source of income

received in accordance with the following ranges of amounts: 1420
zero or more, but less than one thousand dollars; one thousand 1421
dollars or more, but less than ten thousand dollars; ten 1422
thousand dollars or more, but less than twenty-five thousand 1423
dollars; twenty-five thousand dollars or more, but less than 1424
fifty thousand dollars; fifty thousand dollars or more, but less 1425
than one hundred thousand dollars; and one hundred thousand 1426
dollars or more. Division (A) (2) (b) (i) of this section shall not 1427
be construed to require a person filing the statement who 1428
derives income from a business or profession to disclose the 1429
individual items of income that constitute the gross income of 1430
that business or profession, except for those individual items 1431
of income that are attributable to the person's or, if the 1432
income is shared with the person, the partner's, solicitation of 1433
services or goods or performance, arrangement, or facilitation 1434
of services or provision of goods on behalf of the business or 1435
profession of clients, including corporate clients, who are 1436
legislative agents. A person who files the statement under this 1437
section shall disclose the identity of and the amount of income 1438
received from a person who the public official or employee knows 1439
or has reason to know is doing or seeking to do business of any 1440
kind with the public official's or employee's agency. 1441

(ii) If the person filing the statement is a member of the 1442
general assembly, the statement shall identify every source of 1443
income and the amount of that income that was received from a 1444
legislative agent during the preceding calendar year, in the 1445
person's own name or by any other person for the person's use or 1446
benefit, by the person filing the statement, and a brief 1447
description of the nature of the services for which the income 1448
was received. Division (A) (2) (b) (ii) of this section requires 1449
the disclosure of clients of attorneys or persons licensed under 1450

section 4732.12 of the Revised Code, or patients of persons 1451
certified under section 4731.14 of the Revised Code, if those 1452
clients or patients are legislative agents. Division (A) (2) (b) 1453
(ii) of this section requires a person filing the statement who 1454
derives income from a business or profession to disclose those 1455
individual items of income that constitute the gross income of 1456
that business or profession that are received from legislative 1457
agents. 1458

(iii) Except as otherwise provided in division (A) (2) (b) 1459
(iii) of this section, division (A) (2) (b) (i) of this section 1460
applies to attorneys, physicians, and other persons who engage 1461
in the practice of a profession and who, pursuant to a section 1462
of the Revised Code, the common law of this state, a code of 1463
ethics applicable to the profession, or otherwise, generally are 1464
required not to reveal, disclose, or use confidences of clients, 1465
patients, or other recipients of professional services except 1466
under specified circumstances or generally are required to 1467
maintain those types of confidences as privileged communications 1468
except under specified circumstances. Division (A) (2) (b) (i) of 1469
this section does not require an attorney, physician, or other 1470
professional subject to a confidentiality requirement as 1471
described in division (A) (2) (b) (iii) of this section to disclose 1472
the name, other identity, or address of a client, patient, or 1473
other recipient of professional services if the disclosure would 1474
threaten the client, patient, or other recipient of professional 1475
services, would reveal details of the subject matter for which 1476
legal, medical, or professional advice or other services were 1477
sought, or would reveal an otherwise privileged communication 1478
involving the client, patient, or other recipient of 1479
professional services. Division (A) (2) (b) (i) of this section 1480
does not require an attorney, physician, or other professional 1481

subject to a confidentiality requirement as described in 1482
division (A) (2) (b) (iii) of this section to disclose in the brief 1483
description of the nature of services required by division (A) 1484
(2) (b) (i) of this section any information pertaining to specific 1485
professional services rendered for a client, patient, or other 1486
recipient of professional services that would reveal details of 1487
the subject matter for which legal, medical, or professional 1488
advice was sought or would reveal an otherwise privileged 1489
communication involving the client, patient, or other recipient 1490
of professional services. 1491

(iv) If the person filing the statement received rental 1492
income from residential property owned by the person, the 1493
statement shall identify only the address of each property that 1494
is a source of rental income. 1495

(c) The name of every corporation on file with the 1496
secretary of state that is incorporated in this state or holds a 1497
certificate of compliance authorizing it to do business in this 1498
state, trust, business trust, partnership, or association that 1499
transacts business in this state in which the person filing the 1500
statement or any other person for the person's use and benefit 1501
had during the preceding calendar year an investment of over one 1502
thousand dollars at fair market value as of the thirty-first day 1503
of December of the preceding calendar year, or the date of 1504
disposition, whichever is earlier, or in which the person holds 1505
any office or has a fiduciary relationship, and a description of 1506
the nature of the investment, office, or relationship. Division 1507
(A) (2) (c) of this section does not require disclosure of the 1508
name of any bank, savings and loan association, credit union, or 1509
building and loan association with which the person filing the 1510
statement has a deposit or a withdrawable share account. 1511

(d) All fee simple and leasehold interests to which the person filing the statement holds legal title to or a beneficial interest in real property located within the state, excluding the person's residence and property used primarily for personal recreation;

(e) The names of all persons residing or transacting business in the state to whom the person filing the statement ~~owes~~ owed during the preceding calendar year, in the person's own name or in the name of any other person, more than ~~one-five~~ thousand dollars, if the debt was not paid in full within sixty days after the debt was incurred. Division (A) (2) (e) of this section shall not be construed to require the disclosure of debts owed by the person resulting from the ordinary conduct of a business or profession or debts on the person's residence or real property used primarily for personal recreation, except that the superintendent of financial institutions shall disclose the names of all state-chartered savings and loan associations and of all service corporations subject to regulation under division (E) (2) of section 1151.34 of the Revised Code to whom the superintendent in the superintendent's own name or in the name of any other person owes any money, and that the superintendent and any deputy superintendent of banks shall disclose the names of all state-chartered banks and all bank subsidiary corporations subject to regulation under section 1109.44 of the Revised Code to whom the superintendent or deputy superintendent owes any money.

(f) The names of all persons residing or transacting business in the state, other than a depository excluded under division (A) (2) (c) of this section, who ~~owe~~ owed during the preceding calendar year more than ~~one-five~~ thousand dollars to the person filing the statement, either in the person's own name

or to any person for the person's use or benefit, if the debt 1543
was not paid in full within sixty days after the debt was 1544
incurred. Division (A) (2) (f) of this section shall not be 1545
construed to require the disclosure of clients of attorneys or 1546
persons licensed under section 4732.12 of the Revised Code, or 1547
patients of persons certified under section 4731.14 of the 1548
Revised Code, nor the disclosure of debts owed to the person 1549
resulting from the ordinary conduct of a business or profession. 1550

~~(g) Except as otherwise provided in section 102.022 of the~~ 1551
~~Revised Code, the source of each gift of over seventy-five~~ 1552
~~dollars, or of each gift of over twenty-five dollars received by~~ 1553
~~a member of the general assembly from a legislative agent,~~ 1554
~~received by the person in the person's own name or by any other~~ 1555
~~person for the person's use or benefit during the preceding~~ 1556
~~calendar year, except gifts received by will or by virtue of~~ 1557
~~section 2105.06 of the Revised Code, or received from spouses,~~ 1558
~~parents, grandparents, children, grandchildren, siblings,~~ 1559
~~nephews, nieces, uncles, aunts, brothers-in-law, sisters-in-law,~~ 1560
~~sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law,~~ 1561
~~or any person to whom the person filing the statement stands in~~ 1562
~~loco parentis, or received by way of distribution from any inter-~~ 1563
~~vivos or testamentary trust established by a spouse or by an~~ 1564
~~ancestor;~~ 1565

~~(h)~~ Except as otherwise provided in section 102.022 of the 1566
Revised Code, identification of the source and amount of every 1567
payment of expenses incurred for travel to destinations inside 1568
or outside this state that is received by the person in the 1569
person's own name or by any other person for the person's use or 1570
benefit and that is incurred in connection with the person's 1571
official duties, except for such expenses paid for or reimbursed 1572
by the United States government or a state or local government 1573

located in the United States and except for expenses for travel 1574
to meetings or conventions of a national or state organization 1575
to which any state agency, including, but not limited to, any 1576
legislative agency or state institution of higher education as 1577
defined in section 3345.011 of the Revised Code, pays membership 1578
dues, or any political subdivision or any office or agency of a 1579
political subdivision pays membership dues; 1580

~~(i)~~ (h) (i) Except as otherwise provided in division (A) (2) 1581
(h) (iv) of this section and section 102.022 of the Revised Code, 1582
identification of the source of ~~payment of expenses for meals~~ 1583
~~and other food and beverages, other than for meals and other~~ 1584
~~food and beverages provided at a meeting at which the person~~ 1585
~~participated in a panel, seminar, or speaking engagement or at a~~ 1586
~~meeting or convention of a national or state organization to~~ 1587
~~which any state agency, including, but not limited to, any~~ 1588
~~legislative agency or state institution of higher education as~~ 1589
~~defined in section 3345.011 of the Revised Code, pays membership~~ 1590
~~dues, or any political subdivision or any office or agency of a~~ 1591
~~political subdivision pays membership dues, any expenditures~~ 1592
~~that are incurred~~ received in connection with the person's 1593
official duties and that exceed one hundred dollars aggregated 1594
per calendar year; 1595

~~(j) If the disclosure statement is filed by a public~~ 1596
~~official or employee described in division (B) (2) of section~~ 1597
~~101.73 of the Revised Code or division (B) (2) of section 121.63~~ 1598
~~of the Revised Code who receives a statement from a legislative~~ 1599
~~agent, executive agency lobbyist, or employer that contains the~~ 1600
~~information described in division (F) (2) of section 101.73 of~~ 1601
~~the Revised Code or division (G) (2) of section 121.63 of the~~ 1602
~~Revised Code, all of the nondisputed information contained in~~ 1603
~~the statement delivered to that public official or employee by~~ 1604

~~the legislative agent, executive agency lobbyist, or employer~~ 1605
~~under division (F) (2) of section 101.73 or (G) (2) of section~~ 1606
~~121.63 of the Revised Code.~~ 1607

(ii) As used in this section, "expenditure" means any of 1608
the following that is made to, at the request of, for the 1609
benefit of, or on behalf of the person filing the statement: 1610

(I) A payment, distribution, loan, advance, deposit, 1611
reimbursement, or gift of money, real estate, or anything of 1612
value, including food and beverages, entertainment, lodging, 1613
transportation, or honorariums; 1614

(II) A contract, promise, or agreement to make an 1615
expenditure, whether or not legally enforceable; or 1616

(III) The purchase, sale, or gift of services or any other 1617
thing of value. 1618

(iii) As used in this section, "expenditure" does not 1619
include any of the following: 1620

(I) Meals and other food and beverages provided at a 1621
meeting at which the person filing the statement participated in 1622
a panel, seminar, or speaking engagement or at a meeting or 1623
convention of a national or state organization to which any 1624
state agency, including any legislative agency or state 1625
institution of higher education as defined in section 3345.011 1626
of the Revised Code, pays membership dues, or any political 1627
subdivision or any office or agency of a political subdivision 1628
pays membership dues; 1629

(II) Gifts received by will or by virtue of section 1630
2105.06 of the Revised Code, or received from spouses, parents, 1631
grandparents, children, grandchildren, siblings, nephews, 1632
nieces, uncles, aunts, brothers-in-law, sisters-in-law, sons-in- 1633

law, daughters-in-law, fathers-in-law, mothers-in-law, or any 1634
person to whom the person filing the statement stands in loco 1635
parentis, or received by way of distribution from any inter 1636
vivos or testamentary trust established by a spouse or by an 1637
ancestor; 1638

(III) A contribution, gift, or grant to a foundation or 1639
other charitable organization that is exempt from federal income 1640
taxation under subsection 501(c)(3) of the Internal Revenue 1641
Code; 1642

(IV) The purchase, sale, or gift of services or any other 1643
thing of value that is available to the general public on the 1644
same terms as it is available to the person filing the 1645
statement; or 1646

(V) An offer or sale of securities to the person filing 1647
the statement that is governed by regulation D, 17 C.F.R. 1648
230.501 to 230.508, adopted under the authority of the 1649
"Securities Act of 1933," 48 Stat. 74, 15 U.S.C. 77a and 1650
following, or that is governed by a comparable provision under 1651
state law. 1652

(iv) The joint legislative ethics committee and the Ohio 1653
ethics commission may, by rule, create exceptions to the 1654
reporting requirement described in division (A)(2)(h)(i) of this 1655
section. A person filing a statement with the joint legislative 1656
ethics committee or the Ohio ethics commission shall not be 1657
required to report the source of an expenditure under that 1658
division if the expenditure falls under an exception created by 1659
the body with which the statement is filed. 1660

(3) A person may file a statement required by this section 1661
in person, by mail, or by electronic means. 1662

(4) A person who is required to file a statement under 1663
this section shall file that statement according to the 1664
following deadlines, as applicable: 1665

(a) Except as otherwise provided in divisions (A) (4) (b), 1666
(c), and (d) of this section, the person shall file the 1667
statement not later than the fifteenth day of May of each year. 1668

(b) A person who is a candidate for elective office shall 1669
file the statement no later than the thirtieth day before the 1670
primary, special, or general election at which the candidacy is 1671
to be voted on, whichever election occurs soonest, except that a 1672
person who is a write-in candidate shall file the statement no 1673
later than the twentieth day before the earliest election at 1674
which the person's candidacy is to be voted on. 1675

(c) A person who is appointed to fill a vacancy for an 1676
unexpired term in an elective office shall file the statement 1677
within fifteen days after the person qualifies for office. 1678

(d) A person who is appointed or employed after the 1679
fifteenth day of May, other than a person described in division 1680
(A) (4) (c) of this section, shall file an annual statement within 1681
ninety days after appointment or employment. 1682

(5) No person shall be required to file with the 1683
appropriate ethics commission more than one statement or pay 1684
more than one filing fee for any one calendar year. 1685

(6) The appropriate ethics commission, for good cause, may 1686
extend for a reasonable time the deadline for filing a statement 1687
under this section. 1688

(7) A statement filed under this section is subject to 1689
public inspection at locations designated by the appropriate 1690
ethics commission except as otherwise provided in this section. 1691

(B) The Ohio ethics commission, the joint legislative ethics committee, and the board of commissioners on grievances and discipline of the supreme court, using the rule-making procedures of Chapter 119. of the Revised Code, may require any class of public officials or employees under its jurisdiction and not specifically excluded by this section whose positions involve a substantial and material exercise of administrative discretion in the formulation of public policy, expenditure of public funds, enforcement of laws and rules of the state or a county or city, or the execution of other public trusts, to file an annual statement under division (A) of this section. The appropriate ethics commission shall send the public officials or employees written notice of the requirement not less than thirty days before the applicable filing deadline unless the public official or employee is appointed after that date, in which case the notice shall be sent within thirty days after appointment, and the filing shall be made not later than ninety days after appointment.

Disclosure statements filed under this division or division (E) of this section with the Ohio ethics commission by members of boards, commissions, or bureaus of the state for which no compensation is received other than reasonable and necessary expenses shall be kept confidential. Disclosure statements filed with the Ohio ethics commission under division (A) or (E) of this section by business managers, treasurers, and superintendents of city, local, exempted village, joint vocational, or cooperative education school districts or educational service centers shall be kept confidential, except that any person conducting an audit of any such school district or educational service center pursuant to section 115.56 or Chapter 117. of the Revised Code may examine the disclosure

statement of any business manager, treasurer, or superintendent 1723
of that school district or educational service center. 1724
Disclosure statements filed with the Ohio ethics commission 1725
under division (A) or (E) of this section by the individuals set 1726
forth in division (B) (2) of section 187.03 of the Revised Code 1727
shall be kept confidential. The Ohio ethics commission shall 1728
examine each disclosure statement required to be kept 1729
confidential to determine whether a potential conflict of 1730
interest exists for the person who filed the disclosure 1731
statement. A potential conflict of interest exists if the 1732
private interests of the person, as indicated by the person's 1733
disclosure statement, might interfere with the public interests 1734
the person is required to serve in the exercise of the person's 1735
authority and duties in the person's office or position of 1736
employment. If the commission determines that a potential 1737
conflict of interest exists, it shall notify the person who 1738
filed the disclosure statement and shall make the portions of 1739
the disclosure statement that indicate a potential conflict of 1740
interest subject to public inspection in the same manner as is 1741
provided for other disclosure statements. Any portion of the 1742
disclosure statement that the commission determines does not 1743
indicate a potential conflict of interest shall be kept 1744
confidential by the commission and shall not be made subject to 1745
public inspection, except as is necessary for the enforcement of 1746
Chapters 102. and 2921. of the Revised Code and except as 1747
otherwise provided in this division. 1748

(C) No person shall knowingly fail to file, on or before 1749
the applicable filing deadline established under this section, a 1750
statement that is required by this section. 1751

(D) No person shall knowingly file a false statement ~~that~~ 1752
~~is required to be filed~~ under this section. 1753

(E) (1) A person may file an amended disclosure statement 1754
under this section not more than one hundred eighty days after 1755
the original statement was required to be filed. Upon receiving 1756
an amended statement filed under this division, the appropriate 1757
ethics commission shall acknowledge receipt of the amended 1758
statement and, except as provided in division (E) (3) of this 1759
section, shall accept and retain it in the same manner as the 1760
original statement. 1761

(2) A person may file an amended disclosure statement 1762
under this section more than one hundred eighty days after the 1763
original statement was required to be filed only in order to 1764
correct an error made in good faith. Upon receiving an amended 1765
statement filed under this division, the appropriate ethics 1766
commission shall acknowledge receipt of the amended statement. 1767
The appropriate ethics commission may accept and retain an 1768
amended statement filed under this division in the same manner 1769
as the original statement, unless the commission determines that 1770
the person filing the amended statement: 1771

(a) Did not make an error in good faith; 1772

(b) Knowingly failed to provide the information required 1773
by this section or by section 102.022 of the Revised Code; or 1774

(c) Knowingly filed a false statement under this section. 1775

(3) A person who files an amended disclosure statement 1776
under division (E) (1) or (2) of this section shall file with the 1777
amended statement a written explanation of the information the 1778
person has amended and the reason for the amendment. 1779

(4) The appropriate ethics commission may reject an 1780
amended statement filed under division (E) (1) or (2) of this 1781
section if the statement is material to a complaint, charge, or 1782

<u>inquiry.</u>		1783
(F) (1) Except as provided in divisions (E) (F) (2) and (3)		1784
of this section, the statement required by division (A) or (B)		1785
of this section shall be accompanied by a filing fee of sixty		1786
dollars.		1787
(2) The statement required by division (A) of this section		1788
shall be accompanied by the following filing fee to be paid by		1789
the person who is elected or appointed to, or is a candidate		1790
for, any of the following offices:		1791
		1792
For state office, except member of the		1793
state board of education	\$95	1794
For office of member of general assembly	\$40	1795
For county office	\$60	1796
For city office	\$35	1797
For office of member of the state board		1798
of education	\$35	1799
For office of member of a city, local,		1800
exempted village, or cooperative		1801
education board of		1802
education or educational service		1803
center governing board	\$30	1804
For position of business manager,		1805
treasurer, or superintendent of a		1806
city, local, exempted village, joint		1807
vocational, or cooperative education		1808
school district or		1809
educational service center	\$30	1810
(3) No judge of a court of record or candidate for judge		1811
of a court of record, and no referee or magistrate serving a		1812

court of record, shall be required to pay the fee required under 1813
division ~~(E)~~(F) (1) or (2) or ~~(F)~~(G) of this section. 1814

(4) For any public official who is appointed to a 1815
nonelective office of the state and for any employee who holds a 1816
nonelective position in a public agency of the state, the state 1817
agency that is the primary employer of the state official or 1818
employee shall pay the fee required under division ~~(E)~~(F) (1) or 1819
~~(F)~~(G) of this section. 1820

~~(F)~~(G) If a statement required to be filed under this 1821
section is not filed by the date on which it is required to be 1822
filed, the appropriate ethics commission shall assess the person 1823
required to file the statement a late filing fee of ten dollars 1824
for each day the statement is not filed, except that the total 1825
amount of the late filing fee shall not exceed two hundred fifty 1826
dollars. 1827

~~(G)~~(H) (1) The appropriate ethics commission other than the 1828
Ohio ethics commission and the joint legislative ethics 1829
committee shall deposit all fees it receives under divisions ~~(E)~~(F) 1830
(F) and ~~(F)~~(G) of this section into the general revenue fund of 1831
the state. 1832

(2) The Ohio ethics commission shall deposit all receipts, 1833
including, but not limited to, fees it receives under divisions 1834
~~(E)~~(F) and ~~(F)~~(G) of this section, investigative or other 1835
fees, costs, or other funds it receives as a result of court 1836
orders, and all moneys it receives from settlements under 1837
division ~~(G)~~(H) of section 102.06 of the Revised Code, into the 1838
Ohio ethics commission fund, which is hereby created in the 1839
state treasury. All moneys credited to the fund shall be used 1840
solely for expenses related to the operation and statutory 1841
functions of the commission. 1842

(3) The joint legislative ethics committee shall deposit 1843
all receipts it receives from the payment of financial 1844
disclosure statement filing fees under divisions ~~(E)~~(F) and ~~(F)~~
(G) of this section into the joint legislative ethics committee 1845
investigative fund. 1846
1847

~~(H)~~(I) Division (A) of this section does not apply to a 1848
person elected or appointed to the office of precinct, ward, or 1849
district committee member under Chapter 3517. of the Revised 1850
Code; a presidential elector; a delegate to a national 1851
convention; village or township officials and employees; any 1852
physician or psychiatrist who is paid a salary or wage in 1853
accordance with schedule C of section 124.15 or schedule E-2 of 1854
section 124.152 of the Revised Code and whose primary duties do 1855
not require the exercise of administrative discretion; or any 1856
member of a board, commission, or bureau of any county or city 1857
who receives less than one thousand dollars per year for serving 1858
in that position. 1859

Sec. 102.021. (A) (1) For the ~~twenty-four month~~twelve- 1860
month period immediately following the end of the former state 1861
elected officer's or staff member's service or public 1862
employment, except as provided in division (B) or (D) of this 1863
section, each former state elected officer or staff member who 1864
filed or was required to file a disclosure statement under 1865
section 102.02 of the Revised Code shall file, on or before the 1866
deadlines specified in division (D) of this section, with the 1867
joint legislative ethics committee a statement that shall 1868
include the information described in divisions (A) (2), (3), (4), 1869
and (5) of this section, as applicable. The statement shall be 1870
filed on a form and in the manner specified by the joint 1871
legislative ethics committee. This division does not apply to a 1872
state elected officer or staff member who filed or was required 1873

to file a disclosure statement under section 102.02 of the Revised Code, who leaves service or public employment, and who takes another position as a state elected officer or staff member who files or is required to file a disclosure statement under that section.

No person shall fail to file, on or before the deadlines specified in division (D) of this section, a statement that is required by this division.

(2) The statement referred to in division (A) (1) of this section shall describe the source of all income received, in the former state elected officer's or staff member's own name or by any other person for the person's use or benefit, and briefly describe the nature of the services for which the income was received if the source of the income was any of the following:

(a) An executive agency lobbyist or a legislative agent;

(b) The employer of an executive agency lobbyist or legislative agent, except that this division does not apply if the employer is any state agency or political subdivision of the state;

(c) Any entity, association, or business that, at any time during the two immediately preceding calendar years, was awarded one or more contracts by one or more state agencies that in the aggregate had a value of one hundred thousand dollars or more, or bid on one or more contracts to be awarded by one or more state agencies that in the aggregate had a value of one hundred thousand dollars or more.

(3) If the former state elected officer or staff member received no income as described in division (A) (2) of this section, the statement referred to in division (A) (1) of this

section shall indicate that fact. 1903

(4) If the former state elected officer or staff member 1904
directly or indirectly made, either separately or in combination 1905
with another, any expenditure or gift for transportation, 1906
lodging, or food or beverages to, at the request of, for the 1907
benefit of, or on behalf of any public officer or employee, and 1908
if the former state elected officer or staff member would be 1909
required to report the expenditure or gift in a statement under 1910
sections 101.70 to 101.79 or sections 121.60 to 121.69 of the 1911
Revised Code, whichever is applicable, if the former state 1912
elected officer or staff member was a legislative agent or 1913
executive agency lobbyist at the time the expenditure or gift 1914
was made, the statement referred to in division (A)(1) of this 1915
section shall include all information relative to that gift or 1916
expenditure that would be required in a statement under sections 1917
101.70 to 101.79 or sections 121.60 to 121.69 of the Revised 1918
Code if the former state elected officer or staff member was a 1919
legislative agent or executive agency lobbyist at the time the 1920
expenditure or gift was made. 1921

(5) If the former state elected officer or staff member 1922
made no expenditure or gift as described in division (A)(4) of 1923
this section, the statement referred to in division (A)(1) of 1924
this section shall indicate that fact. 1925

(B) If, at any time during the ~~twenty four month~~ twelve- 1926
month period immediately following the end of the former state 1927
elected officer's or staff member's service or public 1928
employment, a former state elected officer or staff member who 1929
filed or was required to file a disclosure statement under 1930
section 102.02 of the Revised Code becomes a legislative agent 1931
or an executive agency lobbyist, the former state elected 1932

officer or staff member shall comply with all registration and 1933
filing requirements set forth in sections 101.70 to 101.79 or 1934
sections 121.60 to 121.69 of the Revised Code, whichever is 1935
applicable, and, the former state elected officer or staff 1936
member also shall file a statement under division (A)(1) of this 1937
section except that the statement filed under division (A)(1) of 1938
this section does not need to include information regarding any 1939
income source, expenditure, or gift to the extent that that 1940
information was included in any registration or statement filed 1941
under sections 101.70 to 101.79 or sections 121.60 to 121.69 of 1942
the Revised Code. 1943

(C) Except as otherwise provided in this division, 1944
division (A)(2) of this section applies to attorneys, 1945
physicians, and other persons who engage in the practice of a 1946
profession and who, pursuant to a section of the Revised Code, 1947
the common law of this state, a code of ethics applicable to the 1948
profession, or otherwise, generally are required not to reveal, 1949
disclose, or use confidences of clients, patients, or other 1950
recipients of professional services except under specified 1951
circumstances or generally are required to maintain those types 1952
of confidences as privileged communications except under 1953
specified circumstances. Division (A)(2) of this section does 1954
not require an attorney, physician, or other professional 1955
subject to a confidentiality requirement as described in this 1956
division to disclose the name, other identity, or address of a 1957
client, patient, or other recipient of professional services if 1958
the disclosure would threaten the client, patient, or other 1959
recipient of professional services, would reveal details of the 1960
subject matter for which legal, medical, or professional advice 1961
or other services were sought, or would reveal an otherwise 1962
privileged communication involving the client, patient, or other 1963

recipient of professional services. Division (A) (2) of this 1964
section does not require an attorney, physician, or other 1965
professional subject to a confidentiality requirement as 1966
described in this division to disclose in the brief description 1967
of the nature of services required by division (A) (2) of this 1968
section any information pertaining to specific professional 1969
services rendered for a client, patient, or other recipient of 1970
professional services that would reveal details of the subject 1971
matter for which legal, medical, or professional advice was 1972
sought or would reveal an otherwise privileged communication 1973
involving the client, patient, or other recipient of 1974
professional services. 1975

(D) (1) Each state elected officer or staff member who 1976
filed or was required to file a disclosure statement under 1977
section 102.02 of the Revised Code and who leaves public service 1978
or public employment shall file an initial statement under 1979
division (A) (1) of this section not later than the day on which 1980
the former state elected officer or staff member leaves public 1981
service or public employment. The initial statement shall 1982
specify whether the person will, or will not, receive any income 1983
from a source described in division (A) (2) (a), (b), or (c) of 1984
this section. 1985

If a person files an initial statement under this division 1986
that states that the person will receive income from a source 1987
described in division (A) (2) (a), (b), or (c) of this section, 1988
the person is required to file statements under division (A) (2), 1989
(3), (4), or (5) of this section at the times specified in 1990
division (D) (2) of this section. 1991

If a person files an initial statement under this division 1992
that states that the person will not receive income from a 1993

source described in division (A) (2) (a), (b), or (c) of this section, except as otherwise provided in this division, the person is not required to file statements under division (A) (2), (4), or (5) of this section or to file subsequent statements under division (A) (3) of this section. If a person files an initial statement under this division that states that the person will not receive income from a source described in division (A) (2) (a), (b), or (c) of this section, and, subsequent to the filing of that initial statement, the person receives any income from a source described in division (A) (2) (a), (b), or (c) of this section, the person within ten days shall file a statement under division (A) (2) of this section that contains the information described in that division, and the person thereafter shall file statements under division (A) (2), (3), (4), or (5) of this section at the times specified in division (D) (2) of this section.

(2) After the filing of the initial statement under division (D) (1) of this section, each person required to file a statement under division (A) (2), (3), (4), or (5) of this section shall file it on or before the last calendar day of January, May, and September. The statements described in divisions (A) (2), (3), and (5) of this section shall relate to the sources of income the person received in the immediately preceding filing period from each source of income in each of the categories listed in division (A) (2) of this section. The statement described in division (A) (4) of this section shall include any information required to be reported regarding expenditures and gifts of the type described in division (A) (4) of this section occurring since the filing of the immediately preceding statement.

If, pursuant to this division, a person files a statement

under division (A) (2) of this section, the person is required to 2025
file statements under division (A) (4) of this section, and 2026
subsequent statements under division (A) (2), (3), or (5) of this 2027
section, at the times specified in this division. In addition, 2028
if, subsequent to the filing of the statement under division (A) 2029
(2) of this section, the person receives any income from a 2030
source described in division (A) (2) (a), (b), or (c) of this 2031
section that was not listed on the statement filed under 2032
division (A) (2) of this section, the person within ten days 2033
shall file a statement under division (A) (2) of this section 2034
that contains the information described in that division 2035
regarding the new income source. 2036

If, pursuant to this division, a person files a statement 2037
under division (A) (3) of this section, except as otherwise 2038
provided in this division, the person thereafter is not required 2039
to file statements under division (A) (2), (4), or (5) of this 2040
section, or to file subsequent statements under division (A) (3) 2041
of this section. If, subsequent to the filing of the statement 2042
under division (A) (3) of this section, the person receives any 2043
income from a source described in division (A) (2) (a), (b), or 2044
(c) of this section, the person within ten days shall file a 2045
statement under division (A) (2) of this section that contains 2046
the information described in that division regarding the new 2047
income source, and the person thereafter shall file statements 2048
under division (A) (4) of this section, and subsequent statements 2049
under division (A) (2) or (3) of this section, at the times 2050
specified in this division. 2051

(3) No fee shall be required for filing an ~~initial~~ a 2052
statement under division (D) ~~(1)~~ of this section. ~~The person~~ 2053
~~filing a statement under division (D) (2) of this section that is~~ 2054
~~required to be filed on or before the last calendar day of~~ 2055

~~January, May, and September shall pay a ten dollar filing fee~~ 2056
~~with each such statement not to exceed thirty dollars in any~~ 2057
~~calendar year. The~~ However, the joint legislative ethics 2058
committee may charge late fees in the same manner as specified 2059
in division (G) of section 101.72 of the Revised Code. 2060

(E) Any state elected officer or staff member who filed or 2061
was required to file a disclosure statement under section 102.02 2062
of the Revised Code and who leaves public service or public 2063
employment shall provide a forwarding address to the officer's 2064
or staff member's last employer, and the employer shall provide 2065
the person's name and address to the joint legislative ethics 2066
committee. The former elected state officer or staff member 2067
shall provide updated forwarding addresses as necessary to the 2068
joint legislative ethics committee during the ~~twenty-four month~~ 2069
twelve-month period during which division (A) (1) of this section 2070
applies. The public agency or appointing authority that was the 2071
last employer of a person required to file a statement under 2072
division (A) (2) of this section shall furnish to the person a 2073
copy of the form needed to complete the initial statement 2074
required under division (D) (1) of this section. 2075

(F) During the ~~twenty-four month~~ twelve-month period 2076
immediately following the end of the former state elected 2077
officer's or staff member's service or public employment, no 2078
person required to file a statement under this section shall 2079
receive from a source described in division (A) (2) (a), (b), or 2080
(c) of this section, and no source described in division (A) (2) 2081
(a), (b), or (c) of this section shall pay to that person, any 2082
compensation that is contingent in any way upon the 2083
introduction, modification, passage, or defeat of any 2084
legislation or the outcome of any executive agency decision. 2085

(G) (1) As used in this section "state elected officer or staff member" means any elected officer of this state, any staff, as defined in section 101.70 of the Revised Code, or any staff, as defined in section 121.60 of the Revised Code.

(2) As used in this section, "expenditure" has the meaning defined in section 101.70 of the Revised Code when used in relation to activities of a legislative agent, and the meaning defined in section 121.60 of the Revised Code when used in relation to activities of an executive agency lobbyist.

Sec. 102.03. (A) (1) No present or former public official or employee shall, during public employment or service or for twelve months thereafter, represent a client or act in a representative capacity for any person on any matter in which the public official or employee personally participated as a public official or employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(2) For twenty-four months after the conclusion of service, no former commissioner or attorney examiner of the public utilities commission shall represent a public utility, as defined in section 4905.02 of the Revised Code, or act in a representative capacity on behalf of such a utility before any state board, commission, or agency.

(3) For twenty-four months after the conclusion of employment or service, no former public official or employee who personally participated as a public official or employee through decision, approval, disapproval, recommendation, the rendering of advice, the development or adoption of solid waste management plans, investigation, inspection, or other substantial exercise

of administrative discretion under Chapter 343. or 3734. of the 2116
Revised Code shall represent a person who is the owner or 2117
operator of a facility, as defined in section 3734.01 of the 2118
Revised Code, or who is an applicant for a permit or license for 2119
a facility under that chapter, on any matter in which the public 2120
official or employee personally participated as a public 2121
official or employee. 2122

~~(4) For a period of one year after the conclusion of 2123
employment or service as a member or employee of the general 2124
assembly, no former member or employee of the general assembly 2125
shall represent, or act in a representative capacity for, any 2126
person on any matter before the general assembly, any committee 2127
of the general assembly, or the controlling board. Division (A) 2128
(4) of this section does not apply to or affect a person who 2129
separates from service with the general assembly on or before 2130
December 31, 1995. As used in division (A) (4) of this section 2131
"person" does not include any state agency or political 2132
subdivision of the state. 2133~~

~~(5) As used in divisions (A) (1), (2), and (3) of this 2134
section, "matter" includes any case, proceeding, application, 2135
determination, issue, or question, but does not include the 2136
proposal, consideration, or enactment of statutes, rules, 2137
ordinances, resolutions, or charter or constitutional 2138
amendments. As used in division (A) (4) of this section, "matter" 2139
includes the proposal, consideration, or enactment of statutes, 2140
resolutions, or constitutional amendments. As used in division 2141
(A) of this section, "represent" includes any formal or informal 2142
appearance before, or any written or oral communication with, 2143
any public agency on behalf of any person. 2144~~

~~(6) (5) Nothing contained in division (A) of this section 2145~~

shall prohibit, during such period, a former public official or 2146
employee from being retained or employed to represent, assist, 2147
or act in a representative capacity for the public agency by 2148
which the public official or employee was employed or on which 2149
the public official or employee served. 2150

~~(7)~~(6) Division (A) of this section shall not be 2151
construed to prohibit the performance of ministerial functions, 2152
including, but not limited to, the filing or amendment of tax 2153
returns, applications for permits and licenses, incorporation 2154
papers, and other similar documents. 2155

~~(8)~~(7) Division (A) of this section does not prohibit a 2156
nonelected public official or employee of a state agency, as 2157
defined in section 1.60 of the Revised Code, from becoming a 2158
public official or employee of another state agency. Division 2159
(A) of this section does not prohibit such an official or 2160
employee from representing or acting in a representative 2161
capacity for the official's or employee's new state agency on 2162
any matter in which the public official or employee personally 2163
participated as a public official or employee at the official's 2164
or employee's former state agency. However, no public official 2165
or employee of a state agency shall, during public employment or 2166
for twelve months thereafter, represent or act in a 2167
representative capacity for the official's or employee's new 2168
state agency on any audit or investigation pertaining to the 2169
official's or employee's new state agency in which the public 2170
official or employee personally participated at the official's 2171
or employee's former state agency through decision, approval, 2172
disapproval, recommendation, the rendering of advice, 2173
investigation, or other substantial exercise of administrative 2174
discretion. 2175

~~(9)~~ (8) Division (A) of this section does not prohibit a 2176
nonelected public official or employee of a political 2177
subdivision from becoming a public official or employee of a 2178
different department, division, agency, office, or unit of the 2179
same political subdivision. Division (A) of this section does 2180
not prohibit such an official or employee from representing or 2181
acting in a representative capacity for the official's or 2182
employee's new department, division, agency, office, or unit on 2183
any matter in which the public official or employee personally 2184
participated as a public official or employee at the official's 2185
or employee's former department, division, agency, office, or 2186
unit of the same political subdivision. As used in this 2187
division, "political subdivision" means a county, township, 2188
municipal corporation, or any other body corporate and politic 2189
that is responsible for government activities in a geographic 2190
area smaller than that of the state. 2191

~~(10)~~ (9) No present or former Ohio casino control 2192
commission official shall, during public service or for two 2193
years thereafter, represent a client, be employed or compensated 2194
by a person regulated by the commission, or act in a 2195
representative capacity for any person on any matter before or 2196
concerning the commission. 2197

No present or former commission employee shall, during 2198
public employment or for two years thereafter, represent a 2199
client or act in a representative capacity on any matter in 2200
which the employee personally participated as a commission 2201
employee through decision, approval, disapproval, 2202
recommendation, the rendering of advice, investigation, or other 2203
substantial exercise of administrative discretion. 2204

(B) No present or former public official or employee shall 2205

disclose or use, without appropriate authorization, any 2206
information acquired by the public official or employee in the 2207
course of the public official's or employee's official duties 2208
that is confidential because of statutory provisions, or that 2209
has been clearly designated to the public official or employee 2210
as confidential when that confidential designation is warranted 2211
because of the status of the proceedings or the circumstances 2212
under which the information was received and preserving its 2213
confidentiality is necessary to the proper conduct of government 2214
business. 2215

(C) No public official or employee shall participate 2216
within the scope of duties as a public official or employee, 2217
except through ministerial functions as defined in division (A) 2218
of this section, in any license or rate-making proceeding that 2219
directly affects the license or rates of any person, 2220
partnership, trust, business trust, corporation, or association 2221
in which the public official or employee or immediate family 2222
owns or controls more than five per cent. No public official or 2223
employee shall participate within the scope of duties as a 2224
public official or employee, except through ministerial 2225
functions as defined in division (A) of this section, in any 2226
license or rate-making proceeding that directly affects the 2227
license or rates of any person to whom the public official or 2228
employee or immediate family, or a partnership, trust, business 2229
trust, corporation, or association of which the public official 2230
or employee or the public official's or employee's immediate 2231
family owns or controls more than five per cent, has sold goods 2232
or services totaling more than one thousand dollars during the 2233
preceding year, unless the public official or employee has filed 2234
a written statement acknowledging that sale with the clerk or 2235
secretary of the public agency and the statement is entered in 2236

any public record of the agency's proceedings. This division 2237
shall not be construed to require the disclosure of clients of 2238
attorneys or persons licensed under section 4732.12 of the 2239
Revised Code, or patients of persons certified under section 2240
4731.14 of the Revised Code. 2241

(D) No public official or employee shall use or authorize 2242
the use of the authority or influence of office or employment to 2243
secure anything of value or the promise or offer of anything of 2244
value that is of such a character as to manifest a substantial 2245
and improper influence upon the public official or employee with 2246
respect to that person's duties. 2247

(E) No public official or employee shall solicit or accept 2248
anything of value that is of such a character as to manifest a 2249
substantial and improper influence upon the public official or 2250
employee with respect to that person's duties. 2251

(F) No person shall promise or give to a public official 2252
or employee anything of value that is of such a character as to 2253
manifest a substantial and improper influence upon the public 2254
official or employee with respect to that person's duties. 2255

(G) In the absence of bribery or another offense under the 2256
Revised Code or a purpose to defraud, contributions made to a 2257
campaign committee, political party, legislative campaign fund, 2258
political action committee, or political contributing entity on 2259
behalf of an elected public officer or other public official or 2260
employee who seeks elective office shall be considered to accrue 2261
ordinarily to the public official or employee for the purposes 2262
of divisions (D), (E), and (F) of this section. 2263

As used in this division, "contributions," "campaign 2264
committee," "political party," "legislative campaign fund," 2265

"political action committee," and "political contributing
entity" have the same meanings as in section 3517.01 of the
Revised Code.

(H) (1) No public official or employee, except for the
president or other chief administrative officer of or a member
of a board of trustees of a state institution of higher
education as defined in section 3345.011 of the Revised Code,
who is required to file a financial disclosure statement under
section 102.02 of the Revised Code shall solicit or accept, and
no person shall give to that public official or employee, an
honorarium. Except as provided in division (H) (2) of this
section, this division and divisions (D), (E), and (F) of this
section do not prohibit a public official or employee who is
required to file a financial disclosure statement under section
102.02 of the Revised Code from accepting and do not prohibit a
person from giving to that public official or employee the
payment of actual travel expenses, including any expenses
incurred in connection with the travel for lodging, and meals,
food, and beverages provided to the public official or employee
at a meeting at which the public official or employee
participates in a panel, seminar, or speaking engagement or
provided to the public official or employee at a meeting or
convention of a national organization to which any state agency,
including, but not limited to, any state legislative agency or
state institution of higher education as defined in section
3345.011 of the Revised Code, pays membership dues. Except as
provided in division (H) (2) of this section, this division and
divisions (D), (E), and (F) of this section do not prohibit a
public official or employee who is not required to file a
financial disclosure statement under section 102.02 of the
Revised Code from accepting and do not prohibit a person from

promising or giving to that public official or employee an 2297
honorarium or the payment of travel, meal, and lodging expenses 2298
if the honorarium, expenses, or both were paid in recognition of 2299
demonstrable business, professional, or esthetic interests of 2300
the public official or employee that exist apart from public 2301
office or employment, including, but not limited to, such a 2302
demonstrable interest in public speaking and were not paid by 2303
any person or other entity, or by any representative or 2304
association of those persons or entities, that is regulated by, 2305
doing business with, or seeking to do business with the 2306
department, division, institution, board, commission, authority, 2307
bureau, or other instrumentality of the governmental entity with 2308
which the public official or employee serves. 2309

(2) No person who is a member of the board of a state 2310
retirement system, a state retirement system investment officer, 2311
or an employee of a state retirement system whose position 2312
involves substantial and material exercise of discretion in the 2313
investment of retirement system funds shall solicit or accept, 2314
and no person shall give to that board member, officer, or 2315
employee, payment of actual travel expenses, including expenses 2316
incurred with the travel for lodging, meals, food, and 2317
beverages. 2318

(I) A public official or employee may accept travel, 2319
meals, and lodging or expenses or reimbursement of expenses for 2320
travel, meals, and lodging in connection with conferences, 2321
seminars, and similar events related to official duties if the 2322
travel, meals, and lodging, expenses, or reimbursement is not of 2323
such a character as to manifest a substantial and improper 2324
influence upon the public official or employee with respect to 2325
that person's duties. The house of representatives and senate, 2326
in their code of ethics, and the Ohio ethics commission, under 2327

section 111.15 of the Revised Code, may adopt rules setting 2328
standards and conditions for the furnishing and acceptance of 2329
such travel, meals, and lodging, expenses, or reimbursement. 2330

A person who acts in compliance with this division and any 2331
applicable rules adopted under it, or any applicable, similar 2332
rules adopted by the supreme court governing judicial officers 2333
and employees, does not violate division (D), (E), or (F) of 2334
this section. This division does not preclude any person from 2335
seeking an advisory opinion from the appropriate ethics 2336
commission under section 102.08 of the Revised Code. 2337

(J) For purposes of divisions (D), (E), and (F) of this 2338
section, the membership of a public official or employee in an 2339
organization shall not be considered, in and of itself, to be of 2340
such a character as to manifest a substantial and improper 2341
influence on the public official or employee with respect to 2342
that person's duties. As used in this division, "organization" 2343
means a church or a religious, benevolent, fraternal, or 2344
professional organization that is tax exempt under subsection 2345
501(a) and described in subsection 501(c)(3), (4), (8), (10), or 2346
(19) of the "Internal Revenue Code of 1986." This division does 2347
not apply to a public official or employee who is an employee of 2348
an organization, serves as a trustee, director, or officer of an 2349
organization, or otherwise holds a fiduciary relationship with 2350
an organization. This division does not allow a public official 2351
or employee who is a member of an organization to participate, 2352
formally or informally, in deliberations, discussions, or voting 2353
on a matter or to use the public official's or employee's 2354
official position with regard to the interests of the 2355
organization on the matter if the public official or employee 2356
has assumed a particular responsibility in the organization with 2357
respect to the matter or if the matter would affect that 2358

person's personal, pecuniary interests. 2359

(K) It is not a violation of this section for a 2360
prosecuting attorney to appoint assistants and employees in 2361
accordance with division (B) of section 309.06 and section 2362
2921.421 of the Revised Code, for a chief legal officer of a 2363
municipal corporation or an official designated as prosecutor in 2364
a municipal corporation to appoint assistants and employees in 2365
accordance with sections 733.621 and 2921.421 of the Revised 2366
Code, for a township law director appointed under section 504.15 2367
of the Revised Code to appoint assistants and employees in 2368
accordance with sections 504.151 and 2921.421 of the Revised 2369
Code, or for a coroner to appoint assistants and employees in 2370
accordance with division (B) of section 313.05 of the Revised 2371
Code. 2372

As used in this division, "chief legal officer" has the 2373
same meaning as in section 733.621 of the Revised Code. 2374

(L) No present public official or employee with a casino 2375
gaming regulatory function shall indirectly invest, by way of an 2376
entity the public official or employee has an ownership interest 2377
or control in, or directly invest in a casino operator, 2378
management company, holding company, casino facility, or gaming- 2379
related vendor. No present public official or employee with a 2380
casino gaming regulatory function shall directly or indirectly 2381
have a financial interest in, have an ownership interest in, be 2382
the creditor or hold a debt instrument issued by, or have an 2383
interest in a contractual or service relationship with a casino 2384
operator, management company, holding company, casino facility, 2385
or gaming-related vendor. This section does not prohibit or 2386
limit permitted passive investing by the public official or 2387
employee. 2388

As used in this division, "passive investing" means 2389
investment by the public official or employee by means of a 2390
mutual fund in which the public official or employee has no 2391
control of the investments or investment decisions. "Casino 2392
operator," "holding company," "management company," "casino 2393
facility," and "gaming-related vendor" have the same meanings as 2394
in section 3772.01 of the Revised Code. 2395

(M) A member of the Ohio casino control commission, the 2396
executive director of the commission, or an employee of the 2397
commission shall not: 2398

(1) Accept anything of value, including but not limited to 2399
a gift, gratuity, emolument, or employment from a casino 2400
operator, management company, or other person subject to the 2401
jurisdiction of the commission, or from an officer, attorney, 2402
agent, or employee of a casino operator, management company, or 2403
other person subject to the jurisdiction of the commission; 2404

(2) Solicit, suggest, request, or recommend, directly or 2405
indirectly, to a casino operator, management company, or other 2406
person subject to the jurisdiction of the commission, or to an 2407
officer, attorney, agent, or employee of a casino operator, 2408
management company, or other person subject to the jurisdiction 2409
of the commission, the appointment of a person to an office, 2410
place, position, or employment; 2411

(3) Participate in casino gaming ~~or any other amusement or~~ 2412
~~activity~~ at a casino facility in this state or at an affiliate 2413
gaming facility of a licensed casino operator, wherever located. 2414
A member of the Ohio casino control commission, the executive 2415
director of the commission, or an employee of the commission may 2416
participate in any other amusement or activity at a casino 2417
facility in this state or at an affiliate gaming facility of a 2418

licensed casino operator, wherever located, if the member, 2419
executive director, or employee pays the same price as the 2420
general public for that amusement or activity. 2421

In addition to the penalty provided in section 102.99 of 2422
the Revised Code, whoever violates division (M) (1), (2), or (3) 2423
of this section forfeits the individual's office or employment. 2424

Sec. 102.031. (A) As used in this section: 2425

(1) "Business associate" means a person with whom a member 2426
of the general assembly is conducting or undertaking a financial 2427
transaction. 2428

(2) "Contribution" has the same meaning as in section 2429
3517.01 of the Revised Code. 2430

(3) "Employee" does not include a member of the general 2431
assembly whose nonlegislative position of employment does not 2432
involve the performance of or the authority to perform 2433
administrative or supervisory functions; or whose nonlegislative 2434
position of employment, if the member is a public employee, does 2435
not involve a substantial and material exercise of 2436
administrative discretion in the formulation of public policy, 2437
expenditure of public funds, enforcement of laws and rules of 2438
the state or a county or city, or execution of other public 2439
trusts. 2440

(4) "Expenditure" has the meaning defined in section 2441
101.70 of the Revised Code. 2442

(B) No member of the general assembly shall vote on any 2443
legislation that the member knows is then being actively 2444
advocated if the member is one of the following with respect to 2445
a legislative agent or employer that is then actively advocating 2446
on that legislation: 2447

(1) An employee;	2448
(2) A business associate;	2449
(3) A person, other than an employee, who is hired under contract to perform certain services, and that position involves a substantial and material exercise of administrative discretion in the formulation of public policy.	2450 2451 2452 2453
(C) No member of the general assembly shall knowingly accept any of the following from a legislative agent or a person required to file a statement described in division (A) (2) of section 102.021 of the Revised Code:	2454 2455 2456 2457
(1) The payment of any expenses for travel or lodging except as otherwise authorized by division (H) of section 102.03 of the Revised Code;	2458 2459 2460
(2) More Expenditures more than seventy-five two hundred fifty dollars aggregated per calendar year as payment for meals and other food and beverages, other than <u>any contribution and other expenditures</u> for those meals and other food and beverages provided to the member at a meeting at which the member participates in a panel, seminar, or speaking engagement, at a meeting or convention of a national organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or at a dinner, party, or function to which all members of the general assembly or all members of either house of the general assembly are invited;	2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473
(3) A gift of any amount in the form of cash or the equivalent of cash, or a gift of any other thing of value whose value exceeds seventy-five dollars. As used in division (C) (3)	2474 2475 2476

of this section, "gift" does not include any contribution ~~or any~~ 2477
~~gifts of meals and other food and beverages or the payment of~~ 2478
~~expenses incurred for travel to destinations either inside or~~ 2479
~~outside this state that is received by a member of the general~~ 2480
~~assembly and that is incurred in connection with the member's~~ 2481
~~official duties.~~ 2482

(D) It is not a violation of division (C) (2) of this 2483
section if, within sixty days after receiving notice from a 2484
legislative agent that the legislative agent has provided a 2485
member of the general assembly with expenditures of more than 2486
~~seventy five two hundred fifty~~ dollars aggregated in a calendar 2487
year ~~as payment for meals and other food and beverages,~~ the 2488
member of the general assembly returns to that legislative agent 2489
the amount received that exceeds ~~seventy five two hundred fifty~~ 2490
dollars. 2491

(E) Every three years, with the first adjustment beginning 2492
January 1, 2020, the joint legislative ethics committee shall 2493
adjust the amount for aggregate expenditures specified in 2494
division (C) (2) of this section. The adjustment shall be based 2495
on the yearly average of the previous three years of the 2496
Consumer Price Index for All Urban Consumers or its successive 2497
equivalent, as determined by the United States department of 2498
labor, bureau of statistics, or its successor in responsibility, 2499
for all items, series A. 2500

(F) The joint legislative ethics committee may impose a 2501
fine of not more than one thousand dollars upon a member of the 2502
general assembly who violates division (B) of this section. 2503

Sec. 102.06. (A) The appropriate ethics commission shall 2504
receive and may initiate complaints against persons subject to 2505
this chapter concerning conduct alleged to be in violation of 2506

this chapter or section 2921.42 or 2921.43 of the Revised Code. 2507
All complaints except those by the commission shall be by 2508
affidavit made on personal knowledge, subject to the penalties 2509
of perjury. Complaints by the commission shall be by affidavit, 2510
based upon reasonable cause to believe that a violation has 2511
occurred. 2512

(B) The appropriate ethics commission shall investigate 2513
complaints, may investigate charges presented to it, and may 2514
request further information, including the specific amount of 2515
income from a source, from any person filing with the commission 2516
a statement required by section 102.02 or 102.021 of the Revised 2517
Code, if the information sought is directly relevant to a 2518
complaint or charges received by the commission pursuant to this 2519
section. This information is confidential, except that the 2520
commission, in its discretion, may share information gathered in 2521
the course of any investigation with, or disclose the 2522
information to, the inspector general, any appropriate 2523
prosecuting authority, any law enforcement agency, or any other 2524
appropriate ethics commission. If the accused person is a member 2525
of the public employees retirement board, state teachers 2526
retirement board, school employees retirement board, board of 2527
trustees of the Ohio police and fire pension fund, or state 2528
highway patrol retirement board, or is a member of the bureau of 2529
workers' compensation board of directors, the appropriate ethics 2530
commission, in its discretion, also may share information 2531
gathered in the course of an investigation with, or disclose the 2532
information to, the attorney general and the auditor of state. 2533
The person so requested shall furnish the information to the 2534
commission, unless within fifteen days from the date of the 2535
request the person files an action for declaratory judgment 2536
challenging the legitimacy of the request in the court of common 2537

pleas of the county of the person's residence, the person's 2538
place of employment, or Franklin county. The requested 2539
information need not be furnished to the commission during the 2540
pendency of the judicial proceedings. Proceedings of the 2541
commission in connection with the declaratory judgment action 2542
shall be kept confidential except as otherwise provided by this 2543
section. Before the commission proceeds to take any formal 2544
action against a person who is the subject of an investigation 2545
based on charges presented to the commission, a complaint shall 2546
be filed against the person. If the commission finds that a 2547
complaint is not frivolous, and there is reasonable cause to 2548
believe that the facts alleged in a complaint constitute a 2549
violation of division (B) or (C) of section 102.07 or section 2550
102.02, 102.021, 102.03, 102.04, ~~102.07~~, 2921.42, or 2921.43 of 2551
the Revised Code, it shall hold a hearing. If the commission 2552
does not so find, it shall dismiss the complaint and notify the 2553
accused person in writing of the dismissal of the complaint. The 2554
commission shall not make a report of its finding unless the 2555
accused person requests a report. Upon the request of the 2556
accused person, the commission shall make a public report of its 2557
finding. The person against whom the complaint is directed shall 2558
be given reasonable notice by certified mail of the date, time, 2559
and place of the hearing and a statement of the charges and the 2560
law directly involved and shall be given the opportunity to be 2561
represented by counsel, to have counsel appointed for the person 2562
if the person is unable to afford counsel without undue 2563
hardship, to examine the evidence against the person, to produce 2564
evidence and to call and subpoena witnesses in the person's 2565
defense, to confront the person's accusers, and to cross-examine 2566
witnesses. The commission shall have a stenographic record made 2567
of the hearing. The hearing shall be closed to the public. 2568

(C) (1) (a) If, upon the basis of the hearing, the
appropriate ethics commission finds by a preponderance of the
evidence that the facts alleged in the complaint are true and
constitute a violation of division (B) or (C) of section 102.07
or section 102.02, 102.021, 102.03, 102.04, ~~102.07,~~ 2921.42, or
2921.43 of the Revised Code, it shall report its findings to the
appropriate prosecuting authority for proceedings in prosecution
of the violation and to the appointing or employing authority of
the accused. If the accused person is a member of the public
employees retirement board, state teachers retirement board,
school employees retirement board, board of trustees of the Ohio
police and fire pension fund, or state highway patrol retirement
board, the commission also shall report its findings to the Ohio
retirement study council.

(b) If the Ohio ethics commission reports its findings to
the appropriate prosecuting authority under division (C) (1) (a)
of this section and the prosecuting authority has not initiated
any official action on those findings within ninety days after
receiving the commission's report of them, the commission may
publicly comment that no official action has been taken on its
findings, except that the commission shall make no comment in
violation of the Rules of Criminal Procedure or about any
indictment that has been sealed pursuant to any law or those
rules. The commission shall make no comment regarding the merits
of its findings. As used in division (C) (1) (b) of this section,
"official action" means prosecution, closure after
investigation, or grand jury action resulting in a true bill of
indictment or no true bill of indictment.

(2) If the appropriate ethics commission does not find by
a preponderance of the evidence that the facts alleged in the
complaint are true and constitute a violation of division (B) or

(C) of section 102.07 or section 102.02, 102.021, 102.03, 2600
102.04, ~~102.07,~~ 2921.42, or 2921.43 of the Revised Code or if 2601
the commission has not scheduled a hearing within ninety days 2602
after the complaint is filed or has not finally disposed of the 2603
complaint within six months after it has been heard, it shall 2604
dismiss the complaint and notify the accused person in writing 2605
of the dismissal of the complaint. The commission shall not make 2606
a report of its finding unless the accused person requests a 2607
report. Upon the request of the accused person, the commission 2608
shall make a public report of the finding, but in this case all 2609
evidence and the record of the hearing shall remain confidential 2610
unless the accused person also requests that the evidence and 2611
record be made public. Upon request by the accused person, the 2612
commission shall make the evidence and the record available for 2613
public inspection. 2614

(D) The appropriate ethics commission, or a member of the 2615
commission, may administer oaths, and the commission may issue 2616
subpoenas to any person in the state compelling the attendance 2617
of witnesses and the production of relevant papers, books, 2618
accounts, and records. The commission shall issue subpoenas to 2619
compel the attendance of witnesses and the production of 2620
documents upon the request of an accused person. Section 101.42 2621
of the Revised Code shall govern the issuance of these subpoenas 2622
insofar as applicable. Upon the refusal of any person to obey a 2623
subpoena or to be sworn or to answer as a witness, the 2624
commission may apply to the court of common pleas of Franklin 2625
county under section 2705.03 of the Revised Code. The court 2626
shall hold proceedings in accordance with Chapter 2705. of the 2627
Revised Code. The commission or the accused person may take the 2628
depositions of witnesses residing within or without the state in 2629
the same manner as prescribed by law for the taking of 2630

depositions in civil actions in the court of common pleas. 2631

(E) At least once each year, the Ohio ethics commission 2632
shall report on its activities of the immediately preceding year 2633
to the majority and minority leaders of the senate and house of 2634
representatives of the general assembly. The report shall 2635
indicate the total number of complaints received, initiated, and 2636
investigated by the commission, the total number of complaints 2637
for which formal hearings were held, and the total number of 2638
complaints for which formal prosecution was recommended or 2639
requested by the commission. The report also shall indicate the 2640
nature of the inappropriate conduct alleged in each complaint 2641
and the governmental entity with which any employee or official 2642
that is the subject of a complaint was employed at the time of 2643
the alleged inappropriate conduct. 2644

(F) The Ohio ethics commission shall maintain a list of 2645
all executive agencies. The commission shall provide copies of 2646
the list to the general public on request and may charge a 2647
reasonable fee not to exceed the cost of copying and delivering 2648
the document. 2649

(G) All papers, records, affidavits, and documents upon 2650
any complaint, inquiry, or investigation relating to the 2651
proceedings of the appropriate ethics commission shall be sealed 2652
and are private and confidential, except as otherwise provided 2653
in this section and section 102.07 of the Revised Code. 2654

~~(G)~~ (H) (1) When a complaint or charge is before it, the 2655
Ohio ethics commission or the appropriate prosecuting authority, 2656
in consultation with the person filing the complaint or charge, 2657
the accused, and any other person the commission or prosecuting 2658
authority considers necessary, may compromise or settle the 2659
complaint or charge with the agreement of the accused. The 2660

compromise or settlement may include mediation, restitution, 2661
rescission of affected contracts, forfeiture of any benefits 2662
resulting from a violation or potential violation of law, 2663
resignation of a public official or employee, or any other 2664
relief that is agreed upon between the commission or prosecuting 2665
authority and the accused. 2666

(2) Any settlement agreement entered into under division 2667
~~(G)~~(H)(1) of this section shall be in writing and be accompanied 2668
by a statement of the findings of the commission or prosecuting 2669
authority and the reasons for entering into the agreement. The 2670
commission or prosecuting authority shall retain the agreement 2671
and statement in the commission's or prosecuting authority's 2672
office and, in the commission's or prosecuting authority's 2673
discretion, may make the agreement, the statement, and any 2674
supporting information public, unless the agreement provides 2675
otherwise. 2676

(3) If a settlement agreement is breached by the accused, 2677
the commission or prosecuting authority, in the commission's or 2678
prosecuting authority's discretion, may rescind the agreement 2679
and reinstitute any investigation, hearing, or prosecution of 2680
the accused. No information obtained from the accused in 2681
reaching the settlement that is not otherwise discoverable from 2682
the accused shall be used in any proceeding before the 2683
commission or by the appropriate prosecuting authority in 2684
prosecuting the violation. Notwithstanding any other section of 2685
the Revised Code, if a settlement agreement is breached, any 2686
statute of limitations for a violation of this chapter or 2687
section 2921.42 or 2921.43 of the Revised Code is tolled from 2688
the date the complaint or charge is filed until the date the 2689
settlement agreement is breached. 2690

Sec. 102.07. (A) Beginning with disclosure statements 2691
required to be filed for calendar year 2016, the Ohio ethics 2692
commission shall publish and make available to the public on its 2693
official web site each disclosure statement filed with the 2694
commission by a person who is elected to, a candidate for, or 2695
appointed to fill a vacancy for an unexpired term in any 2696
elective office listed in division (A) of section 102.02 of the 2697
Revised Code, except for statements that are required to be kept 2698
confidential under division (B) of that section. 2699

(B) No member, employee, or agent of the Ohio ethics 2700
commission, board of commissioners on grievances and discipline 2701
of the supreme court, or joint legislative ethics committee 2702
shall divulge any information or any books, papers, or documents 2703
presented to the commission, joint legislative ethics committee, 2704
or board of commissioners on grievances and discipline without 2705
the consent, in writing, of the appropriate ethics commission, 2706
unless such books, papers, or documents were presented at a 2707
public hearing, except as provided in section 102.06 of the 2708
Revised Code. 2709

(C) No person shall divulge information that appears on a 2710
disclosure statement and is required to be kept confidential 2711
under division (B) of section 102.02 of the Revised Code. 2712

Sec. 102.99. (A) Whoever violates division (C) of section 2713
102.02 or division (C) of section 102.031 of the Revised Code is 2714
guilty of a misdemeanor of the fourth degree. 2715

(B) Whoever violates division (D) of section 102.02, 2716
division (B) or (C) of section 102.07, or section 102.021, 2717
102.03, or 102.04, ~~or 102.07~~ of the Revised Code is guilty of a 2718
misdemeanor of the first degree. 2719

Sec. 109.54. (A) The bureau of criminal identification and 2720
investigation may investigate any criminal activity in this 2721
state that is of statewide or intercounty concern when requested 2722
by local authorities and may aid federal authorities, when 2723
requested, in their investigation of any criminal activity in 2724
this state. The bureau may investigate any criminal activity in 2725
this state related to the conduct of elections when requested by 2726
the secretary of state. The bureau may assist the Ohio ethics 2727
commission and the joint legislative ethics commission in 2728
investigating violations of sections 102.02, 102.021, 102.03, 2729
102.031, 102.04, 2921.42, and 2921.43 of the Revised Code, upon 2730
request by the agency having the appropriate investigative 2731
jurisdiction. The bureau may investigate any criminal activity 2732
in this state involving drug abuse or illegal drug distribution 2733
prohibited under Chapter 3719. or 4729. of the Revised Code or 2734
any violation of section 2915.02 of the Revised Code. The 2735
superintendent and any agent of the bureau may participate, as 2736
the director of an organized crime task force established under 2737
section 177.02 of the Revised Code or as a member of the 2738
investigatory staff of a task force established under that 2739
section, in an investigation of organized criminal activity 2740
anywhere within this state under sections 177.01 to 177.03 of 2741
the Revised Code. 2742

(B) The bureau may provide any trained investigative 2743
personnel and specialized equipment that are requested by any 2744
sheriff or chief of police, by the authorized designee of any 2745
sheriff or chief of police, or by any other authorized law 2746
enforcement officer to aid and assist the officer in the 2747
investigation and solution of any crime or the control of any 2748
criminal activity occurring within the officer's jurisdiction. 2749
This assistance shall be furnished by the bureau without 2750

disturbing or impairing any of the existing law enforcement 2751
authority or the prerogatives of local law enforcement 2752
authorities or officers. Investigators provided pursuant to this 2753
section, or engaged in an investigation pursuant to section 2754
109.83 of the Revised Code, may go armed in the same manner as 2755
sheriffs and regularly appointed police officers under section 2756
2923.12 of the Revised Code. 2757

(C) (1) The bureau shall obtain recording equipment that 2758
can be used to record depositions of the type described in 2759
division (A) of section 2152.81 and division (A) of section 2760
2945.481 of the Revised Code, or testimony of the type described 2761
in division (D) of section 2152.81 and division (D) of section 2762
2945.481 or in division (C) of section 2937.11 of the Revised 2763
Code, shall obtain closed circuit equipment that can be used to 2764
televise testimony of the type described in division (C) or (D) 2765
of section 2152.81 and division (C) of section 2945.481 or in 2766
division (B) of section 2937.11 of the Revised Code, and shall 2767
provide the equipment, upon request, to any court for use in 2768
recording any deposition or testimony of one of those types or 2769
in televising the testimony in accordance with the applicable 2770
division. 2771

(2) The bureau shall obtain the names, addresses, and 2772
telephone numbers of persons who are experienced in questioning 2773
children in relation to an investigation of a violation of 2774
section 2905.03, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2775
2907.06, 2907.07, 2907.09, 2907.21, 2907.23, 2907.24, 2907.31, 2776
2907.32, 2907.321, 2907.322, 2907.323, or 2919.22 of the Revised 2777
Code or an offense of violence and shall maintain a list of 2778
those names, addresses, and telephone numbers. The list shall 2779
include a classification of the names, addresses, and telephone 2780
numbers by appellate district. Upon request, the bureau shall 2781

provide any county sheriff, chief of police, prosecuting 2782
attorney, village solicitor, city director of law, or similar 2783
chief legal officer with the name, address, and telephone number 2784
of any person contained in the list. 2785

Sec. 121.60. As used in sections 121.60 to 121.69 of the 2786
Revised Code: 2787

(A) "Person" and "compensation" have the same meanings as 2788
in section 101.70 of the Revised Code. 2789

(B) "Expenditure" means any of the following that is made 2790
to, at the request of, for the benefit of, or on behalf of an 2791
elected executive official, the director of a department created 2792
under section 121.02 of the Revised Code, an executive agency 2793
official, or a member of the staff of any public officer or 2794
employee listed in this division: 2795

(1) A payment, distribution, loan, advance, deposit, 2796
reimbursement, or gift of money, real estate, or anything of 2797
value, including, but not limited to, food and beverages, 2798
entertainment, lodging, transportation, or honorariums; 2799

(2) A contract, promise, or agreement to make an 2800
expenditure, whether or not legally enforceable; 2801

(3) The purchase, sale, or gift of services or any other 2802
thing of value. "Expenditure" does not include a contribution, 2803
gift, or grant to a foundation or other charitable organization 2804
that is exempt from federal income taxation under subsection 2805
501(c)(3) of the Internal Revenue Code. "Expenditure" does not 2806
include the purchase, sale, or gift of services or any other 2807
thing of value that is available to the general public on the 2808
same terms as it is available to the persons listed in this 2809
division, or an offer or sale of securities to any person listed 2810

in this division that is governed by regulation D, 17 C.F.R. 2811
230.501 to 230.508, adopted under the authority of the 2812
"Securities Act of 1933," 48 Stat. 74, 15 U.S.C.A. and 2813
following, or that is governed by a comparable provision under 2814
state law. 2815

(C) "Employer" means any person who, directly or 2816
indirectly, engages an executive agency lobbyist. 2817

(D) "Engage" means to make any arrangement, and 2818
"engagement" means arrangement, whereby an individual is 2819
employed or retained for compensation to act for or on behalf of 2820
an employer to influence executive agency decisions or to 2821
conduct any executive agency lobbying activity. 2822

(E) "Financial transaction" means a transaction or 2823
activity that is conducted or undertaken for profit and arises 2824
from the joint ownership or the ownership or part ownership in 2825
common of any real or personal property or any commercial or 2826
business enterprise of whatever form or nature between the 2827
following: 2828

(1) An executive agency lobbyist, the executive agency 2829
lobbyist's employer, or a member of the immediate family of the 2830
executive agency lobbyist or the executive agency lobbyist's 2831
employer; and 2832

(2) Any elected executive official, the director of a 2833
department created under section 121.02 of the Revised Code, an 2834
executive agency official, or any member of the staff of a 2835
public officer or employee listed in division (E)(2) of this 2836
section. 2837

"Financial transaction" does not include any transaction 2838
or activity described in division (E) of this section if it is 2839

available to the general public on the same terms, or if it is 2840
an offer or sale of securities to any person listed in division 2841
(E) (2) of this section that is governed by regulation D, 17 2842
C.F.R. 230.501 to 230.508, adopted under the authority of the 2843
"Securities Act of 1933," 48 Stat. 74, 15 U.S.C.A. and 2844
following, or that is governed by a comparable provision under 2845
state law. 2846

(F) "Executive agency" means the office of an elected 2847
executive official, a department created under section 121.02 of 2848
the Revised Code, or any other state agency, department, board, 2849
or commission controlled or directed by an elected executive 2850
official or otherwise subject to an elected executive official's 2851
authority. For the purposes of sections 121.60 to 121.69 of the 2852
Revised Code only, "executive agency" includes the nonprofit 2853
corporation formed under section 187.01 of the Revised Code. 2854
"Executive agency" does not include any court, the general 2855
assembly, or the controlling board. 2856

(G) "Executive agency decision" means a decision of an 2857
executive agency regarding the expenditure of funds of the state 2858
or of an executive agency with respect to the award of a 2859
contract, grant, lease, or other financial arrangement under 2860
which such funds are distributed or allocated, or a regulatory 2861
decision of an executive agency or any board or commission of 2862
the state. "Executive agency decision" does not include either 2863
of the following: 2864

(1) A purchasing decision for which a vendor has filed a 2865
statement certifying that the vendor has not made campaign 2866
contributions in an amount such that section 3517.13 of the 2867
Revised Code would invalidate the decision, if that vendor has 2868
not engaged an executive agency lobbyist; 2869

(2) The award of a competitively bid contract for which 2870
bid specifications were prepared and for which at least three 2871
eligible competitive bids were received by the executive agency. 2872

(H) "Executive agency lobbyist" means any person ~~engaged~~ 2873
~~to influence whose direct communication with executive agency~~ 2874
~~officials or employees for the purpose of influencing executive~~ 2875
agency decisions or ~~to conduct~~ conducting executive agency 2876
lobbying activity ~~as one of the person's main purposes on a~~ 2877
~~regular and substantial basis~~ constitutes at least twenty-five 2878
per cent of the total performance time for which the person is 2879
compensated by a specific employer. "Executive agency lobbyist" 2880
does not include an elected or appointed officer or employee of 2881
a federal or state agency, state college, state university, or 2882
political subdivision who attempts to influence or affect 2883
executive agency decisions in a fiduciary capacity as a 2884
representative of the officer's or employee's agency, college, 2885
university, or political subdivision. 2886

(I) "Executive agency lobbying activity" means contacts 2887
made to promote, oppose, or otherwise influence the outcome of 2888
an executive agency decision by direct communication with any 2889
person described in division (E) (2) of this section, or the Ohio 2890
casino control commission. "Lobbying activity" does not include 2891
any of the following: 2892

(1) The action of any person having a direct interest in 2893
executive agency decisions who, under Section 3 of Article I, 2894
Ohio Constitution, assembles together with other persons to 2895
consult for their common good, instructs a person listed in the 2896
first paragraph of division (I) of this section, or petitions 2897
such a person for the redress of grievances; 2898

(2) Contacts made for the sole purpose of gathering 2899

information contained in a public record;	2900
(3) Appearances before an executive agency to give testimony.	2901 2902
(J) "Executive agency official" means an officer or employee of an executive agency whose principal duties are to formulate policy or to participate directly or indirectly in the preparation, review, or award of contracts, grants, leases, or other financial arrangements with an executive agency.	2903 2904 2905 2906 2907
(K) "Aggrieved party" means a party entitled to resort to a remedy.	2908 2909
(L) "Elected executive official" means the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, and the attorney general.	2910 2911 2912
(M) "Staff" means any officer or employee of an executive agency whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of state funds.	2913 2914 2915 2916
Sec. 121.62. (A) Each executive agency lobbyist and each employer shall file with the joint legislative ethics committee, within ten days following the engagement of an executive agency lobbyist, an initial registration statement showing all of the following:	2917 2918 2919 2920 2921
(1) The name, business address, and occupation of the executive agency lobbyist;	2922 2923
(2) The name and business address of the employer or of the real party in interest on whose behalf the executive agency lobbyist is acting, if it is different from the employer. For the purposes of division (A) of this section, where a trade	2924 2925 2926 2927

association or other charitable or fraternal organization that 2928
is exempt from federal income taxation under subsection 501(c) 2929
of the federal Internal Revenue Code is the employer, the 2930
statement need not list the names and addresses of every member 2931
of the association or organization, so long as the association 2932
or organization itself is listed. 2933

(3) A brief description of the executive agency decision 2934
to which the engagement relates; 2935

(4) The name of the executive agency or agencies to which 2936
the engagement relates. 2937

(B) In addition to the initial registration statement 2938
required by division (A) of this section, each executive agency 2939
lobbyist and employer shall file with the joint committee, not 2940
later than the last day of January, May, and September of each 2941
year, an updated registration statement that confirms the 2942
continuing existence of each engagement described in an initial 2943
registration statement and that lists the specific executive 2944
agency decisions that the lobbyist sought to influence under the 2945
engagement during the period covered by the updated statement, 2946
and with it any statement of expenditures required to be filed 2947
by section 121.63 of the Revised Code and any details of 2948
financial transactions required to be filed by section 121.64 of 2949
the Revised Code. 2950

(C) If an executive agency lobbyist is engaged by more 2951
than one employer, the lobbyist shall file a separate initial 2952
and updated registration statement for each engagement. If an 2953
employer engages more than one executive agency lobbyist, the 2954
employer need file only one updated registration statement under 2955
division (B) of this section, which shall contain the 2956
information required by division (B) of this section regarding 2957

all of the executive agency lobbyists engaged by the employer. 2958

(D) (1) A change in any information required by division 2959
(A) (1), (2), or (B) of this section shall be reflected in the 2960
next updated registration statement filed under division (B) of 2961
this section. 2962

(2) Within thirty days following the termination of an 2963
engagement, the executive agency lobbyist who was employed under 2964
the engagement shall send written notification of the 2965
termination to the joint committee. 2966

(E) A registration fee of ~~twenty-five~~ thirty-five dollars 2967
shall be charged for filing an initial registration statement. 2968
All money collected from registration fees under this division 2969
and late filing fees under division (G) of this section shall be 2970
deposited into the state treasury to the credit of the joint 2971
legislative ethics committee fund created under section 101.34 2972
of the Revised Code. 2973

(F) Upon registration pursuant to this section, an 2974
executive agency lobbyist shall be issued a card by the joint 2975
committee showing that the lobbyist is registered. The 2976
registration card and the executive agency lobbyist's 2977
registration shall be valid from the date of their issuance 2978
until the next thirty-first day of ~~January-December~~ of ~~the-an~~ 2979
even-numbered year following the year in which the initial- 2980
~~registration was filed.~~ 2981

(G) The executive director of the joint committee shall be 2982
responsible for reviewing each registration statement filed with 2983
the joint committee under this section and for determining 2984
whether the statement contains all of the required information. 2985
If the joint committee determines that the registration 2986

statement does not contain all of the required information or 2987
that an executive agency lobbyist or employer has failed to file 2988
a registration statement, the joint committee shall send written 2989
notification by certified mail to the person who filed the 2990
registration statement regarding the deficiency in the statement 2991
or to the person who failed to file the registration statement 2992
regarding the failure. Any person so notified by the joint 2993
committee shall, not later than fifteen days after receiving the 2994
notice, file a registration statement or an amended registration 2995
statement that contains all of the required information. If any 2996
person who receives a notice under this division fails to file a 2997
registration statement or such an amended registration statement 2998
within this fifteen-day period, the joint committee shall assess 2999
a late filing fee equal to twelve dollars and fifty cents per 3000
day, up to a maximum fee of one hundred dollars, upon that 3001
person. The joint committee may waive the late filing fee for 3002
good cause shown. 3003

(H) On or before the fifteenth day of March of each year, 3004
the joint committee shall, in the manner and form that it 3005
determines, publish a report containing statistical information 3006
on the registration statements filed with it under this section 3007
during the preceding year. 3008

(I) If an employer who engages an executive agency 3009
lobbyist is the recipient of a contract, grant, lease, or other 3010
financial arrangement pursuant to which funds of the state or of 3011
an executive agency are distributed or allocated, the executive 3012
agency or any aggrieved party may consider the failure of the 3013
employer or the executive agency lobbyist to comply with this 3014
section as a breach of a material condition of the contract, 3015
grant, lease, or other financial arrangement. 3016

(J) Executive agency officials may require certification 3017
from any person seeking the award of a contract, grant, lease, 3018
or financial arrangement that the person and the person's 3019
employer are in compliance with this section. 3020

Sec. 121.63. (A) Each executive agency lobbyist and each 3021
employer shall file with the joint legislative ethics committee, 3022
with the updated registration statement required by division (B) 3023
of section 121.62 of the Revised Code, a statement of 3024
expenditures as specified in divisions (B) and (C) of this 3025
section. An executive agency lobbyist shall file a separate 3026
statement of expenditures under this section for each employer 3027
that engages the executive agency lobbyist. 3028

~~(B) (1) In addition to the information required by 3029
divisions (B) (2) and (3) of this section, a statement filed by 3030
an executive agency lobbyist shall show the total amount of 3031
expenditures made during the reporting period covered by the 3032
statement by the executive agency lobbyist. 3033~~

~~(2) If, during a reporting period covered by a statement, 3034
an employer or any executive agency lobbyist the employer 3035
engaged made, either separately or in combination with each 3036
other, expenditures to, that, when added to the amount of 3037
previous expenditures made by that employer or executive agency 3038
lobbyist during the same calendar year, exceed a total of one 3039
hundred dollars at the request of, for the benefit of, or on 3040
behalf of a particular elected executive official, the director 3041
of a department created under section 121.02 of the Revised 3042
Code, a particular executive agency official, or a particular 3043
member of the staff of any public officer listed in division (B) 3044
(2) of this section, the employer or executive agency lobbyist 3045
also shall state the name of the public officer or employee to 3046~~

whom, at whose request, for whose benefit, or on whose behalf 3047
the expenditures were made, the total amount of the expenditures 3048
made, a brief description of the expenditures made, the 3049
approximate date the expenditures were made, the executive 3050
agency decision, if any, sought to be influenced, and the 3051
identity of the client on whose behalf the expenditure was made. 3052

~~As used in division (B) (2) of this section, "expenditures" 3053
does not include expenditures made by an executive agency 3054
lobbyist as payment for meals and other food and beverages. 3055~~

~~(3) If, during a reporting period covered by a statement, 3056
an executive agency lobbyist made expenditures as payment for 3057
meals and other food and beverages, other than for meals and 3058
other food and beverages provided at a meeting at which the 3059
person participated in a panel, seminar, or speaking engagement 3060
or at a meeting or convention of a national organization to 3061
which any state agency, including, but not limited to, any 3062
legislative agency or state institution of higher education as 3063
defined in section 3345.011 of the Revised Code, pays membership 3064
dues, that, when added to the amount of previous payments made 3065
for meals and other food and beverages by that executive agency 3066
lobbyist during that same calendar year, exceeded a total of 3067
fifty dollars to, at the request of, for the benefit of, or on 3068
behalf of a particular elected executive official, the director 3069
of a department created under section 121.02 of the Revised 3070
Code, a particular executive agency official, or any particular 3071
member of the staff of any of the public officers or employees 3072
listed in division (B) (3) of this section, then the executive 3073
agency lobbyist shall also state regarding those expenditures 3074
the name of the public officer or employee to whom, at whose 3075
request, for whose benefit, or on whose behalf the expenditures 3076
were made, the total amount of the expenditures made, a brief 3077~~

~~description of the expenditures made, the approximate date the~~ 3078
~~expenditures were made, the executive agency decision, if any,~~ 3079
~~sought to be influenced, and the identity of the client on whose~~ 3080
~~behalf the expenditure was made.~~ 3081

(C) In addition to the information required by ~~divisions~~ 3082
~~division (B) (2) and (3)~~ of this section, a statement ~~filed by an~~ 3083
~~employer~~ shall show the total amount of expenditures made by ~~the~~ 3084
an employer or executive agency lobbyist filing the statement 3085
during the period covered by the statement. ~~As used in this~~ 3086
~~section, "expenditures" does not include the expenses of~~ 3087
~~maintaining office facilities, or the compensation paid to~~ 3088
~~executive agency lobbyists engaged to influence executive agency~~ 3089
~~decisions or conduct executive agency lobbying activity.~~ 3090
A statement filed by an executive agency lobbyist shall show all 3091
executive agency decisions that the executive agency lobbyist 3092
has sought to influence on behalf of the employer during the 3093
period covered by the statement. A statement filed by an 3094
employer shall show all executive agency decisions that the 3095
employer has sought to influence during the period covered by 3096
the statement. 3097

No employer shall be required to show any expenditure or 3098
executive agency decision on a statement filed under this 3099
division if the expenditure or executive agency decision is 3100
reported on a statement filed under division (B) ~~(1), (2), or (3)~~ 3101
of this section by an executive agency lobbyist engaged by the 3102
employer. No executive agency lobbyist shall be required to show 3103
any expenditure on a statement filed under this division if the 3104
expenditure is reported on a statement filed under division (B) 3105
of this section by the executive agency lobbyist's employer. 3106

(D) Any statement required to be filed under this section 3107

shall be filed at the times specified in section 121.62 of the Revised Code. Each statement shall cover expenditures made during the four-calendar-month period that ended on the last day of the month immediately preceding the month in which the statement is required to be filed.

(E) If it is impractical or impossible for an executive agency lobbyist or employer to determine exact dollar amounts or values of expenditures, reporting of good faith estimates, based on reasonable accounting procedures, constitutes compliance with this division.

(F) Executive agency lobbyists and employers shall retain receipts or maintain records for all expenditures that are required to be reported pursuant to this section. These receipts or records shall be maintained for a period ending on the thirty-first day of December of the second calendar year after the year in which the expenditure was made.

(G) ~~(1)~~ At least ten days before the date on which the statement is filed, each employer or executive agency lobbyist who is required to file an expenditure statement under division (B) ~~(2) or (3)~~ of this section shall deliver a copy notice of the ~~statement, or the portion showing the expenditure,~~ to the public officer or employee who is listed in the statement as having received the expenditure or on whose behalf it was made.

~~(2) If, during a reporting period covered by an expenditure statement filed under division (B) (2) of this section, an employer or any executive agency lobbyist the employer engaged made, either separately or in combination with each other, either directly or indirectly, expenditures for an honorarium or for transportation, lodging, or food and beverages purchased for consumption on the premises in which the food and~~

~~beverages were sold to, at the request of, for the benefit or, 3138
or on behalf of any of the public officers or employees 3139
described in division (B) (2) of this section, the employer or 3140
executive agency lobbyist shall deliver to the public officer or 3141
employee a statement that contains all of the nondisputed 3142
information prescribed in division (B) (2) of this section with 3143
respect to the expenditures described in division (G) (2) of this 3144
section. The statement of expenditures made under division (G) 3145
(2) of this section shall be delivered to the public officer or 3146
employee to whom, at whose request, for whose benefit, or on 3147
whose behalf those expenditures were made on the same day in 3148
which a copy of the expenditure statement or of a portion 3149
showing the expenditure is delivered to the public officer or 3150
employee under division (G) (1) of this section. An employer is 3151
not required to show any expenditure on a statement delivered 3152
under division (G) (2) of this section if the expenditure is 3153
shown on a statement delivered under division (G) (2) of this 3154
section by a legislative agent engaged by the employer. 3155~~

(H) As used in this section, "expenditure" does not 3156
include the expenses of maintaining office facilities or the 3157
compensation paid to executive agency lobbyists engaged to 3158
influence executive agency decisions or to conduct executive 3159
agency lobbying activity. 3160

Sec. 121.64. (A) Each executive agency lobbyist who has 3161
had any financial transaction with or for the benefit of an 3162
elected executive official, the director of a department created 3163
under section 121.02 of the Revised Code, an executive agency 3164
official, or any member of the staff of any of the public 3165
officers or employees listed in this division shall describe the 3166
details of the transaction, including the name of the public 3167
officer or employee, the purpose and nature of the transaction, 3168

and the date it was made or entered into, in a statement filed 3169
with the joint legislative ethics committee with the updated 3170
registration statement required by division (B) of section 3171
121.62 of the Revised Code. The statements shall be filed at the 3172
times specified in section 121.62 of the Revised Code. Each 3173
statement shall describe each financial transaction that 3174
occurred during the four-calendar-month period that ended on the 3175
last day of the month immediately preceding the month in which 3176
the statement is required to be filed. 3177

(B) Except as provided in division (D) of this section, 3178
each employer who has had any financial transaction with or for 3179
the benefit of an elected executive official, the director of a 3180
department created under section 121.02 of the Revised Code, an 3181
executive agency official, or any member of the staff of any of 3182
the public officers or employees listed in this division shall 3183
describe the details of the transaction, including the name of 3184
the public officer or employee, the purpose and nature of the 3185
transaction, and the date it was made or entered into, in a 3186
statement filed with the joint committee with the updated 3187
registration statement required by division (B) of section 3188
121.62 of the Revised Code. The statement shall be filed at the 3189
times specified in section 121.62 of the Revised Code. Each 3190
statement shall describe each financial transaction that 3191
occurred during the four-calendar-month period that ended on the 3192
last day of the month immediately preceding the month in which 3193
the statement is required to be filed. 3194

(C) At least ten days before the date on which the 3195
statement is filed, each employer or executive agency lobbyist 3196
who is required to file a statement describing a financial 3197
transaction under this section shall deliver ~~a copy notice~~ of 3198
the ~~statement~~ transaction to the public officer or employee with 3199

whom or for whose benefit the transaction was made. 3200

(D) No employer shall be required to file any statement 3201
under this section or to deliver ~~a copy notice~~ of the ~~statement-~~ 3202
~~transaction~~ to a public officer or employee with whom or for 3203
whose benefit the transaction was made if the financial 3204
transaction to which the statement pertains is reported by an 3205
executive agency lobbyist engaged by the employer. 3206

Sec. 121.65. If a dispute arises between an elected 3207
executive official, the director of a department created under 3208
section 121.02 of the Revised Code, an executive agency 3209
official, or any member of the staff of any public officer or 3210
employee listed in this division and an employer or executive 3211
agency lobbyist with respect to an expenditure or financial 3212
transaction alleged in a statement to be filed under section 3213
121.63 or 121.64 of the Revised Code, the public officer or 3214
employee, employer, or executive agency lobbyist may file a 3215
complaint with the Ohio ethics commission. The commission shall 3216
proceed to investigate the complaint as though it were filed 3217
under section 102.06 of the Revised Code. 3218

The complaint shall be filed at least three days prior to 3219
the time the statement is required to be filed with the joint 3220
legislative ethics committee. The time for filing a ~~disputed-~~ 3221
~~expenditure or financial transaction in any statement of~~ 3222
expenditures or the details of a financial transaction that 3223
contains a disputed expenditure or financial transaction shall 3224
be extended pending the final decision of the commission. ~~This-~~ 3225
~~extension does not extend the time for filing the nondisputed-~~ 3226
~~portions of either type of statement.~~ The commission shall 3227
notify the parties of its final decision by certified mail. If 3228
the commission decides that the disputed expenditure or 3229

financial transaction should be reported, the employer or 3230
executive agency lobbyist shall include the matter in ~~an amended~~ 3231
the statement and. The employer or executive agency lobbyist 3232
shall file the ~~amended~~ statement not later than ten days after 3233
receiving notice of the decision of the commission by certified 3234
mail. 3235

An employer or executive agency lobbyist who files a false 3236
statement of expenditures or details of a financial transaction 3237
is liable in a civil action to any public officer or employee 3238
who sustains damage as a result of the filing or publication of 3239
the statement. 3240

Sec. 121.68. (A) The joint legislative ethics committee 3241
shall keep on file the statements required by sections 121.62, 3242
121.63, and 121.64 of the Revised Code. These statements are 3243
public records and open to public inspection, and the joint 3244
committee shall ~~computerize~~ publish them ~~so that the information~~ 3245
~~contained in and make~~ them is readily accessible available to 3246
the general public on its official web site. The joint committee 3247
shall provide copies of the statements to the general public on 3248
request and may charge a reasonable fee not to exceed the cost 3249
of copying and delivering the statement. 3250

(B) Not later than the last day of February and October of 3251
each year, the joint committee shall compile from the 3252
registration statements filed with it a complete and updated 3253
list of registered executive agency lobbyists and their 3254
employers, ~~and distribute the list to each elected executive~~ 3255
~~official and the director of each department created under~~ 3256
~~section 121.02 of the Revised Code, who shall distribute the~~ 3257
~~list to the appropriate personnel under his jurisdiction.~~ The 3258
joint committee shall provide copies of the list to the general 3259

public upon request and may charge a reasonable fee not to 3260
exceed the cost of copying and delivering the list. 3261

~~(C) The joint committee shall maintain a list of all 3262
executive agencies. The joint committee shall provide copies of 3263
the list to the general public on request and may charge a 3264
reasonable fee not to exceed the cost of copying and delivering 3265
the document. 3266~~

~~(D)~~The joint committee shall prescribe and make available 3267
an appropriate form for the filings required by sections 121.62, 3268
121.63, and 121.64 of the Revised Code. The form shall contain 3269
the following notice in boldface type: "ANY PERSON WHO KNOWINGLY 3270
FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 3271
2921.13 OF THE REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST 3272
DEGREE." 3273

~~(E)~~(D) The joint committee may adopt rules as necessary 3274
to implement sections 121.60 to 121.69 of the Revised Code, and 3275
any such rules it adopts shall be adopted in accordance with 3276
section 111.15 of the Revised Code. 3277

~~(F)~~(E) The joint committee shall publish a handbook that 3278
explains in clear and concise language the provisions of 3279
sections 121.60 to 121.69 of the Revised Code and make it 3280
available free of charge to executive agency lobbyists, 3281
employers, and any other interested persons. 3282

Sec. 4503.033. (A) Annually, on or before the thirty-first 3283
day of January, every deputy registrar shall file with the 3284
registrar of motor vehicles on a form prescribed by the 3285
registrar, a statement disclosing all of the following: 3286

(1) The name of the person filing the statement, and, if 3287
applicable, of ~~his~~the person's spouse and of members of ~~his~~the 3288

<u>person's</u> immediate family;	3289
(2) Any contribution made within the previous calendar year by the person and, if applicable, by his <u>the person's</u> spouse and by members of his <u>the person's</u> immediate family to each of the following:	3290
	3291
	3292
	3293
(a) Any political party;	3294
(b) Any candidate for the office of governor, attorney general, secretary of state, treasurer of state, auditor of state, member of the senate or house of representatives of the general assembly, or to the campaign committee of any such candidate.	3295
	3296
	3297
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	3299
(3) The month, day, and year in which the contribution was made;	3300
	3301
(4) The full name and address of each person, political party, or campaign committee to which a contribution was made;	3302
	3303
(5) The value in dollars and cents of the contribution.	3304
(B) No person shall knowingly fail to file, on or before the filing deadline under this section, a statement that is required by division (A) of this section.	3305
	3306
	3307
(C) No person shall knowingly make a false statement in a statement that is required to be filed under division (A) of this section.	3308
	3309
	3310
(D) On and after March 2, 1994, the statement required by division (A) of this section shall be accompanied by a filing fee of twenty-five dollars. If the statement required by division (A) of this section is not filed by the date on which it is required to be filed, the registrar of motor vehicles shall assess a late filing fee as prescribed in division (F) <u>(G)</u>	3311
	3312
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of section 102.02 of the Revised Code. The registrar shall 3317
deposit all fees he receives under this division into the 3318
general revenue fund of the state. 3319

(E) Not later than the date a deputy registrar is required 3320
to file a statement under division (A) of this section, the 3321
deputy registrar shall file a copy of the statement with the 3322
office of the secretary of state. The secretary of state shall 3323
keep the copies of all statements filed with ~~his~~the office of 3324
the secretary of state under this division only for the purpose 3325
of making them available for public inspection. 3326

(F) Whoever violates division (B) of this section shall be 3327
fined one thousand dollars. Whoever violates division (C) of 3328
this section shall be fined ten thousand dollars. 3329

Section 2. That existing sections 101.15, 101.34, 101.70, 3330
101.72, 101.73, 101.74, 101.75, 101.78, 101.90, 101.92, 101.93, 3331
101.94, 101.95, 101.98, 102.01, 102.02, 102.021, 102.03, 3332
102.031, 102.06, 102.07, 102.99, 109.54, 121.60, 121.62, 121.63, 3333
121.64, 121.65, 121.68, and 4503.033 of the Revised Code are 3334
hereby repealed. 3335

Section 3. That the version of section 102.01 of the 3336
Revised Code that is scheduled to take effect January 1, 2018, 3337
be amended to read as follows: 3338

Sec. 102.01. As used in this chapter: 3339

(A) "Compensation" means money, thing of value, or 3340
financial benefit. "Compensation" does not include reimbursement 3341
for actual and necessary expenses incurred in the performance of 3342
official duties. 3343

(B) "Public official or employee" means any person who is 3344
elected or appointed to an office or is an employee of any 3345

public agency. "Public official or employee" does not include a 3346
person elected or appointed to the office of precinct, ward, or 3347
district committee member under section 3517.03 of the Revised 3348
Code, any presidential elector, or any delegate to a national 3349
convention. "Public official or employee" does not include a 3350
person who is a teacher, instructor, professor, or other kind of 3351
educator whose position does not involve the performance of, or 3352
authority to perform, administrative or supervisory functions. 3353

(C) "Public agency" means the general assembly, all 3354
courts, any department, division, institution, board, 3355
commission, authority, bureau or other instrumentality of the 3356
state, a county, city, village, or township, the five state 3357
retirement systems, or any other governmental entity. "Public 3358
agency" does not include a department, division, institution, 3359
board, commission, authority, or other instrumentality of the 3360
state or a county, municipal corporation, township, or other 3361
governmental entity that functions exclusively for cultural, 3362
educational, historical, humanitarian, advisory, or research 3363
purposes; that does not expend more than ten thousand dollars 3364
per calendar year, excluding salaries and wages of employees; 3365
and whose members are uncompensated. "Public agency" does not 3366
include the nonprofit corporation formed under section 187.01 of 3367
the Revised Code. 3368

(D) "Immediate family" means a spouse residing in the 3369
person's household and any dependent child. 3370

(E) "Income" includes gross income as defined and used in 3371
the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 3372
1, as amended, interest and dividends on obligations or 3373
securities of any state or of any political subdivision or 3374
authority of any state or political subdivision, and interest or 3375

dividends on obligations of any authority, commission, or 3376
instrumentality of the United States. 3377

(F) Except as otherwise provided in division (A) of 3378
section 102.08 of the Revised Code, "appropriate ethics 3379
commission" means: 3380

(1) For matters relating to members of the general 3381
assembly, employees of the general assembly, employees of the 3382
legislative service commission, and candidates for the office of 3383
member of the general assembly, the joint legislative ethics 3384
committee; 3385

(2) For matters relating to judicial officers and 3386
employees, and candidates for judicial office, the board of 3387
commissioners on grievances and discipline of the supreme court; 3388

(3) For matters relating to all other persons, the Ohio 3389
ethics commission. 3390

(G) "Anything of value" has the same meaning as provided 3391
in section 1.03 of the Revised Code and includes, but is not 3392
limited to, a contribution as defined in section 3517.01 of the 3393
Revised Code. 3394

(H) "Honorarium" means any payment made in consideration 3395
for any speech given, article published, or attendance at any 3396
public or private conference, convention, meeting, social event, 3397
meal, or similar gathering. "Honorarium" does not include 3398
ceremonial gifts or awards that have insignificant monetary 3399
value; unsolicited gifts of nominal value or trivial items of 3400
informational value; or earned income from any person, other 3401
than a legislative agent, for personal services that are 3402
customarily provided in connection with the practice of a bona 3403
fide business, if that business initially began before the 3404

public official or employee conducting that business was elected 3405
or appointed to the public official's or employee's office or 3406
position of employment. 3407

(I) "Employer" means any person who, directly or 3408
indirectly, engages an executive agency lobbyist or legislative 3409
agent. 3410

(J) "Executive agency decision," "executive agency 3411
lobbyist," and "executive agency lobbying activity" have the 3412
same meanings as in section 121.60 of the Revised Code. 3413

(K) "Legislation," "legislative agent," "financial 3414
transaction," and "actively advocate" have the same meanings as 3415
in section 101.70 of the Revised Code. 3416

~~(L) "Expenditure" has the same meaning as in section 3417
101.70 of the Revised Code when used in relation to activities 3418
of a legislative agent, and the same meaning as in section 3419
121.60 of the Revised Code when used in relation to activities 3420
of an executive agency lobbyist. 3421~~

Section 4. That the existing version of section 102.01 of 3422
the Revised Code that was scheduled to take effect January 1, 3423
2018, is hereby repealed. 3424

Section 5. Sections 101.72, 101.92, and 121.62 of the 3425
Revised Code, as amended by this act, take effect December 1, 3426
2018. 3427

Section 6. Section 102.07 of the Revised Code is presented 3428
in this act as a composite of the section as amended by both Am. 3429
Sub. H.B. 285 and Am. Sub. H.B. 492 of the 120th General 3430
Assembly, applying the principle stated in division (B) of 3431
section 1.52 of the Revised Code that amendments are to be 3432
harmonized if reasonably capable of simultaneous operation, 3433

finds that the composite is the resulting version of the section	3434
in effect prior to the effective date of the section as	3435
presented in this act.	3436